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Settle, Mobilize, Verify: Identification Practices in Colonial India

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Colonial State Formation: New Norms for Old

As the East India Company extended its territorial dominion, the civilizational encounter was sometimes described as one between a society dynamized by trade, enterprise and English liberty and the melancholy stasis of the Hindus. The political despotism of Muslim rulers and the sacerdotal despotism of the brahmanical order were blamed for this social involution.¹ Yet a range of historical work has outlined the process by which British paramountcy and colonial order actually evolved by suppressing a dynamic of competitive state-building in eighteenth century India, and arresting the fluidity of social forms associated with it.²

Colonial officials claimed it was the periodic lapse of personal despotisms into anarchy that threw state boundaries into flux.³ Rulers also seemed to permit mendicant and pilgrim throngs, pastoralist and hunting bands, and other itinerant

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¹ W. Tennant, *Thoughts on the Effects of the British Government on the State of India*, Edinburgh, 1807, pp. 141–42; J. Mill, *History of British India*, Vol. II, London, 1858.

² Bayly points out that the ideological and social dominance of caste Hindu society and sedentary specialist agriculture emerged decisively only in the early nineteenth century. Colonial pacification speeded the defeat of alternative lifestyles dependent on forest, pastoralism and the pack trade: C.A. Bayly, *Indian Society and the Making of the British Empire*, Cambridge, 1988, pp. 144, 157–58.

³ Thomas Munro cited in D. Peers, *Between Mars and Mammon, Colonial Armies and the Garrison State in India, 1819–1835*, London, 1995, pp. 56–57.

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communities to travel in and out without sufficient scrutiny.⁴ Pack-traders moving along hazardous routes and between famine and plenty, provisioning warring camps, kept themselves independent of political authority.⁵ A buoyant military market encouraged armed cavalry men from Central Asia and mercenaries from Arabia to filter into Hindustan and the peninsula by land and sea.⁶ It permitted too much bargaining in terms of military service, too much moving about from one ruler to another and too much influence to military jobbers at court.⁷ At the local level, 'hereditary predatory communities' seemed to get away with forms of blackmail—cattle theft or poisoning, vengeful arson, or crop pilfering—to enforce their employment as herdsmen, village watchmen, ferrymen or messengers.⁸

Struggling to settle the population and to tax and police it, colonial administrators criticized certain political contexts and social norms for making it difficult to stabilize social hierarchies and verify social antecedents. Situations which allowed colonial subjects to conceal or misrepresent their 'true' identity also undermined administrative imperatives grounded in the idea of distinct collectivities with their special characteristics. Anarchy, that is, the competitive state-building of the eighteenth century, was blamed for generating ambitions to warrior status among all kinds of social parvenus, and blurring the line between the peaceful and the predatory.⁹ In a situation of general arming, bandit gangs could always pose as soldiers in search of service. Political 'pretenders' seemed to

⁴ However, Bayly argues that though the sociology of frontier zones may have been fluid, borders were policed and could be activated more formally. C.A. Bayly, 'Patriotism and political ethics in Indian history', in *idem*, *Origins of Nationality in South Asia*, Delhi, 1998, pp. 19, 33, n. 54.

⁵ Sleeman, publicist for the *thuggee* campaign in the 1830s, complained that the bullock-transported pack-trade brought insecurity to life and property. W.H. Sleeman, *Rambles and Recollections of an Indian official*, Vol. I, 1844, reprint, Karachi, 1975, p. 83, and ch. 4.

⁶ J. Malcolm, *Memoir of Central India*, Vol. I, London, 1823, p. 580; J.L. Gommans, *The Rise of the Indo-Afghan Empire c. 1710–1780*, Leiden, 1995, p. 179.

⁷ Military clout at the Sikh court set an ominous precedent for the Company's Indian troops. 'The example of a mutinous army at Lahore extorting higher pay, by menaces, from its nominal Government is more dangerous to us than its force in the field.' Governor General (GG) Ellenborough, to Wellington, 20 March 1844; H. Colchester, *History of the Indian administration of Lord Ellenborough*, reprint, Jaipur, 1998, p. 430.

⁸ In 1857 the Commissioner of Ludhiana complained that peripatetic groups such as the Harnis, Sansis and Baurias, were difficult to control 'when men of influence...entertain them as private messengers'. *Mutiny Reports from Punjab and N.W.F.P.*, Punjab Government Records, Vol. III, 1911, p. 108. Yet British cantonments also succumbed to the 'blackmail' system, employing 'predatory communities' as watchmen, and the colonial police tapped the skills of hunters and pastoralists as trackers. 'Report on the Boureah gang of robbers', *Selections from Records of the North Western Provinces Government (SRGNWP)*, Vol. I, 1864, no. 5; E. Cox, *Police and Crime in India*, London, 1910, pp. 48–49, 67; Boards Collection (BC) F/4/2233, 147–48, No. 111702, India Office Library and Records (IOL).

⁹ The Pindaris, mercenary troops gathering strength on the banks of the Narmada in the early nineteenth century, were described as a destabilizing criminal formation rather than a political entity because of their 'indiscriminate' recruitment. Even lowly camp followers could aspire to military command. The grandson of Nusr, a *bildar* (navvy) serving the Maratha chief

drum up a following at will.¹⁰ Appropriating an equation between 'polluting' and 'ugly' from the upper strata of Indian society, colonial reports described peripatetic communities such as the Badhaks or Maghiya Doms as 'low and stinking', or of a 'repulsive appearance'. And yet they seemed to pass themselves off as armed escorts, or as high-caste and well-to-do travellers on their raiding expeditions.¹¹

The tolerance which Indian society displayed towards 'vagrant' communities, in particular towards roving ascetics, was blamed for the admission of people of unknown antecedents into homes, and for allowing criminals to take the guise of mendicants and dupe travellers.¹² To European sensibilities, it was galling that ascetic bands claimed charity as a right, rather than with the humility appropriate to the beggar.¹³ Caste was said to hold the population in thrall, and yet the marks of caste and rank seemed to be assumed and shed only too easily in certain contexts, such as the pilgrim route and the religious fair.¹⁴

Finally some officials censured the slave trade in India as yet another site where identities were changed with a view to criminal deception. Sleeman argued that slavery sustained too unregulated a market in women and children, thereby encouraging seduction, kidnapping and murder as a means of supply, especially by itinerant communities.¹⁵ He blamed the slave traffic for dissolving lines of social distinction—upper-caste children passed into the ranks of Muslims and lower orders and low-caste women were sold off as high-caste wives, especially as

Shahji in 1633, rose to be a commander of horses. In 1816 some washermen and grass-cutters swooping about on horses in mock imitation of the Pindaris threw the Europeans of Madras into a panic. B.K. Sinha, *The Pindaris (1798–1818)*, Calcutta, 1971, pp. 44, 59; R.G. Burton, *The Mahratta and Pindari War*, 1910, reprint, Delhi, 1975, p. 4; Malcolm, *Memoir*, Vol. I, pp. 427–29.

¹⁰ For one such episode, see A. Farooqi, 'Towards Dussehra 1831: The revolt of Lallaji Patel', *Indian Economic and Social History Review* (henceforth *IESHR*) Vol. 35:2, 1998, pp. 147–77.

¹¹ W.H. Macnaghten, *Reports of Cases Determined in the Nizamut Adawlut*, Vol. II, 1820–26, Calcutta, 1827, pp. 128–29; P/254, Bengal Judl progs, July 1873, No. 505–64, IOL. A regulation of 1821 directed the surveillance of 'persons being subjects of foreign states assuming fictitious characters of rajahs, natives of rank, pilgrims, entering and assembling for robbery' (Reg 3, s7, c11, 1821).

¹² W.H. Sleeman, *Report on Budhak Alias Bagree Decoits*, Calcutta, 1849; F.J. Shore, *Notes on Indian Affairs*, Vol. II, London, 1837, pp. 411–12.

¹³ J.W. Kaye, *A History of the Sepoy War in India*, Vol. I, Bombay, 1897, p. 154. Religious mendicancy was blamed for draining revenues from the labouring population and encouraging a parasitic way of life. Tennant, *Thoughts*, p. 144; H. Murray et al., *Historical and Descriptive Account of British India*, Vol. II, 5th edition, Edinburgh, 1844, p. 254.

¹⁴ For a critique of disorderly pilgrimage and a suggestion that famine mobility could be channelled into colonizing wasteland, see J. Peggs, *Cries of Agony. A Historical Account of Suttee, Infanticide, Ghat Murders and Slavery in India*, 1830, reprint, Delhi, 1984, p. 280. Travel created contexts in which foods such as raw sugar and temple offerings, and drink, tobacco and sex were consumed from strangers and the poorer orders were held to be specially credulous and easily tempted. M. Pauparao Naidu, *The History of Professional Poisoners*, Madras, 1912, pp. 3, 21–22.

¹⁵ W.H. Sleeman, *Report on the System of Megpunnism*, reprint, 1839, pp. 4–5, 14–15.

'spurious' Rajputnis.¹⁶ The appropriation of children from revenue-generating agricultural communities, by mendicants, eunuchs, the pack-trading Banjaras and other such peripatetic communities also seemed to replenish the demographic vitality of such undesirable ways of existence.¹⁷

The Company's criminal law therefore contended against social contexts in which identities were accepted at face value without sufficient scrutiny, and a polity which sustained communities outside sedentary revenue-yielding households, in services and activities which officials were reluctant to acknowledge as work.

Settling and Sedentizing, Mobilizing and Policing

Backwardness—of the ecology, of social norms, and of communications—was blamed for difficulties in policing. The closure of competitive state-building by the early nineteenth century and the process of settling the population set off subsidiary spirals of unrest characterized as one or the other form of banditry.¹⁸ One way of conceptually subduing the social flux unleashed by British paramountcy was to build up ethnologies distinguishing between those who provided good material for productive, revenue-generating subjects, and those whose way of life was inimical to this endeavour.¹⁹ Caste, religious distinction, and the pervasiveness of hereditary occupations seemed to provide useful building blocks.

It has been pointed out that this process of categorisation reconstructed caste and community identity with more rigid demarcations. However, what I want to explore are the problems the state encountered in ensuring that the distinctions it was sorting out were not being blurred or evaded. This anxiety became particularly acute as colonial modernization—in particular the communications revolution—seemed to offer even greater facilities, as compared to the anarchy of the past, to shake off old identities and assume new ones. The problem was that by the 1840s imperial interests lay not only in settling disorderly communities, but also in mobilizing demographic resources for key economic sectors of the empire. Within India, labour had to be prised out for public works, plantation and mining enclaves and new areas of agricultural colonization. Indian labour also entered the global market to replace slave labour in overseas plantations. However, concerns about policing mobile populations were invoked not only against a geography of colonial 'improvement' but also against the large-scale famines of the 1860s and 1890s.²⁰

¹⁶ *Ibid.*

¹⁷ W.H. Sleeman to J.P. Grant, Secy Legislative (Leg) Dept, 18 February 1840, in Leg Progs, 2 December 1843, No. 92, p. 1046, National Archives of India, Delhi (NAI). All manuscript references are from the NAI unless otherwise stated.

¹⁸ Large areas of executive discretion were admitted in criminal law to deal with the fallout of pacification, notably in legislation dealing with the so-called thugs and criminal tribes. Radhika Singha, *A Despotism of Law, Crime and Justice in Early Colonial India*, Delhi, 1998, ch. 5.

¹⁹ Malcolm, *Memoir*, Vol. II, p. 106.

²⁰ Famine in Gurgaon and central India left its track on discussions over the Criminal Tribes Act XXVII of 1871. Leg Dept, A, November 1871, No. 62, 91, pp. 31, 122. For the 1898 famine, see E. Henry, *Classification and Uses of Fingerprints*, London, 1900, p. 68.

Ironically, colonial policing itself introduced a pressing reason to disguise social affiliations, in order to escape the mesh of surveillance and restrictions on movement and occupation closing over those registered under Act XXVII of 1871 for criminal tribes. Aspirations among suspected communities to use a new location of work and residence to redefine social status in an upward direction could be interpreted as a guise for crime.²¹ Categorization as a 'criminal tribe' affected the ability to find work, the terms of work and the place of residence.²² But on occasion upper castes also changed their identities in a sideward, or even a downward direction to evade certain restrictions, as when Brahmins took on a Rajput identity to dodge quotas in army recruitment, or passed themselves off as an 'agricultural caste' before the *coolie* recruit.²³

However, it was not enough to trace the individual to his 'true' social affiliation. The state also had to develop ways to prevent the individual from sheltering in the anonymity of his community, and from assuming aliases to escape individual responsibility for contractual or other legal obligations.²⁴ This imperative, to prevent one individual from passing himself off as another, took on an international dimension as well, arising from economic, medical and political concerns about monitoring the movement of indentured labour, pilgrims and free emigrants.

As the Indian economy was more closely integrated to the global market for labour and commodities, new institutional and public contexts emerged in which colonial subjects were called upon to verify their identity. The principle of contract seemed to offer one way of stabilizing the flow of commodities from the peasant household and of directing a supply of cheap labour to certain channels. Against this development, a long-standing imperative of enforcing allegiance

²¹ The lowly Barwars when arrested away from home, upped their caste to Kurmi, a status they traditionally aspired to. Home Judl B, September 1900, No. 233-34.

²² The Palwar Dosadhs of Ballia, fingerprinted for surveillance, protested against being branded as 'lawless and vagrant', and hampered in their migrations to Bengal. The government did not deign to reply, but it decided not to proclaim them a criminal tribe because their labour was important to mills and enterprises in Calcutta. Home Judl, A, February 1900, No. 153-54. The author Gaikwad gives a moving account in his biography of how members of such suspect tribes, despite their 'denotification', are still dogged by the necessity of disguising their identity. Laxman Gaikwad, *Uchalya, The Branded*, Delhi, 1998.

²³ A. Barat, *The Bengal Native Infantry*, Calcutta, 1962, pp. 123-24, 128; A.H. Bingley, *Caste Handbooks for the Indian Army: Rajputs*, 1899. Higher castes would pass themselves off as the 'truly agricultural castes' favoured by planters in Mauritius. M.Carter, *Servants, Sirdars and Settlers, Indians in Mauritius 1834-1874*, Delhi, 1995, p. 100.

²⁴ Nair offers an interesting discussion on how miners on the Kolar gold fields used aliases and anonymity to escape disciplinary action and register protest. They resisted an attempt by the state and management in 1930 to penetrate this defence by fingerprint identification. However her argument that the object of colonial surveillance was rarely the individual but the collectivity, could be modified. Close monitoring of a specific collectivity required a regime of individual identification as well, especially if mobility could not be completely closed off. J. Nair, 'Dangerous labour: Crime, work and punishment in Kolar gold fields, 1890-1946', *Studies in History*, (henceforth *SIH*), Vol. 13:1, 1997, pp. 19-62.

and obligation to colonial courts became even more pressing. Criteria of identity had to be shaped to enforce certain legal obligations, so procedures had to be formulated to invest them with evidential value for the judicial process.

A bitterly criticized innovation of colonial justice was the obligation to conduct all civil judicial proceedings on stamped paper.²⁵ One explanation for 'making people pay for justice' was that stamp paper checked fraud by maintaining a record of the name of the purchaser and the place, date and purpose of the purchase.²⁶ The registration department which provided a depository for deeds of land transfer, bonds of debt or mortgage, was also supposed to provide facts on which courts could arbitrate on contract.²⁷ From the 1860s and 1870s one can see a concern to fix the identity of a party to a contract, to shore it up against repudiation. The registration department was overhauled against a context of expanding commodity production, tenant assertiveness, and the emergence of a sale and mortgage market in peasant holdings.²⁸ The verification of personal particulars also became very important to the recruitment of colonial agency in the late nineteenth century. The lower ranks of the civilian and military bureaucracy were expanding, and in the interests of rationalization, certain uniform criteria for employment had to be imposed and monitored.²⁹

The fact that modernization was altering the density, range and speed of population movements dimmed the aura of the officer who 'knew the people'. The spatial re-figuration of rule suggested that local knowledge and individual experience would not suffice. The compilation of systematic ethnographies, and a central or at least provincial collation of official archives began to be recommended.³⁰ Modes of categorizing and indexing this information had to be developed to penetrate dissimulation. Modernization provided the government with agencies and infrastructure for assembling these archives. Surveyors, emigration agents, the sanitary inspector, the official vaccinator, and the postmaster, who was

sometimes also the shopkeeper or the school teacher, were roped into collecting census data. The functions of the post office expanded rapidly in the late nineteenth century.³¹ In handling money orders, the distribution of pensions, and a savings bank, it developed its own procedures for establishing and verifying identity.³² The post office and telegraph directory, and the railway signboard, guide and timetable, began to impose an orthographic standardization over the name of a town or village so that 'residence' could be located in an all-India index.³³ Subdivisional registration offices extended the legal and bureaucratic grid radiating from the small town into the countryside, and generated new business for touts—the poor man's legal mediators. The Inspector General of Registration in Bengal complained that a class of 'low *mukhtars*' had made it their profession to certify to the identity of parties who came to register a deed.³⁴ In Banaras such 'professional identifiers' emerged from innkeepers, to assist pilgrim customers to receive money orders at the post office.³⁵

Hereditary Criminals, Migrants, and Modern Communications

The communications revolution, inaugurated by road-building and steam-shipping in the 1830s and 1840s, was expected to bring new power to the government. It would stabilize and extend tax resources, and allow centralization and rapid deployment of military resources. Railway lines inaugurated in 1853, added up substantial mileage between 1870 and 1890.³⁶ It was thought that the reduction of forest cover and the penetration of remote areas by steamship, trunk road and railway would secure the movement of bullion and commodities against the depredations of troublesome communities on the margins of sedentary agriculture. Deprived of access to forest products by colonial forest policy and displaced as transporters by modern communications, they would be forced towards 'legitimate' work.³⁷ Declining resources would close off the trickle of men, women and

²⁵ A rebel proclamation of 1857 reminded zamindars and merchants of the burden of stamp papers and court fees under British rule. S.N. Sen, *1857*, Delhi, 1957, p. 36; H. Malik and M. Dembo, trs, *Sir Sayyid Ahmad Khan's History of the Bijnor Rebellion*, Michigan, 1973, p. 133.

²⁶ M.G. Ranade, *A Revenue Manual of the British Empire in India*, Poona, 1877, p. 238.

²⁷ In court, a registered deed relating to the transfer of property was supposed to take precedence over an unregistered deed. Act XVI of 1864, revised in 1866 and reformulated in Act of III of 1877.

²⁸ S. Bose, *Peasant Labour and Colonial Capital, Rural Bengal since 1770*, Cambridge, 1993, p.80; N. Nakazata, *Agrarian System in Eastern Bengal, 1870–1910*, Calcutta, 1994. Equally important, the registration department provided the government with data to monitor certain paternalist modifications it had introduced to the principle of contract to contain social unrest, and to assess the effect of bad seasons and price fluctuations.

²⁹ Curzon's tenure as Viceroy, during which the Police Commission (1902–3) made wide-ranging recommendations, is particularly associated with this drive.

³⁰ Bramley recommended a special course in Provincial Ethnography at the Bengal police training schools because of the ignorance of younger officers and their dependence on subordinates. P.B. Bramley, *Report on River Crime and River Police Re-organisation Scheme*. Vol. I Appendix II-B, Calcutta, 1907.

³¹ I.G.J. Hamilton, *An Outline of Postal History and Practice*, Calcutta, 1910.

³² In 1880 the business of money orders was transferred from 321 treasuries to the 5,090 post offices in India. In 1884 and 1887 standardized money order forms for paying revenue and rent were introduced. In the Punjab, military pensioners began to be paid through the post office from 1889, and reservists were called up by post. *Ibid.*, p. 175.

³³ See also Hunter's engaging description of the process, official and popular, by which the orthography of towns and villages began to become more uniform. W.W. Hunter, *Guide to the Geography of Indian Proper Names, with a List showing the True Spelling of all Post Towns and Villages in India*, Calcutta, 1871.

³⁴ Home Public, A, 16 December 1871, No. 147–8.

³⁵ G. Clarke, *The Post Office of India and its Story*, London, 1921, p. 99. The thumbprint began to be taken on receipts for money orders from 1895.

³⁶ Railway tracks increased from 7,200 miles in 1879 to 25,000 in 1900 and to 34,700 in 1913–14.

³⁷ Supdt, Thuggee and Dacoity, to J.P. Grant, 18 July 1840, *Leg Progs*, 2 December 1842, part III, No. 92, p. 1046; R. Temple, *Men and Events of my Time in India*, 1882, reprint, Delhi, 1985, pp. 247, 469–71.

children of other castes and communities into such bands.³⁸ Tougher policing was supposed to replace those Oriental accommodations with 'thieving and predatory communities' which gave lowly beings some leverage over livelihood.³⁹ Police restrictions on mobility would amplify this drive to create a more docile workforce, by eliminating other options afforded by a 'vagrant' lifestyle.⁴⁰

But was marginalization and submission to modernity as inexorable a process as it seemed? Could criminal communities cling on to an undesirable way of life, sheltering in the interstices of modernity? Would they reshape their skills and services to exploit flows of population, commodities, and cash along modern communication routes and the worksites opening up along their path?⁴¹ Were new contexts for interaction with strangers, and the anonymity allowed by greater speed and ease of movement adding to criminal populations?⁴² The welter of people at railway works and railway stations, steamship *ghats*, ports, mines and mills seemed to extend the scope for promiscuous mingling and crime once associated with older social contexts such as pilgrimages and religious fairs. The guise of the ever-suspect religious mendicant now offered the new advantage of ticketless travelling, and the post office with its money order and parcel system could be used to send booty home.⁴³

In Europe of the late nineteenth century, the vagabond was conceptualized as the 'mythical lone wanderer', a symptom of the social dislocation caused by the

³⁸ R.V. Russell and Hira Lal, *The Tribes and Castes of the Central Provinces of India*, Vol. II, 1916, reprint, Delhi, 1997, p. 183.

³⁹ Cox, *Police and Crime in India*, pp. 48–49, 66–67; J.C. Curry, *The Indian Police*, London, 1932, pp. 108–9.

⁴⁰ Efforts to breach the 'blackmail system' accounted for some of the unrest churned up in 1857. The Pasis, village watchmen and hunters, felt colonial policing would take away their livelihood, so they joined their landlord patrons in rebellion. Sen, 1857, p. 35.

⁴¹ Communities that offered services such as the curing of piles and fistulas, or peddled cheap goods, fanned out as migrant labour at worksites, followed the opening of a railway line, frequented stations and *choultrys* and penetrated remote rural areas. In the 'welter of mixed humanity' on the worksite of the railway line extending across the Jhelum to Rawalpindi in 1876, Afghans labourers collected raw materials and carried them up the line. Here four Pakhiwars, categorised as a criminal tribe, were discovered thieving from railway stations, carts, and halting places. One represented himself as a *munshi* (accountant), another as a railway contractor and two as dealers in piece goods and general wares. James Thomas Christie, 'The story of the Punjab police', in *Mss Eur D1065/1*, IOL.

⁴² The credulity with which Indians accepted the antecedents of newcomers and confided in strangers on a journey was said to have made it particularly easy for swindlers to collect telegraphic money orders. Hamilton, *An Outline of Postal History*, p. 37. Criticizing the civilizational benefits of colonialism in *Hind Swaraj*, Gandhi expressed similar anxieties about the criminal fallout of railways: 'Bad men fulfill their designs with greater rapidity. The holy places of India have become unholy rogues visit them to practice their roguery'. *Collected Works of Mahatma Gandhi* (henceforth *CWMG*), Vol. X, 1909–11, p. 26.

⁴³ M. Pauparao Naidu, *The History of Korawars, Erukulas or Kaikaries*, Madras, 1905, p. 47; and *idem*, *The History of Railway Thieves, With Illustrations and Hints on Detection* (4th edition), Madras, 1915, pp. 21, 28; G.W. Gayer, *Lectures on Some Criminal Tribes of India and Religious Mendicants* (2nd edition) 1910, pp. 25–26. Plebian access to such modern infrastructures was a source of concern to government.

advance of big capital and a modern 'need of excitation'.⁴⁴ A comparable concern in India was that railways, and migration for work, had weakened the social control of village notables by allowing 'bad characters' to move away and efface their tracks.⁴⁵ But in the case of 'criminal tribes' the anxiety was that far from breaking up community cohesion, modern communications were extending the range of their criminal operations and providing new fields of opportunity.

Those categorized as criminal tribes often earned their living by offering a versatile range of services, and practicing several crafts and petty retailing. These were denied the status of 'work' in some colonial ethnographies and slotted into vagrancy. One reason was that while dependent on the patronage of agricultural communities, this spectrum of activity did not put the time and person of those involved at the *constant* disposal of village elites. At the same time it gave access to homes, particularly through the women of peripatetic communities who energetically peddled wares and services to a female clientele. Officials feared that the railways would extend the range of information about targets and fences at the disposal of 'criminal tribes' as also their ability to dispose of stolen property. Dispersing far afield from localities where they were recognized, 'for what they were', criminal tribes could more easily assume a high-caste identity for access to spaces and interactions from which they would otherwise have been excluded.⁴⁶

However, which groups ought to be proclaimed and registered for surveillance under the Criminal Tribes Act? This was not always self-evident, especially so as economic and infrastructural change and the population mobility it fostered widened the circle of suspicion. The usefulness of some peripatetic communities such as the Waddars, had to be conceded, because they provided a circulating work force for railway-building and other public work projects.⁴⁷ Yet, police officer Pauparao Naidu warned of a class of 'Takku', tricky Waddars, springing from the 'hardworking class'.⁴⁸ Labour migration was needed and desired, but there were

⁴⁴ See Matsuda's fascinating account: M.K. Matsuda, 'Doctor, judge, vagabond: Identity, identification, and other memories of the state', *History and Memory*, Vol. 6:1, 1994, 73–94.

⁴⁵ This concern is very evident in late nineteenth century proposals to extend the Criminal Tribes Act XXVII of 1871 to other 'habitual offenders'. 'Papers relating to a bill to provide for the more effectual surveillance and control of habitual offenders...', 1889, in *Selections from the Records of the Government of India* (henceforth *SRGOI*), Home Dept, No. 12.

⁴⁶ A Barwar man detected in theft, had a better chance of being let off if he could pose as a poor Brahmin, and by passing for a Brahmin, a Barwar woman could mix with well-to-do. *Leg Progs*, November 1871, No. 59.

⁴⁷ See also Ian Kerr, *Building the Railways of the Raj, 1850–1900*, Delhi, 1995, pp. 104–10, for a skilful and absorbing evaluation.

⁴⁸ Pauparao Naidu, *The History of Railway Thieves*, p. 120. In the same breath Hervey described the Waddars as useful and as thieves and a low race. C. Hervey to Secy Judl Dept, Bombay, 23 November 1848, *Selections from the Records of the Bombay Govt in the Police Branch*, No. 1. Ibbetson's description of the Ods, earth diggers who took up small contracts on roads, canal and railways, displays a similar ambiguity. He said they were, 'for a vagrant tribe, singularly free from all imputation of crime'. Denzil Ibbetson, *Panjab Castes*, 1916, reprint, Delhi, 1981, p. 275.

flows of activity on the new lines of communication, oriented towards the retailing of services, petty peddling and hawking—instead of to labour on public works or for verifiable employers—which were suspected of providing opportunity for theft and for setting up a chain of receivers. If at one end the option of migration eroded the control of village notables, at the other, there were complaints that some migrant groups used their leverage in crucial services to ‘blackmail’ employers or merchants. P.B. Bramley gives an account of the *mallahs*, boatmen of Upper India, who brought up jute and tea from shallow waters in eastern Bengal and Assam, and claimed pilferage from cargoes as their *dasturi* or customary perquisite.⁴⁹ Unregulated mobility was suspected of fostering the wrong kind of aspirations among the labouring poor, tempting them to crime in search of capital for some independent occupation, such as owning a river boat for hire or petty retailing.⁵⁰

Tribesmen along the Afghan frontier migrated into British India for seasonal labour, using the railways to travel as far as Assam or Bombay.⁵¹ But some of these ‘foreign Asiatic vagrants’ also moved into labour contracting, peddling and money lending at the poorer end of the market, using muscle power to collect. Officials suspected the ‘Kabulis’ of expanding their petty capital outlays by crime, in particular through the illegal arms trade.⁵² Hide-dealers, pulling in large profits on the export market from the 1870s, were accused of sending travelling agents to distribute arsenic and encourage cattle poisoning among the lowly Chamars in eastern Uttar Pradesh.⁵³ Petty peddlars were blamed for being ‘the great distributors of idle and obscene literature’,⁵⁴ and the penetration of the new Lucifer matches to the countryside was held to have made vengeful arson that much easier.⁵⁵ Eunuch entertainers were accused of having spread ‘unnatural practices’ as far afield as the ‘simple and unsophisticated’ Tharus, a tribe of the sub-Himalayan *terai*.⁵⁶ Police reports complained that better communications allowed false coins

and forged currency notes, which would not pass muster in towns, to circulate among unsuspecting villagers.⁵⁷ In 1848 there was an investigation into networks of gambling on the high roads and inns. But these operations could not be blamed on any age-old cult of *thuggee*. They had taken birth in the bustling low-life of the Company’s own army, and been extended by its camp-followers on the army’s westward marches.⁵⁸

New skills developed in the course of modernization—such as those acquired by the ubiquitous *mistri*, in a government mint, iron workshop, cotton ginning and pressing factory, railway- or bridge-building project—which could be deployed for criminal purposes.⁵⁹ Reid, writing stories to occupy the railway traveller between stations, said the reader did not have to go back to *sati* and *thuggee* because a contemporary world of crime had opened up. The new villainy fraternizes with the old in his story of a coiner of the Calcutta mint, who had risen to be a *mistri*. Detected in speculation the *mistri* absconds and begins to manufacture false coins in the outreaches of Assam, hobnobbing with gypsies to push them into circulation.⁶⁰ The idea that travel broadened the mind could cast suspicion on the returning indentured labourer as a source of criminal enterprise.⁶¹ A 21-year-old caught drugging travellers alleged ‘no other excuse for his practices than that life was extremely dull in his village’.⁶²

The Quest for ‘Scientific’ Description, Ethnographic and Individual

The emergence of a more ambitious administrative domain in the late nineteenth century prompted projects of ‘scientific’ ethnography, the better to locate the

⁴⁹ Merchants did not call in the police, pleading that ‘they and their goods were at the mercy of unscrupulous boatmen’. They made up by low wages instead. Bramley, *Report on River Crime*. Vol. I, pp. 16–61.

⁵⁰ A police enquiry into river banditry stated that the rate of pay for boat crews from the United Provinces was lower than what they could earn by labouring at home in *lac* factories, cotton mills, stone mines and ferries. It attributed their better standard of living after trips to eastern Bengal and Assam and ability to buy their own boats to criminal activity. Note, 22 October 1894, in Bramley, *Report on River Crime*, Vol. III, pp. 42–45.

⁵¹ It would be interesting to explore the connection between colonial intrusions into the North Western frontier, changes in the nature of tribal migration into British India, and the emergence of the figure of the Pathan bravo and bully in the popular imagination—most notably as Gabbar Khan of the film *Sholay*.

⁵² SP Peshawar to Dy Commr, 26 July 1898, Home Public, February 1899, No. 196-203. Cox, *Police and Crime in India*, p. 135; Pauparao Naidu, *The History of Korawars*, p. 45.

⁵³ Joint Magt to Magt, Gorakhpur, 2 October 1873, ‘Papers relating to the crime of cattle poisoning’, *SRGOI*. Home, revenue and agriculture, clxxx, x.

⁵⁴ *Annals of Indian Administration in the Year 1869–70*, Serampur, 1871, p. 39.

⁵⁵ Note, Junior member, Board of Revenue, NWP, 11 September 1890, in ‘Papers relating to a bill...for the more effectual surveillance and control of habitual offenders...’, *SRGOI*. No. 12.

⁵⁶ Commr Agra, in Leg Progs, A, November 1871, No. 44–127, NAI.

⁵⁷ Home Police, A, September 1899, No. 17–18; J.C. Curry, *The Indian Police*, London, 1932, p. 268. However, Pauparao Naidu refers to counterfeit coins of a superior variety, made profitable by a decrease in the value of silver around the turn of the century. These were passed off at railway booking offices and in the huge commercial transactions associated with cotton markets: Pauparao Naidu, *The History of Korawars*, pp. 85–112.

⁵⁸ R. Montgomery, Magt Kanpur, and Major Graham, Asst Genl Supdt, Thuggee Dept, ‘Report on Tuma baz thugs’ in *SRGNWP*, Vol. 1, No. 3, Allahabad, 1864, pp. 312–28. In the apocryphal story, one Creagh, a private in the King’s regiment at Kanpur cantonment initiated an Indian artillery man, a cook and camp follower into a game involving a leather strap and a stick. *Ibid.*

⁵⁹ *Mistri*: skilled craftsman.

⁶⁰ R. Reid, *Knavery Unmasked or the Confessions of a Celebrated Ducoit*, Calcutta, 1891, Preface and pp. 277–87.

⁶¹ Poisoning with *dhatura* seeds in Bihar originated with labourers returning from Mauritius, wrote police officer M. Pauparao Naidu. Such men, he observed, like prisoners in jail, learnt things ‘in conversation’ of which they would have remained in ignorance if they had stayed at home. M. Pauparao Naidu, *The History of Professional Poisoners and Coiners of India*, Madras, 1912, p. 31.

⁶² *Police Gazetteer*. NWP, 1868, in Pauparao Naidu, *The History of Professional Poisoners*, ch. 8.

⁶³ On first arrival, wrote Risley, the European could not distinguish one native from another. He then began to demarcate the Hindu from the Muslim and learnt ‘that upper caste Hindus had fairer and finer features than the lower’. ‘But the general impressions thus formed

collective identity in the imperial imperative.⁶³ Ethnographic surveys were expected to ensure that executive action could actually come to grips with domestic and social relations in formulating marriage laws, rules for famine relief and tenancy laws which had begun to distinguish between agricultural and non-agricultural castes.⁶⁴ Provincial collections on criminal tribes and mendicant orders were assembled for the police archives, but also so that too gullible or tolerant a public would know them for what they 'really' were, and comprehend the danger against which they were protected.⁶⁵

Heightened great power rivalry at the close of the nineteenth century had sharpened the importance of India as a 'garrison for empire'. The conviction that military efficiency was a matter of race efficiency promoted closer ethnographic classification.⁶⁶ Great care had to be taken, wrote Major MacMunn, 'that men don't represent themselves to be what they are not'.⁶⁷ The Adjutant General reported that in the Rajputana states it was notorious that men enlisted under false castes. 'Chakers and Daroghas are invariably verified as Rajputs, and Ahirs and other castes often pass themselves off as Jats'.⁶⁸ Since village and revenue officials connived to falsify identity or became antagonistic, recruiting officers began to be held responsible for the verification of caste.⁶⁹ Community and caste quotas were also set out for recruitment to the bureaucracy. The North Western Provinces and Awadh Police Committee wanted Chamars and Koeris and 'low caste city

... are wanting in scientific precision. They cannot be recorded or analysed; no description can convey their effect; they melt away in the attempt to fix them and leave nothing behind,' Risley expected that the categorization of physical type through anthropometry would provide that precision. H.H. Risley, *People of India*, 1915, reprint, Delhi, 1969, pp. 5-6.

⁶⁴ See H.H. Risley, *The Tribes and Castes of Bengal*, Vol. I, Calcutta, 1892, pp. vi-ix.

⁶⁵ Pauparao Naidu, *The History of Professional Poisoners*, pp. 24, 41. Gayer warned that the tactics of the criminal tribes were changing, but a record of their religious practices and beliefs, being more fixed, would provide ways to track them. The other way was fingerprinting. Gayer, *Lectures*.

⁶⁶ 'By "efficient" I mean men drawn from the best fighting races', wrote Lord Roberts, warning that the Indian army had to be re-oriented to the Russian threat. Note, 25 September 1886, and Roberts to Arbutnot, 6 April 1889 in B. Robson, ed., *Roberts in India: The Military Papers of Field Marshall Lord Roberts, 1876-1893* (Army records society), 1993, pp. 352, 392. Fox describes how the British Indian Army tried to exclude those who had assumed a Sikh identity only for military employment, thereby fostering a more orthodox and separate identity. Richard Fox, *Lions of the Punjab, Culture in the Making*, Delhi, 1987, pp. 10, 141-47.

⁶⁷ G.F. Macmunn, *The Armies of India*, London, 1911, p. 141. The advance of ethnological knowledge, he reported, had resulted in the Gharwalis 'very properly' being separated from the Gurkhas: *Ibid.*, pp. 119, 127, 165.

⁶⁸ 5 October 1893, in Mily Dept Progs, B, February 1894, No. 2339-4. The army handbook for recruiting Rajputs warned of 'spurious clans among the Jadon and Jadubansis'. Recruits had to be questioned about their district, clan, *gotra*, marriage links, and rules of commensality and their replies checked against official information. Bingley, *Rajputs*, pp. 177-78.

⁶⁹ Mily Dept Progs, B, February 1894, No. 2339-43. *Manual for Bengal and Punjab Cavalry*, 1893, reprint, Delhi, 1985, p. 101, s 549, s 563.

Muhammadans' to be screened out from the police.⁷⁰ But those recruiting for the army, police or indentured labour were also warned against too large a proportion of the wily caste of Brahmins, who often represented themselves as Rajputs.⁷¹ The tea planters of Assam preferred labourers from Chotanagpur, so recruiters tried to pass off those from other localities and communities as the more highly prized 'junglis'.⁷²

There was a parallel endeavour to place the description of the individual, too, upon a more scientific footing, to locate him within the new kind of mass mobilized by technological and economic change. The military intelligence department compiled caste handbooks for recruiting officers, but this was complemented by closer record-keeping for the individual recruit to ensure that medical records could not be falsified, that the deserter could be traced and punished, and the dismissed soldier prevented from re-enlisting.⁷³ Entitlements of military service, such as pensions, land grants or exemptions from statutory forced labour, had to be administered over far-flung areas with precautions against impersonation.

The greater complexity of administrative requirements in the late nineteenth century demanded a rationalization of procedures to recruit, train and discipline Indian employees. Documents of individual identification were necessary to such procedures—to monitor certain uniform criteria of age, education and medical fitness, which had been added to earlier criteria of social respectability and family loyalty.⁷⁴ In response, the Indian middle class prudently lowered the age of children admitted to school to allow time for setbacks in exams (the so-called home age and school age), a falsification of particulars from a less sympathetic perspective!⁷⁵ Such demands accompanied a widening of the recruiting zone for official employment among the Indian middle classes. However, the criteria of 'efficiency'

⁷⁰ *Report of the Committee Appointed by Government to Enquire into Certain Questions Connected with the Police Administration of the North Western Provinces and Oudh*, Allahabad, 1891, para 200.

⁷¹ Barat, *The Bengal Native Infantry*, pp. 123-24, 128; Bingley, *Rajputs*.

⁷² Caste and ethnic stereotypes shaped the market for indentured labour. P. Mahapatra, 'Coolies and colliers: A study of the agrarian context of labour migration from Chota Nagpur, 1880-1920', *SIH*, Vol. 1:2, 1985, pp. 247-98; M. Carter, *Voices from Indenture*, London and New York, 1996, p. 42, 100.

⁷³ Record-keeping for individual recruits was improved to prevent desertion during the Burmese War of 1852. Barat, *The Bengal Native Infantry*, pp. 123-24, 128. When a Pathan soldier was dismissed for misconduct, or a known 'bad-character' discharged, his descriptive card, 'showing where possible indelible marks', was to be circulated to prevent re-enlistment. *Manual for Bengal and Punjab Cavalry*, p. 101, s 559.

⁷⁴ Courts of law, educational establishments and Government officers are every day teaching all races alike the importance of having clear proof of age', wrote the Legal Remembrancer to Government in a discussion on how to give evidential value to records of birth, marriage and death. Note, G.E. Knox, 1 April 1885 in Leg Dept, March 1886, No. 44-213. By the 1870s the registration of births and deaths was compulsory under various municipal Acts for larger towns, though penalties were not enforced.

⁷⁵ In the Hyderabad Assigned Districts, the fixing of a maximum age for admission to high schools sent parents scrambling to ask masters to alter ages in school registers. Leg Dept, B, April

and uniform qualification also sharpened the potential of conflict with the race principle.

The pre-colonial traffic in slaves had generated some documentation relating to the payment of a tax on the transaction, and registration of the sale at the main police post.⁷⁶ Under Company rule, there was an attempt to prevent the traffic in slaves moving across the borders of British India and a greater concern to establish the legitimacy of the source of supply against charges of kidnapping and abduction. This probably introduced greater detail to the description of the seller and the slave.⁷⁷ When the Company withdrew all legal recognition from slavery in its Indian territories in 1843, it had to evolve recruitment procedures for plantation labour which would not carry the contaminating associations of slavery. Yet, the costs of this labour force had to be kept low, by hobbling its bargaining power and curbing its aspirations for self-employment or for entering more favourable sectors of the labour market.

So the paperwork of indenture involved a systematization of procedures for recording and verifying the labourer's identity to enforce the penal sanctions buttressing the indentured contract and the employer's authority. The indentured labourer had to carry a 'portrait ticket' on him so that his employer and the police could keep him to the designated route of emigration and bind him into the demarcated zone of employment.⁷⁸ The terminology used to monitor suspected criminal tribes and the ex-convict was extended to the indentured labourer—he had not simply quit his job, but had 'absconded' from the lawful custody of the planter. In Bihar, the North Western Provinces and Assam the constable was authorized to arrest him without a warrant.⁷⁹ The self-supporting convict in the Andamans, the time-expired indentured labourer in Africa, Mauritius or the West Indies, and the criminal tribe confined to a settlement by roll call and passes, all were required to live in ways which facilitated police surveillance. The long persistence of the provision for criminal breach of contract in colonial law was complemented with military and cantonment regulations disciplining camp-followers and registering prostitutes, and with municipal regulations licensing

palanquin bearers, hackney-carriage drivers and hill porters, a process which blurred the line between policing criminals and controlling the labouring classes.

The parallels between the convict and the indentured labourer are not coincidental. By the 1830s, with a tilt away from the public forms of penal retribution, the jail regime had become the major focus of penal strategy. The classification of offenders became more important to the construction of the regime of labour and discipline.⁸⁰ The descriptive roll which processed the individual into the convict became more detailed, with a call for 'name, caste, age, height, colour, particular marks, features or defects'.⁸¹ This development received a fresh impetus in the 1870s, with a focus on the project of penal settlement in the Andaman and Nicobar islands, and a new concern to discover the old offender.⁸² The identifying marks of prisoner status were also elaborated, most importantly by a wooden or metal disc around the prisoner's neck which bore his registration number, crime and sentence.⁸³ From the 1890s the anthropometric record and fingerprint identification seemed to provide scientific means for the detection of the habitual criminal, and specialized police departments for record and identification took shape.

The Mark on the Body: The Crude as More Reliable?

But even as this paperwork was becoming more detailed, an older, cruder way of identifying the life prisoner was maintained right upto 1849. The offender whose person and labour had been consigned to the state for life was tattooed on the forehead with an inscription recording his name, offence and date of sentence. The penal tattoo signposted certain important objectives for the colonial legal order. As an immediately visible way of identifying the life prisoner, this imprint on the body seemed so much more reliable than court and jail ledgers maintained by an unsatisfactory native agency. This convenience continued to exercise a fascination long after *godna* (tattooing) had been abolished. Suggestions to reimpose *godna* surfaced even as a more 'scientific' technique for recording and verifying identity, the photograph, was being explored.⁸⁴

⁸⁰ Singha, *A Despotism of Law*.

⁸¹ Circular order (CO) of the Sadar Faujdari Adalat, 21 October 1830, in J.B. Pharoah, *The Circular Orders of the Court of Foujdari Udalt, Madras*, 1847, p. 141.

⁸² Home Judl, December 1872, No. 223–24, for detailed discussions about recording alibis, using photographs, body measurements, teeth and colour guides, and reintroducing the tattoo to improve criminal identification records. 'It [the photography of life convicts] was not introduced solely to secure the re-capture of escaped convicts but as the commencement of a system of registering the worst offenders.' Resoln, GOI, 19 July 1876, Home, Port Blair (PB), July 1876, No. 20–25.

⁸³ Home Judl, A, 30 December 1871, No. 94–98. Convict labourers could not be effaced from Boden Kloss' description of the beauties of the island of Ross for they were 'rendered conspicuous by their fetters or neck rings, supporting the numbered badges'. C. Boden Kloss, *In the Andamans and Nicobars*. London, 1903, p. 20. In jail the prisoner stood at attention for a daily verification ritual, with his metal disc around his neck and his history board stating name, caste, education, age, height and weight. C. Rajagopalachari, *Jail Diary*, Madras, 1922, pp. 7–8.

⁸⁴ Home Judl, December 1872, No. 222–24, and April 1873, No. 104.

1896, No. 14–16. The *Sanjivini* of 20 March 1897 reported that a falsification of age had been discovered among some schoolboys and that this prevailed among many Indians. The same paper reported that many kept two horoscopes—one true and the other false. *Reports from Native Newspapers*, Bengal, No. 13 of 1897.

⁷⁶ See *chitha barda firoshi*, 8 January 1751, in R.K. Perti, ed., *Calendar of Acquired Documents*, Vol. III, NAI, p. 147, No. 310.

⁷⁷ See Reg 9 of 1774 (Civil); Q.Ahmed, 'A mid-nineteenth century case of a long term lease, not sale, of human beings', *Indian Historical Review* (henceforth *IHR*), Vol. 15:1–2, 1988–89, pp. 276–80; A.K. Chattopadhyay, *Slavery in India*, Calcutta, 1959, p. 53; J.C. Marshman, *The Darogah's Manual*, Serampur, 1850, pp. 177–78.

⁷⁸ The indentured *coolie* had to carry a pass and the time-expired labourer a ticket as identification for his own policing. The labour of the former had to be immobilized and wage bargaining restricted for the latter. J. Geoghegan, *Note on Emigration from India*, Vol. II, Calcutta, 1873, pp. 94–99, 119; Carter, *Servants, Sirdars and Settlers*, pp. 193, 199–200, 206.

⁷⁹ Inland immigration Act 1 of 1892.

The Brahmin Convict and the Life Prisoner

Company rule had developed in a complex relationship with the identifying marks of hierarchy and respectability among its subjects. Changing them to its own institutional objectives could recoil, as in the case of the Madras army at Vellore in 1806, where the attempt to give a uniform look to the regiment fuelled a mutiny.⁸⁵ But the sphere of penalty gave greater room to experiment with identifying marks to impose disgrace, transform into convict status and keep in captivity.

Godna was used in a variety of self-identification practices in India—to mark social or religious affiliation among some communities or the life-cycle event of marriage for women.⁸⁶ From the 1790s the Company absorbed the tattoo needle into its penal regime, as the physical inscription of a universal subjection to colonial law, and to enforce the judicial procedures and fiscal resources upholding its sovereignty.

It was first used in the Banaras zamindari in 1788 to inflict a permanent stigma on any Brahmin offender convicted of a capital crime and sentenced to transportation for life. Company officials and missionaries constantly complained that crime did not seem to erode a person's social reputation provided caste rules were not infringed.⁸⁷ The blame went further in the case of the Brahmins of Banaras zamindari who were accused of deploying the sacredness of their person and the stigma of shedding Brahmin blood to contest revenue and judicial processes in violent ways.⁸⁸ Yet, Jonathan Duncan, the British resident (1787–94), felt it would erode the Company's prestige to order the public execution of Brahmins for capital crimes, because the previous rulers of this fiefdom had hitherto exempted them. Instead he dictated that a dishonouring inscription be tattooed on the guilty Brahmin's forehead and he be consigned to life transportation as a substitute for the death penalty.⁸⁹ This stigma, pricked on to the 'body envelope', was meant to eclipse the marks of sacerdotal authority—the sandalwood paste smeared on the forehead, the tuft of hair on the scalp and the sacred thread across the chest.⁹⁰ Transportation 'over the water' would reinforce this by suspending the brahmanical

body in a frightening ritual vacuum. In 1795 the penal tattoo was extended to all life prisoners for more utilitarian reasons—to prevent escapes when extra-mural labour was the norm and jail records were of the simplest kind. But infamy was also important to the penal objective—which was why the sentence was imprinted on the forehead, instead of merely on the back or arm.⁹¹

Branding, and mutilation were penal disfigurements which Company officials had encountered in India in various contexts of authority. Occasionally, husbands, often assisted by friends and relatives, would brand recalcitrant wives with a hot iron, or cut off their noses, to inflict infamy and mark out possession.⁹² Masters did the same with runaway or disobedient slaves. Recurrent thieving could be punished by cropping the nose and the ears.⁹³ At a time when the Company endorsed slavery in India, a permanent attestation of possession on the body may not have needed elaborate justification.⁹⁴ But why did it choose to imprint penal bondage through the tattoo rather than through these other penal forms?

Body chipping may have been rejected for the same reason as the amputation of limbs—to focus on the integrity of the body as the vehicle of hard labour through which the prisoner would make his restitution to society.⁹⁵ But two other reasons seem more significant in the choice of *godna*. The tattooed inscription allowed a more precise connection between the due process of law and punishment than branding or mutilation. It 'wrote' the sentence of justice on the body itself, making it bear testimony to the inexorable process of colonial justice. Regulation II, of 1807, said that the Persian words for liar or cheat, *Duroghgo* or *Jal Saz*, could be tattooed on a forger of stamped paper.⁹⁶ An order of 1830 said the word 'thug' should be tattooed on those imprisoned for belonging to this criminal fraternity.⁹⁷

⁹¹ Singha, *A Despotism of Law*, pp. 245–46.

⁹² Domestic authority was exhibited in the very nature of the instrument used—a heated ladle, a *chillum* (pipe), a spittoon. K. McLeod, *Medico-legal Experience in the Bengal Presidency*, 1875, pp. 75–79.

⁹³ Abbe Dubois, *Hindu Manners, Customs and Ceremonies*, reprint, Delhi, 1989, p. 67; Singha, *A Despotism of Law*.

⁹⁴ Caplan points out that exploration and colonial expansion brought Europeans into contact with cultures of customary body alteration, and the tattooed body became an artefact of the encounter with the Americas and the South Pacific. Ironically Europeans themselves were expanding the infliction of body-marking on non-Europeans via the slave trade. For a scintillating exploration of the documentation of personal identity in Europe, see Jane Caplan 'Speaking scars': The tattoo in popular practice and medico-legal debate in nineteenth century Europe', *History Workshop Journal* (henceforth *HWJ*), No. 44, 1997, pp. 107–42, 116–17.

⁹⁵ Singha, *A Despotism of Law*.

⁹⁶ T.K. Bannerjee, *Background to Indian Criminal Law*, Calcutta, 1963, pp. 77, 86, n. 145.

⁹⁷ G.W. Swinton, to Agent to GG, Sagar and Nabada Territories, 4 August 1830, Mss Eur D 1188, IOL. Leopold Von Orlich, *Travels in India Including Sindh and the Punjab*, Vol. 2, London, 1845, reprint, 1985, p. 163.

⁸⁵ New orders had stated that 'a native soldier shall not mark his face to denote his caste, or wear earrings when dressed in his uniform.... at all parades, and ... duties, every soldier... shall be clean shaved on the chin'. His moustache was to be more uniform and his headgear a hat rather than a turban. J.W. Kaye (Col. Malleon, ed.) *History of the Indian Mutiny of 1857–8*, Vol. 1, Bombay, 1897, pp. 158–61.

⁸⁶ The tattooing of mark and figures of gods on the arms and foreheads of women was one of the services offered by women of peripatetic communities.

⁸⁷ W. Tennant, *Thoughts*.

⁸⁸ For details see Singha, *A Despotism of Law*.

⁸⁹ *Ibid.*

⁹⁰ '[T]he meaning of tattooing in "local" tattooing systems is read not just by itself, but always in conjunction with other technical schemata—other mutilations, other treatments of the body envelope.' A. Gell, *Wrapping in Images, Tattooing in Polynesia*, Oxford, 1993, p. 9. The fact that the tattoo was more common to women and lower castes must have added to its stigma for the Brahmin offender.

Perjury, Forgery and Counterfeiting: Enforcing Allegiance to Law and Sovereignty

Godna was also introduced as an identifying mark and a permanent stigma for perjury, forgery and the counterfeiting of coins and public securities, even though the offender would re-enter society after a limited jail term.⁹⁸ Indians were constantly accused of taking too instrumentalist a view of the courts of law they had been gifted by Company rule. It was the character of Indians that was blamed for perverting the course of justice: their readiness to use perjury, forgery and impersonation to fabricate whatever evidence was needed for a legal end. Because Indians could not be induced to view perjury in the Company's courts as a social disgrace, punishment had to be all the more severe to provide the deterrence lacking in public opinion.⁹⁹ Decades later it was with this same full-throated litany about the native tendency to fraud and impersonation that fingerprints would be introduced to official business as a form of verifying identity. Once again, it was the problem of sustaining the evidence on which courts could enforce laws which was at issue. Counterfeiters were marked out for identification because their crime betokened a 'profession' which eroded state revenues and encroached on a prerogative of sovereignty.

Imprinting a permanent blemish on offenders sentenced to a limited term had to be justified by some reference to prevailing norms. By describing it as a 'customary' practice, *godna* could be dissociated from connotations of pain and torture. It was also compared with the punishment of *tashir*, ritualized public disgrace allowed by the Islamic law, which the Company modified and applied in its criminal courts.¹⁰⁰ But *godna*, unlike *tashir*, perforated infamy into the skin itself. Transferred from the female body to that of the male offender, it was described, apparently without any irony, as 'the process by which Hindu women ornament their faces'.¹⁰¹

In 1817 *godna* was abolished for perjury and forgery—that is for crimes where the prisoner would return to society.¹⁰² Act II of 1849 abandoned it as a form of identification for the life prisoner because it violated the standards of humanitarian treatment acceptable to the British public. Yet, in the 1870s, against fresh concerns to record and verify identity, colonial officials recalled its charms. Tattooing, they

⁹⁸ Reg 17, 1797; Reg 2, 1807. The third judge of Dacca division said that inscription by *godna* would prevent 'the testimony of more hardened offenders from being received a second time', 19 October 1797, in Bannerjee, *Background*, pp. 76–79, n. 128.

⁹⁹ Also see Judges responses, in GG's interrogatory, 1801–2, pp. 1812–13, Vol. 9. But *godna* was rarely inflicted because of the difficulty of proving forgery and perjury.

¹⁰⁰ Bannerjee, *Background*, pp. 76–79, n. 128.

¹⁰¹ CO of Nizamat Adalat, 23 April 1795, in K.K. Datta, ed., *Selections from the Judicial Records of the Bhagalpur District Office (1792–1805)*, Patna, 1968, p. 119.

¹⁰² Punishments of public infamy were being criticized for their inequality, and the permanent loss of reputation was held to make the offender reckless. These arguments were waived aside for the life prisoner, and *godna* continued for him: Singha, *A Despotism of Law*.

suggested, could be reintroduced on narrowly utilitarian grounds, that is, to detect the habitual offender and prevent escapes, not to inflict degradation. In India, they argued, tattooing would neither be cruel or unusual, for it was a 'customary' practice, and not a painful one. Nor would it offend native sensibilities because Indian rulers had imposed far more drastic punishments such as amputation and mutilation.¹⁰³

Penal Colonization and the Habitual Offender

This proposal surfaced in the context of discussions to improve records of conviction and incarceration so that the old offender could be detected and subjected to a longer sentence and a more rigorous jail regime.¹⁰⁴ Relying upon the memory of a police officer, or inspecting the prisoner's back for scars of a previous flogging now seemed too haphazard a procedure.¹⁰⁵

A related concern was to give the habitual offender a sentence which would route him to the Andaman and Nicobar islands, with sufficient personal description to forestall escape, and to tap his skills and maintain surveillance when he had served his term and was allowed to return to the mainland.¹⁰⁶ Steam-shipping had enhanced the feasibility of an ambitious project of penal colonization for these islands, but would also facilitate escape. The settlement had been launched with a harsh regime of floggings and hangings, but economic viability demanded labour in larger quantities, with a greater diversity of skills and better management. In 1874, in view of the pressing need for specialized labour, reservations about transporting term convicts, dacoits and habitual criminals were waived aside.¹⁰⁷

However, there were complaints of confusion in the written record—mistaken identities, prisoners who were actually present being recorded as dead or escaped, and vice versa.¹⁰⁸ One proposal was the addition of a photograph to the descriptive

¹⁰³ See Inspector General (IG) Prisons, Awadh, 28 March 1872, and 14 May 1872, Home Judl, December 1872, No. 223–24. Chief Commr Awadh, 20 March 1873, Home Judl, April 1873, No. 104. IG prisons, NWP, 7 February 1874, and IG prisons, Punjab (PB), 3 January 1874, Home PB, A. June 1874, No. 15–32. Again in the 1890s, discussing ways to discover the wandering habitual, officials wistfully toyed with the convenience of tattooing as a record of conviction. *Police Committee Report, NWP and O*, 1891, p. 108, para 387, and memorandum, Dy Commr, Lalitpur, 28 February 1891, appendix XII B.

¹⁰⁴ The Indian Jail Conference of 1877 stressed the importance of discovering the old offender to give longer sentences.

¹⁰⁵ *Awadh Jail Report*, 1871, in Home Judl, November 1872, No. 45–7; Home Judl, December 1872, No. 223–24; Home PB, July 1876, No. 20–25.

¹⁰⁶ Home, PB, A. June 1874, No. 15–32.

¹⁰⁷ COs, Chief Court PB to Comms, and Dy Comms, 17 December 1874 and VII of 1875, in *Punjab Reporter*, Vol. 9, 1874, and Vol. 10, 1875. In the 1890s when transportation was again abolished for term convicts, it was suggested that s75 Indian Penal Code (IPC), which prescribed heavier sentences for repeat offenders be used to secure life transportation for habituals. Home, B, June 1890, No. 74–8.

¹⁰⁸ Home PB, October 1873, No. 10, p. 471; Supdt, A&N to Secy, GOI, Home PB, A, June 1874, No. 15–32.

roll of the 'habitual offender' and the transported prisoner, though there was some scepticism on grounds of expense and effectivity.¹⁰⁹ Some officials suggested that the tattoo should be revived as cheaper and more reliable than photography, and also as proof against the changes of age.¹¹⁰ However, the function of the tattoo in the 1870s was envisaged in somewhat different terms—it would punch out a serial number, which would provide an immediately accessible index to the more detailed paper archive in the background.¹¹¹ Interestingly, a modern form of puncturing the skin, the vaccination scar, also suggested possibilities as an identification mark because vaccination was compulsory for prisoners.¹¹²

Disciplining Military Labour

The tattoo invited attention as a potential identification technique for disciplining military labour as well. In the Mughal army a descriptive roll, *chihran*, was maintained for the cavalryman with his name, father's name, complexion, features, scars and height. Equally, or perhaps even more important, was a detailed description of his horse, *chihrah-i aspan*. This was not so much to check desertion, as to prevent false musters and to verify the quality of troopers and horses before sanctioning an allowance.¹¹³ This paper trail allowed Ahmad Khan Bangash to taunt Najib-ud-daulah in 1757 for once being a mere trooper in Farukhabad where his pay rolls were still in existence.¹¹⁴

The descriptive roll played a very important part in the East India Company's designs to mark off and dominate the military labour market, and to ratchet up the standard of discipline. The recruit's descriptive roll was meant to prevent the re-enlistment of the dismissed soldier, trace the deserter and check pension fraud.¹¹⁵ In 1836 the Commander-in-Chief had suggested that Indian soldiers dismissed

after court martial could be tattooed to prevent their re-employment. His proposal may have been an oblique criticism of Bentinck's 1835 order to abolish corporal punishment in the Bengal army, but Governor-General Auckland rejected the suggestion.¹¹⁶ In 1882, in an extraordinary replay, Lord Roberts, Commander-in-Chief at Madras, seriously suggested that all British soldiers on foreign service be tattooed to prevent them from taking the bounty, deserting, and fraudulently re-enlisting.¹¹⁷ The British army was expanding and international rivalry had heightened concerns about its capability. However, at both these locations—the penal labour force and the military labour force—the tattoo needle was deemed too barbaric a form of identification.¹¹⁸ It was decided that to police the old offender and the transported prisoner, the photograph, affixed to a more detailed descriptive card, would have to serve.

The anatomical location of self-inflicted tattoos was included among the distinguishing marks recorded on the rolls of prisoners and indentured labourers.¹¹⁹ But on the whole, the socially prescribed tattoo came to be more important for ethnological classification than for individual identification.¹²⁰ In France and England, as tattooing came to be linked with criminal and lumpen strata, tattoo marks of convicted offenders were compiled in police registers.¹²¹ In India, customary tattooing was associated with women, perhaps not expected to form a large part of the criminal population. A standard work on medical jurisprudence had another complaint about tattooing in India:

The designs are simple and stereotyped, and where the practise prevails large numbers of people will bear the same markings in the same situation. This does away with any value they might have for the purposes of identification.¹²²

21 May 1830, No. 14 and 16 September 1831, No. 65–67. The documentation of personal particulars for military pensions was also used to define the 'legitimate' line of descent in the soldier's family, to decide whether his relationship with a woman was one of marriage or concubinage, and who qualified as an heir. The term 'pension fraud' conceals a whole range of struggles over such issues. For a reference from early Company rule see, S. Alavi, *The Sepoys and the Company, Tradition and Transition in Northern India, 1770–1830*, Delhi, 1995.

¹¹⁶ Auckland, Military minutes, British Museum Add Mss 37,714, pp. 51–52.

¹¹⁷ Roberts to Adjut. General 22 October 1882: Robson, *The Military Papers of Field Marshall Lord Roberts*, pp. 268–70. By the end of the decade anthropometric and fingerprint identification were being discussed as the solution to a problem which had fiscal and disciplinary consequences. Also see Col. R. Talbot, British military attaché at Paris to Earl of Lytton, 29 Jan. 1890, L/P&J/6/285, No. 1580, IOL.

¹¹⁸ A proposal to tattoo prisoners with numbers for identification surfaced in England as well. See M.A. Bertillon (E.R. Spearman, tr.), *The Identification of the Criminal Classes by the Anthropometrical Method*, London, 1889, p. 10.

¹¹⁹ Y.S. Meer, *Documents of Indentured Labour, Natal 1851–1917*, Durban, 1980.

¹²⁰ It was noted in some descriptions of 'criminal tribes', as in Gayer's account of Baori women, and Naidu's account of the Korawars. Gayer, *Lectures*, p. 8; Pauparao Naidu, *The History of Railway Thieves*, p. 46.

¹²¹ Caplan, 'Speaking scars'.

¹²² Lyon's *Medical Jurisprudence for India* (10th edition), Calcutta, 1953, p. 125.

¹⁰⁹ The Indian Jail Conference of 1877 said that photographs were useless for identifying criminals. Home Judl, December 1886, No. 177–219. H.A. Stuart's note, 10 October 1906, Home Police, A, Dec 1906, No. 17–18.

¹¹⁰ Home Judl, April 1873, No. 104; Home PB, A, June 1874, No. 15–32.

¹¹¹ IG prisons, PB, said the tattoo should inscribe serial number, province and year of conviction. So Ram Singh of Punjab, convicted in 1874 would 'become' P 3 74, and this number would correspond with his descriptive roll. 31 January 1874, Home PB, A, June 1874, No. 15–32. In 1858, Man and Walker, overseeing the Andamans settlement had made a similar suggestion for branding the registration number on the convict as the key to all information on him. M.V. Portman, *A History of our Relations with the Andamanese*, Vol. I, Calcutta, 1899.

¹¹² W. Walker, IG prisons NWP, suggested that if tattooing was objectionable, then vaccine vesicles could be produced on certain parts of the prisoner's body, and recorded on his descriptive roll. 7 February 1874, in Home PB, A June 1874, No. 15–32; Westmacott, I.G. Jails, Bengal, in Home Judl, December 1886, No. 177–219, p. 6.

¹¹³ W. Irvine, *The Army of the Indian Moghuls*, New Delhi, 1962, pp. 45–54. J.N. Sarkar, *Mughal Polity*, Delhi, 1984, pp. 113, 367.

¹¹⁴ Irvine, *Army of Indian Moghuls*, p. 47, n. 1.

¹¹⁵ Rules of 30 November 1830 for service and political pensions prescribed a standardized descriptive certificate from the collector or the political resident. Foreign Dept, Political Cons.

Another method of producing a visible mark of the criminal process on the body would endure till the end of colonial rule in India, despite criticisms of its 'haphazard' and temporary nature. This was through the scars which a flogging left on the back, a punishment considered particularly appropriate for the low-born habitual offender, and routinely imposed on 'criminal tribes' to enforce their restriction to a locality.¹²³ The first move with a suspect was to inspect his back to see if he was a *daghi*—and this word picture subsequently came to be used for those put on a police register for surveillance.¹²⁴

Science in Identification: The Photograph and Medical Mapping

For many police officers, doubts about the capacity of native agency to mentally register a photograph and pick out a suspect undermined the indexical value of photography.¹²⁵ 'Natives are very slow to recognise likenesses under the most favourable circumstances', wrote the Chief Commissioner of Awadh.¹²⁶ Lacking their own agency at this point, police photography had to be contracted out.¹²⁷ But photographic likenesses could be circulated by post, so they were useful for verifying identity between one police station and another.¹²⁸ Photographs of bandits, poisoners and swindlers began to be posted at the police *thana*. They circulated in the press, and titillated the public imagination in books about crime.¹²⁹ In a sense they replaced the triumphalism of the head of the bandit or rebel brought back as trophy and proof of identity.¹³⁰ This array of police photographs was also meant to convince the public of the threat posed by the professional criminal, and

¹²³ In discussing the advantages of the lash over the rattan as an instrument of corporal punishment, one officer reasoned that the lash was better precisely because it marked the thief's back for ten to twelve years. Register Nizamut Adalat to Secy, Judl Dept, 10 May 1833, Bengal Criminal Judl, Lower Provinces, 8 July 1833, No. 6, West Bengal State Archives, Calcutta. *Dagh*: stain; *daghi*: a marked man.

¹²⁴ See W.H. Vincent's reference to police officers extorting money from the *daghi* who had to report at the station. Note, 13 June 1917, in Home, Police, A, Progs, August 1917, No. 75-6.

¹²⁵ See Pinney on the colonial yearning for the indexicality of the visual image. Chris Pinney, *Camera Indica, a social History of the Indian Photograph*, London, 1997.

¹²⁶ Secy to Chief Commr Awadh, to Secy, GOI, 20 March 1873, Home Judl, April 1873, No. 104. Major Bowie, IG Jails, LP, held that administrative, social and climatic conditions in India undermined the value of photography 29 April 1876, in Home PB, July 1876, No. 20-25. Also Under Secy, GOI, Home, note of 27 September 1906, in Home Police, A, December 1906, No. 17-18.

¹²⁷ A poisoner poses against a lush studio backdrop of pillars, carpet and palm, in Pauparao Naidu's, *The History of Professional Poisoners*. The Department of Criminal Intelligence acquired its own photographic capability in 1907.

¹²⁸ IG prisons, Awadh, 14 May 1872, in Home Judl, December 1872, No. 223-24. Photolithographic enlargements of fingerprints shared this advantage of easy circulation; even more so when a numerical code was developed for transmitting fingerprints over the telegraph.

¹²⁹ See Pauparao Naidu, *The History of Professional Poisoners*.

¹³⁰ Thornhill describes a policeman bringing back a bandit's head to claim the reward and robbers beheading a trapped gang-member to prevent identification. Mark Thornhill, *Haunts and Habits of an Indian Official*, London, 1899, p. 152.

to demonstrate that though he looked just like anyone, he assumed a variety of disguises.¹³¹ However the circulation of the photographic image could prove counter-productive when photographs of political militants began to turn up in the disturbingly adulatory medium of the vernacular press.¹³²

Photographs were used where verification rather than detection was the issue—for indentured labour from the 1860s, and from 1875 for transported prisoners.¹³³ To prevent the convict from distorting his features, a photograph in profile or against a grid was recommended, 'to reduce the yielding flesh to unchangeable proportions'. In the Madras penitentiary those termed habitual criminals were photographed at the point of their release and their photographs were pasted into the 'Old Offenders' registers in all the police divisions of the town with other details of age, description, habits and convictions.¹³⁴

An important agency for formulating and implementing scientific ways of description that would transcend the varying impressions of the individual was the medical officer. His roll in the physical monitoring of populations that were the particular concern of the state put him in a position to do so. Among these were the army recruit, the prisoner, the indentured labourer and the candidate for official employment whose fitness he had to report on. The medical officer began to be asked to oversee the recording of the descriptive roll of the prisoner so that details could be recorded with greater anatomical precision. In 1870 the surgeon's record became compulsory in the descriptive roll sent with convicts transported to the Andamans,¹³⁵ and in 1873 he was instructed 'to define the exact position of scars, moles and all other marks by measurement in inches from the nearest joint...'¹³⁶ The uniqueness of certain body measurements and of other anatomical characteristics, and the idea of building up a classificatory system on their basis emerges in these discussions.¹³⁷

¹³¹ In *The History of Professional Poisoners*, pp. 2-3, Pauparao Naidu wanted to demonstrate that poisoning and coining had rapidly increased. However his photographs of 'types of a few poisoners of different places' show nothing of a type at all.

¹³² For the case of the Chapekar brothers see *Selections from Vernacular Newspapers*, (SVN), NWP and Oudh, No. 23 of 1899, p. 279, para 18. The convict assassin of Lord Mayo 'was childishly vain of being photographed [for police enquiries in Northern India] as the murderer of a Viceroy'. In outrage, Hunter actually withheld the assassin's name, village and tribe from his authoritative biography of the viceroy. W.W. Hunter, *A Life of the Earl of Mayo*, (2nd edition), Vol. II, London, 1876, p. 366.

¹³³ In Natal, Ordinance 31 of 1867 made it compulsory to attach a photograph to identity papers for indentured labourers and tickets for time-expired ones. But stolen or illegally transferred papers continued to circulate because it was said to be difficult to recognize immigrants from their photographs. Carter, *Servants, Sirdars and Settlers*, pp. 200, 206. For the introduction of photographs to the record of transported convicts, see Home PB, A, March 1875, 49-51.

¹³⁴ IG Jails, Madras to Chief Secy, 31 July 1874, Home PB, December 1874, No. 57-71.

¹³⁵ Home Judl, A, 2 April 1870, No. 28-30.

¹³⁶ Supdt, A&N, to Secy, GOI, 11 November 1873, Home PB, June 1874, No. 15-32, p. 637.

¹³⁷ The Delhi commissioner suggested a measurement along the extended arms, from fingertip to fingertip, because it was fixed in adults and distinguished individuals. The IG, Jails,

Fingerprints, The First Phase: Fixing Slippery Facts

It was also in the 1870s that fingerprints were first introduced to the administrative domain in India. In 1877 William Herschel introduced fingerprints in the Hughli district of Bengal on receipts for government pensions, deeds of land transfer, debt or mortgage bonds lodged in the registration office, and jail admission registers.¹³⁸ The innovation was regarded as the magistrate's hobby horse and it petered out when he left for England. Fingerprints would be reintroduced in the 1890s after anthropometric measurement and classification had been accepted as a scientific way of recording identity, both for ethnographic surveys and for police identification.¹³⁹ In this second phase, the fingerprint as a form of identification spread with multiplier effect across official institutions and into social practice, and globally against escalating great power conflict over colonies and markets.

Herschel subsequently claimed to have initiated the use of fingerprints as identification by producing a contract of 18 January 1858 signed by a palmprint.¹⁴⁰ This contract, to supply road metalling material, was given to one Rajyadhar Konai who had drawn up the engagement in Bengali and was going to sign 'in the usual way at the right hand corner of the document'. So it was a lettered man whose palm and fingers Herschel inked and impressed on the contract. Clearly it was some direct and distinct imprint of the body on the document that Herschel desired. He was familiar with *tep-sai*, the finger daub in ink used by illiterate parties on a document, made in water-ink and without any concern to preserve the lines of striation.¹⁴¹ But the ink Herschel used was the countrymade mixture of linseed oil and lamp black used for official seals which brought out the lines of the palm and fingers clearly.

Herschel said he had wanted to 'frighten Konai out of all thought of repudiating his signature thereafter'. But something of his own fascination with palmistry filters through the account. He and Konai, Herschel wrote, 'studied it [the hand-impress] together, with a good deal of chaff about palmistry, comparing his palm with mine on another impression...'.¹⁴² Did Herschel have some image of a palmistry manual before him, the idea of individual destiny uniquely writ on the lines of the hand? He certainly does not cite any scientific proposition for his trial. And

the handprint by itself was not legally binding on Konai. As Herschel pointed out, it was only many years later that 'abundant agreement had been reached among ordinary people' about the decisiveness of the fingerprint.¹⁴³

But the context in which Herschel explored the palmprint and then fingertip ridges as a verifiable mark of identity, reveals the forces gathering behind his quest. Konai's engagement was one of the myriad small contracts for labour and supplies through which magistrates and engineers of the public works department put through the communications, canals and colonization schemes taking shape from mid-century. Small contractors for labour would take advances, but disappear if a better deal was struck elsewhere.¹⁴⁴ Contracts for an agricultural commodity such as opium, over which the government had a monopoly, or indigo, had the advantage that the cultivator and the middleman had a fixed residence, and land which could be attached. But peasants could declare that the indigo planter or the middleman selected by government for opium had not delivered the contractually binding advance. Colonial courts sought to buttress the rent and credit mechanisms which drew out labour and commodities from the peasant household and bound it to the international market. Respect for contractual obligation was one of those moral changes which colonial rule of law was supposed to engineer, even if by penal sanctions and summary magisterial powers.

In the 1860s Herschel encountered immense tension in Nadia as European planters sought to force cultivators to grow indigo in the face of falling international prices. Finding it difficult to give advances and to offer adequate prices, planters drew upon their power as landlords and their goodwill with officials to force peasants to reserve land and labour for indigo. When proof of contractual obligation was required, planters cited past balances, real and fictional, recorded in the indigo factory books against the peasant or forged a debt bond on stamped paper to bind him down.¹⁴⁵ But as conflict climbed to dangerous levels, the government wanted to give the semblance of judicial neutrality. The magistrate was to investigate if there was a contractual engagement to grow indigo for that season before imposing fines and imprisonment.¹⁴⁶ Magistrates rallied behind the planters, accepting flimsy evidence for a contract, usually supplied from factory account books, supported by the testimony of the planter and his servants.¹⁴⁷

Central Provinces (CP), suggested a standard colour guide with numbers. Commr Delhi to Dy Commr Karnal, 26 January 1874, and Offg Secy to Chief Commr CP, to Secy GOI, 28 April 1874, in Home PB, A, June 1874, No. 15-32.

¹³⁸ The party registering the deed had to impress his first and third finger on the document and on the register of deeds. W.J. Herschel to editor, 13 November 1880, *Nature*, in G. Lambourne, *The Fingerprint Story*, London, 1984, p. 193.

¹³⁹ H.H. Risley, *The People of India*, 1915, reprint, Delhi, p. 20. Anthropometric identification—through sets of measurements of the bony parts of the body which did not change size after maturity—was introduced on an experimental basis in the central jails of Bengal in 1892.

¹⁴⁰ W.J. Herschel, *The Origin of Fingerprinting*, London, 1916, pp. 7-9.

¹⁴¹ Herschel translated *tep* as 'pressure' and *sai* as 'token'. Herschel, *Origin*, p. 37.

¹⁴² *Ibid.*

¹⁴³ *Ibid.*

¹⁴⁴ Home Judl. A, 13 January 1863, No. 10-12.

¹⁴⁵ The Indigo Commission of 1861 reported that every year the tenant was made to sign on a stamped paper which recorded a balance against him to bind him down to growing indigo for the next season. Sometimes tenants were charged for higher-value stamps, so that debt bonds for larger sums could be made out to assist legal action. *Report of the Indigo Commission*, Calcutta, 1861, pp. 14-15. Peasants were compelled to clear off balances by growing indigo instead of paying cash. For a depiction of this in drama see *Neel Darpan*, Act I, scene 2, in *Dinabandhu Rachnavali* (2nd edition), Calcutta 1981.

¹⁴⁶ *Report of the Indigo Commission*.

¹⁴⁷ B. Kling, *The Blue Mutiny. The Indigo Disturbances in Bengal 1859-62*, Philadelphia, 1966, p. 159. Examination of A.T. Maclean, Asst Magt Nadia, 12 July 1860, in *Report of the Indigo Commission*.

Planters began to take receipts on blank stamped paper from tenants, so that advances could be fraudulently entered if they were recalcitrant. Some factory agents purchased stamped paper from those who had bought it for some other purpose, to fabricate receipts for an advance.

Herschel was different in that he actually scrutinized the evidence and discovered these forgeries, to the outrage of the planters who vehemently alleged a bias and asked for his transfer.¹⁴⁸ In fact Herschel had not wanted to publicize these forgeries, reporting that he had begged the manager of the Pirpur factory, 'not to identify himself and Europeans generally with a system of forgery which every movement showed to be more and more appalling'.¹⁴⁹ The planter lobby insisted that as zamindars they were entitled to a customary submissiveness from the tenant. But Herschel, and some others in government now wanted to move from the slippery ground of 'factory custom' or 'zamindari custom' to procedures which would provide facts for adjudication on contract. The planter ought to make an advance in cash to the peasant for growing indigo, register the engagement, and prosecute for violation.¹⁵⁰ It was at this point that Herschel also suggested that the peasant's finger impression could be taken on this engagement to discourage impersonation, or allegations of impersonation—the first step of repudiation being the denial of the personal mark or signature.

If personification at the time of signature of false pleas of personification were rendered impossible by any peculiar mode of signature, nine-tenths of the difficulty of forming a decision would disappear.... I can suggest a signature of exceeding simplicity which it is all but impossible to deny or to forge. The impressions of a man's finger on paper cannot be denied by him afterwards.¹⁵¹

If a tenant found the rate offered for indigo unattractive, then the landlord was free, by the laws of contract, to raise his rent to what the market would bear.¹⁵² In Herschel's subsequent account, *The Origin of Fingerprinting*, the fraud, forgery and perjury which he describes as undermining civil justice seems to relate only to the rental relationship between Indian zamindars and tenants. What is missing is the figure of the European planter and how he too manufactured evidence to construct a case for adjudication.¹⁵³

¹⁴⁸ Herschel checked the *kabuliyats*, engagements to grow indigo which planters presented in court, against the books of stamp vendors. He found that of 669 *kabuliyats*, 42 were written on stamped paper with forged endorsements, and that there were 'good grounds for believing' that this applied to one-third of the whole. Herschel to Commr Nadia, 9 January 1861 and Commr Nadia to Offg Secy, Bengal Govt, 14 January 1861, Home Judl, A, 28 March 1861, No. 100-101.

¹⁴⁹ Herschel to Commr Nadia, 9 January 1861, *ibid*.

¹⁵⁰ *Report of the Indigo Commission*, p. 48, para 182.

¹⁵¹ Examination of Herschel, Magt Nadia, No. 77, 9 July 1860 in *ibid*.

¹⁵² Herschel, *Origin*.

¹⁵³ *Ibid*. Nor did the Indigo Enquiry Commission mention these forged contracts. Kling, *The Blue Mutiny*, p. 142.

Herschel took fingerprints 'from all sorts of people' in Nadia, and in 1877-78 during his posting to Hughli introduced them to authenticate marks and signatures on deeds and bonds in the registration department. He did so without any clear formulation about the degree of persistence of the individual's fingerprints, or attempts at classification. When Herschel tried to persuade the Inspector of Jails in Bengal and the Registrar General to give finger impressions a trial, he stated cautiously that these marks 'do not (bar accidents) change in the course of ten or fifteen years so much as to affect the utility of the test.'¹⁵⁴ Using the finger impressions that Herschel had recorded since 1858 and comparing some of the fingerprints taken in the Hugli registration department in 1878, with a second set taken and sent to England in 1892, the scientist Francis Galton built up evidence for the lifetime persistence of finger-ridge patterns in individuals.¹⁵⁵

In his influential article on the process by which bourgeois civilization appropriated and effaced folk knowledge in Europe, Ginzburg points out that in the 'discovery' of the fingerprint the role of pure science and of Herschel's administrative experience were acknowledged, but not the knowledge and everyday practice of the Bengali populace who used to leave their finger impress on papers.¹⁵⁶ He suggests that the custom of imprinting letters and documents with a fingertip dipped in ink was probably a consequence of knowledge derived from divinatory practice. It may have been the divinatory element in palmistry which drew Herschel's attention, for *tep-sai* the finger daub on a document, was not made with any concern to preserve ridge marks.¹⁵⁷ But quite apart from any 'traditional' practices, it is important to recall that the finger daub already had a legal standing as a 'signature' in the world of colonial law and contract which peasants were negotiating. It signified acquiescence, in front of witnesses, to obligations framed in a written text. In Act VIII of 1871 for the registration of documents, 'signature' and 'signed' included and applied to the fixing of a mark.¹⁵⁸

But by authenticating a finger daub, personal mark, or even a signature, the thumbprint probably tightened the coalescence of social and bureaucratic power in the transaction, making it more difficult to repudiate the transfer of possession over one's person or property or product of labour. A possible indication of this

¹⁵⁴ Herschel, *Origin*, p. 23.

¹⁵⁵ Francis Galton, *Supplement to Fingerprints*. London, 1893, pp. 3-4; F. Galton Mss 172/5 B, University College, London (UCL).

¹⁵⁶ Carlo Ginzburg, 'Morelli, Freud and Sherlock Holmes: Clues and scientific method', *ES*, No. 9, spring 1980, pp. 5-36.

¹⁵⁷ However once the uniqueness and persistence of fingerprints was confirmed as a scientific fact in the 1880s there was a vehement denial of any 'Oriental' practices in India or China which might have directed attention to finger marks. Yet, in a letter of 8 April 1880 to Charles Darwin, Galton had stated that a couple of years ago, 'having heard of the Chinese plan with criminals', he had examined several thumb impressions. Lambourne, *The Fingerprint Story*, p. 190.

¹⁵⁸ In the registration of deeds and contracts, the illiterate party was required to touch the inscribing pen or make a mark on the document in the presence of a witness as a token of presence and acquiescence.

process was that the thumbprint began erasing the diversity of marks, pictographs and seals hitherto used as a form of signature.¹⁵⁹ Pictographs inducted the social location of the party into the transaction by recalling profession or clan affiliation.¹⁶⁰ Herschel recalled that *tep-sai* was a practice particularly associated with women.¹⁶¹ One could conjecture that the thumbprint eventually swallowed up a diversity of equations with the world of the written word and demarcated the distinction between the literate and the illiterate much more reductively and with greater stigma. Colonial legal procedure tended to devalue the testimony of those unable to read or write.¹⁶² Now the thumbprint also assailed the defence of illiteracy against the law—‘I wasn’t there’; ‘It wasn’t me’; ‘I know nothing of it’. These are only speculations. It would need an ambitious anthropological foray into shifting meanings around marks of identification to understand their connection with the power of the written word. There is another level at which information was appropriated, which was from within the same mental world, but one in which levels of acknowledgement were racially structured.

Scientific Evidence: Ambivalence and Authority

Scientific evidence received a somewhat mixed reception in colonial policing, though it acquired a special authority in colonial courts. Shortage of qualified agency, scepticism about the capacity of Indian personnel, and an anxiety that higher standards of proof might fetter executive agency, diluted enthusiasm. Yet, science was expected to make the administration of justice more certain. It was hoped that forensic science would provide better evidence than depositions from illiterate and perjured witnesses, from a corrupt and unreliable Indian police agency,

¹⁵⁹ For an interesting display of pictographic ‘signatures’ representing occupation see Herschel, *Origin*, p. 36: Dr S. Ali Nadeem Rezavi kindly lent me his intriguing paper, ‘Stonecutters marks in Mughal monuments—with special reference to Fatehpur-Sikri’ (Aligarh Muslim University). He suggests that hereditary craftsmen used a common mark, whereas their supervisors or master craftsmen used individual signatures, often in the Devnagri script.

¹⁶⁰ Papers attributed to Hurkishen Singh, a rebel of 1857, carried an entire range of identifying signs. Ramyad Woja, a pardoned soldier, declared he recognized them by ‘the signature, handwriting and hieroglyphic of prisoner... sealed with the impression of a half moon ... which seal the prisoner made use of.’ K.K. Datta, *History of the Freedom Movement in Bihar, 1857–1928*. Vol. I, Patna, 1957, p. 505. This diversity probably continued for a time, because the thumbprint was often taken in authentication of a mark or written signature, not only as a substitute for it. Henry, *Classification*, p. 6.

¹⁶¹ Herschel, *Origin*, p. 6 and ‘Note on your “proof”’, nd (1893?), in F. Galton, *Mss 172/5 B, UCL*. Did this indicate their greater distance from the world of public affairs and writing, whereas a man might more confidently handle a pen to make a cross or draw a symbol? However Herschel’s list of pictographs includes a bracelet to indicate a woman and a spindle for the widow: Herschel, *Origin*, p. 36. The widow and the prostitute were two categories of women who would have to engage with the world of commercial transactions.

¹⁶² ‘Persons unable to read or write may be attesting witnesses to a legal instrument, but no great value is attached to their testimony.’ W. Macpherson, *The Procedure of the Civil Courts of the East India Company*, London, 1850, p. 240.

or from extortionate informers. Such assumptions bolstered the standing of western medicine in colonial administration even before sufficient personnel were available.¹⁶³ Magistrates began to take the guidance of a medical text, or turned to the medical officer instead of relying upon a washerman to testify on a stain, or an Indian midwife to report on a rape, abortion or birth.¹⁶⁴ Advocates of forensic science said it would improve the reputation of a police force in which Indian *daroghas* were accused of using torture and subterfuge to construct a case.¹⁶⁵ In 1899, police officers, testifying on a match of fingerprints were given the status of expert witness with an amendment to the Indian Evidence Act which was passed with the unqualified approval of most of the judicial and executive officers consulted.¹⁶⁶

Tracing an individual set of fingerprints from a mass of fingerprint cards required a workable system of classification. The Anthropometry Bureau of the Bengal police was able to evolve such a procedure by 1897 and so the fingerprint record replaced anthropometric measurements in India four years before a similar decision was taken for England in June 1901.¹⁶⁷ Edward Henry, Inspector General of the Bengal police had recruited two Indian sub-inspectors of police, Aziz ul Haq and H.C. Bose for this task. Haq evolved a system of primary classification which convinced Henry that the problem was solved.¹⁶⁸ He evidently had a gift

¹⁶³ Some publications were designed to guide judicial functionaries and Indian doctors in medical jurisprudence even where professional expertise was not available. C.R. Baynes, *Hints on Medical Jurisprudence*, Madras, 1854; McLeod, *Medico-legal Experience in the Bengal Presidency*. In contrast to England, a doctor’s evidence was taken in court in India without much questioning, and professional secrecy was not allowed under Indian law. P.N. Ramaswami, *Magisterial and Police Guide*, Mysapore, 1931, pp. 723, 817.

¹⁶⁴ Baynes, *Hints on Medical Jurisprudence*, p. 48. In rape cases the testimony of a medical expert, usually male, began to be demanded in place of the ‘ignorant’ female *dai* (mid-wife): N. Chevers, *Medical Jurisprudence in India*, 1870, p. 684. At the medico-legal session of the 1894 Indian Medical Congress, W.R. Kysey said that in the East medical evidence was often the only evidence to be relied on. *The Medical Reporter*, Vol. V, 1 January 1895.

¹⁶⁵ The Superintendent of Police (SP), Shahabad, said fingerprints on a jail slip should be accepted as proof of a prior conviction so jailors would not have to be tutored to ‘recognize’ the prisoner. The Delhi SP said this document would be less likely to bear false witness than a human being. SP Shahabad to IG, LP, 31 October 1905, and R.C. Plowden to IG Pb, 8 November 1905, Home Police, A, November 1907, 71–79.

¹⁶⁶ Leg Dept, February 1899, No. 132–65. Only R.C. Mitra, Sessions Judge of Faridpur, said the judge should make the comparison himself instead of elevating a, perhaps unscrupulous, police employee to the position of expert. Mitra to Chief Secy, Bengal, 28 November 1899. See, Appendix 62. Leg Dept, February 1899, No. 132–65. Under s45 of the Indian Evidence Act I of 1872, the court could call for expert evidence to form an opinion upon a point of foreign law, science, art, or the identity of handwriting. Act V 1899 amended this to include expert evidence on fingerprints.

¹⁶⁷ In 1894 the Asquith Committee in England decided on a dual system for criminal identification, anthropometry with fingerprints, because of problems with fingerprint classification. In India, on 31 March 1897, an official committee decided to recommend a shift to identification by ten fingerprints alone. Henry, *Classification*, p. 63.

¹⁶⁸ Aziz ul Haq studied at Presidency College, Calcutta and joined the Bihar police as a sub-inspector in 1892. Henry recruited him for the Anthropometry Bureau where Haq worked out

for classifying information for reference and comparison, for he also contributed to secondary and other classifications for the fingerprint archive and devised a durable system for indexing names in court conviction registers.¹⁶⁹ This level of agency, the educated Indian sub-inspector, was increasingly important to the implementation of colonial police 'reform' from the 1890s but under-acknowledged in terms of professional reward.¹⁷⁰ Some biographies from the turn of the century give a sense of the hierarchical dimensions of police reform in India.

Identification Practices and Social Hierarchy

Race Hierarchies within the State

European police officers monopolized all posts above the rank of sub-inspector, and till 1895 their appointment was by nomination, tempered by a simple examination.¹⁷¹ The beneficiary of this system, by one account, was the 'amiable detrimental, the younger son, or the sporting public school boy... prepared to go anywhere or do anything which did not involve prolonged drudgery'.¹⁷² To read C.E. Goulesbury's account, *Life in the Indian Police*, is to discover the mould.¹⁷³ Some of his police coups materialize through an extremely suspect informer, Kali Dass, who followed him about on his postings. But it was one of those whom Goulesbury describes as the smart Indian sub-inspector 'of the new regime, trained at the police depots recently established', who arranged another triumph in 1898. This was the first instance in India in which a thumbprint from the site of a robbery

a classification which reduced the field of search by fixing the limits under each sub-head of measurement. In 1893 Haq developed a system of primary classification for fingerprints, and assisted in further sub-classification. He accompanied Henry to other provinces, setting up fingerprint bureaux, but reverted to district work after 1899. H.C. Bose (or Basu) had a longer association with this specialized branch. He assisted in the introduction of fingerprints, worked on the classification of single fingerprint impressions and evolved a codification for the telegraphic transmission of fingerprints. Bose's 1916 publication on a telegraphic code may have been the first of the kind, although he acknowledges a 1903 draft drawn up by Inspector N.C. Mukherjee and suggestions from C.S. Collins of the London police. Home, Police, 112/25, 1925, and 14/29, 1929. H.C. Bose, *Hints on Finger Prints with a Telegraphic Code for Finger Impressions*, Calcutta, 1916.

¹⁶⁹ Offg Chief Secy, Bihar and Orissa to Secy, GOI, Home, 15 June 1925, in Home Police F 112/24, 1925. Notes recorded by Burbidge, Kidd, and Gordon, British officers of the Indian police, in the 1960s, in The Indian Police Collection, Mss., Eur. F. 161/185, Box 5/19, IOL.

¹⁷⁰ In 1890 the Bengal Police Committee had recommended that investigations should not be entrusted to Indian subordinates below the rank of sub-inspector. Provincial police schools were set up to train Indian sub-inspectors as the investigative arm of the police, and their syllabus included instruction in anthropometry and fingerprints.

¹⁷¹ 'From the British police officer', recalled Curry, 'little more was demanded than the... character of an English gentleman.' Curry, *The Indian Police*, p. 54.

¹⁷² *Ibid.*, p. 55, drawing upon Trollope.

¹⁷³ The following account is from C.E. Goulesbury, *Life in the Indian Police*. London, 1912.

and murder was used to get a conviction. A divisional inspector holding an inquest on the murder of a tea planter in Jalpaigiri sent a bloody thumbprint found on an almanac to the Thumb Impression Bureau in Calcutta. It tallied with that of Kangali Choron, an ex-servant of the planter, jailed for theft on his master's allegation, and recently released.¹⁷⁴ For Goulesbury this was just one episode in a career otherwise enlivened by hunting exploits and the hospitality of indigo planters.

In contrast, Edward Henry's career began from the loftier administrative rung of the Indian Civil Service, and was propelled upwards by the application of fingerprints to police identification across three continents—as Inspector General in Bengal when the left thumbprint was added to the anthropometric card in 1893; then as Police Chief in Johannesburg in March 1899 during the Boer War; and finally as Assistant Commissioner at Scotland Yard in July 1901 where he set up the fingerprint bureau.¹⁷⁵ Henry did not acknowledge the contribution of Aziz ul Haq and H.C. Bose when he publicized 'his' system of classification in England in 1900: when giving a lecture before the British Association in the distinguished company of Francis Galton;¹⁷⁶ speaking before the Belper Committee;¹⁷⁷ and in his classic textbook, *The Classification and Uses of Fingerprints*.¹⁷⁸ Formal acknowledgement came very tardily to these two Indian sub-inspectors, and in a very limited way.¹⁷⁹ Haq's role in classification really emerged only through an

¹⁷⁴ The fingerprint corroborated suspicion because Kangali had been seen in the neighbourhood earlier and was a likely suspect. However, to Goulesbury's exasperation, the Indian jury still held that the evidence was only sufficient to convict Kangali of robbery, not of the murder. *Ibid.*, pp. 180–94.

¹⁷⁵ E.R. Henry (1859–1931). As IG in Bengal, Henry introduced anthropometric roll cards to police identification in March 1892, adding the left thumb impression in 1893. Working with Aziz ul Haq and Bose he evolved a system of fingerprint classification and in 1897 convinced the Indian government to introduce criminal identification by fingerprints alone. Appointed CSI in 1898, he left India the next year to work for the Imperial government in the police department at Johannesburg during the Boer War. In his preface to *The Origin of Fingerprinting*, Herschel credits Henry with introducing fingerprints in the Transvaal, but I have not been able to trace this episode. Henry resigned from the ICS to join Scotland Yard as Assistant Commissioner in July 1901, in the Fingerprint Branch. Home Police, September 1892, No. 87–90; Bengal police circular No.1 of 1893, 'Anthropometry, instructions for district superintendents'; Home Establishment, A, February 1901, No.7–11. 'The Police Collection', Mss. Eur. F. 161/185, Box 5/19, IOL.

¹⁷⁶ *Nature*, Vol. 3:61, November 1899–April 1900, p. 2.

¹⁷⁷ This was a Parliamentary Committee appointed in 1900 under the chairmanship of Lord Belper to look into forms of criminal identification. It examined Edward Henry and recommended a shift to identification by fingerprints alone.

¹⁷⁸ See Shreenivas and S.N. Sinha's scholarly reconstruction of this story in 'Personal identification by the Dermatoglyphic and the E-V methods', *The Paina Journal of Medicine*, Vol. XXXI: 2–6, 1957.

¹⁷⁹ Haq received an honorarium of Rs 5,000. 'Government of India were notoriously parsimonious in these matters' recalled J.E. Armstrong who had received Haq's petition. Armstrong to Sir Douglas Gordon, 1 June 1960, Mss Eur 161/185, IOL. Spurred on by this, the Bengal Government recommended an honorarium for H.C. Bose. Home, Police 14/29.

enquiry in 1925–26 when he petitioned for a land grant on retirement. Henry was asked for definite information, and in his correspondence with the Indian government was more careful now to spread the credit. He lauded ‘team work’, and the input of Haq’s other colleagues, but acknowledged that Haq had contributed, ‘in a conspicuous degree to bringing about the perfectibility of a system of classification that has stood the test of time...’.¹⁸⁰ That Haq and Bose’s contribution was acknowledged at all was in part due to pressure from British officers of the Indian police who did not wish Scotland Yard, or perhaps Edward Henry alone, to claim all the credit.¹⁸¹

Even in an era of administrative elaboration and rationalization, race hierarchies shaped specific forms of monitoring Indian employees. The thumbprint was used to verify the identity of Indian candidates in some examinations for official employment, on the service book which mapped their career, the medical certificates they submitted for appointment and leave, and their pension book.¹⁸² The underlying presumption was that the realm of public affairs had to be shored up against the special propensity of Indians to fraud. Illiterate employees of government put their left thumb impression on the pay roll in receipt of their salaries.¹⁸³ The fingerprint was also used as a disciplinary tool over labouring classes in state employ. The Survey of India, which employed labour in significant number, took fingerprints to prevent the re-enrollment of dismissed persons.¹⁸⁴ In Bombay city, the fingerprint bureau recorded the fingerprints of all candidates for employment as municipal sweepers to root out ex-convicts and to check theft.¹⁸⁵

However, in the army, the fingerprint was introduced to the descriptive roll of Indian recruits in 1891, but abandoned in 1895 on the grounds that personation was unknown.¹⁸⁶ The Indian soldier was recruited without having to pay a bounty, so there was no financial incentive for absconding. Existing methods of verifying the recruit’s antecedents built bridges between the army and village elites, and desertion was not usually a major problem. However fingerprints were taken on the soldier’s pension book when he retired.

By pensioning off Indian princes and chiefs and their dependants, the East India Company extinguished the charisma of an older ruling order. Simultaneously,

¹⁸⁰ Henry to Secy, Services and General Dept, India Office, 10 May 1926, Home Police, 112/25, 1925.

¹⁸¹ D. Petrie, supporting an honorarium for Bose, 5 March 1929, Home Police, 14/29, 1929. Also see D. Gordon, former IG, Bengal, letter to *The Times*, 15 July 1965, Mss Eur 161/185, IOL.

¹⁸² Finance and Commerce, Pensions and Gratuities (F&C, P&G), A, August 1896, No. 171–80. Home Public, A, June 1904, 377–78. All non-gazetted officers had to give their thumb and finger impressions in the space for descriptive marks in their service book.

¹⁸³ See W.H.A. Rich’s account of his official career in the Punjab and the North West Frontier Province, Mss Eur D 1065/1, pp. 79, 84, IOL.

¹⁸⁴ A photozincograph of their thumb impressions was sent to all working parties. Henry, *Classification*, pp. 7–8.

¹⁸⁵ S.M. Edwards, *Crime in India*, London, 1924, p. 148.

¹⁸⁶ Army circular No. 5, 16 January 1891; F&C, P&G, August 1896, 171–80. Galton suggested that fingerprint identification for British recruits would check fraudulent enlistment for bounties but it was not introduced because of its association with criminality

it held out regular wages and a pension as the major attraction of employment under its own orderly administration. At some conjunctures, land grants were made to soldiers, but the service pension did not become a heritable right.¹⁸⁷ It was granted ‘as an act of grace or State policy’ and government could not be taken to court to account for rights relating to a pension.¹⁸⁸

What was emphasized in this extension of the fingerprint to all kinds of public dealing was its worth as a irrefutable record lodged in an official archive. Yet, the official dispensing a pension, or money from a savings account, would rarely compare the thumbprint given with the one he had on record. The tally of civil cases in which police experts were called upon to verify a thumbprint or fingerprints was quite insignificant.¹⁸⁹ Personal recognition, visible distinctive marks, and the signatures of attesting witnesses continued to have an everyday value. The number of prosecutions for impersonation in the pensions or registration department does not indicate that this offence had in fact been a major problem.¹⁹⁰ The real value of fingerprints was the idea that a permanent and undeniable impress of the body had been handed over to the state, or the employer. Recollecting this accession of power, the ability to retrace this moment of submission, the subject involved in these transactions would not even *attempt* to repudiate his identity or assume some other one. Under colonial government, even the literate often had to authenticate their signatures with a thumbprint or with fingerprints in official transactions. As a sessions judge of Patna commented, ‘A person has not the same control over his finger-impressions as he has over his writing.’¹⁹¹

Descriptive rolls could threaten hierarchy by breaking down a personality and a social standing into discrete, perhaps unflattering, physical characteristics, bringing peculiarities such as ‘indelible marks... or natural defects’ to special notice.¹⁹² In theory, fingerprints seemed to obliterate completely personal assessments of

¹⁸⁷ British officials believed that on the death of a Indian pensioner his relatives and friends tried to personate him. Henry, *Classification*, p. 6.

¹⁸⁸ Also see Cockerell in GG’s Council, 24 February 1871, Home Leg, A, 1871, September 1871, No. 59–79. Telang cited the Pension Act of 1871 as an instance of laws which excluded a whole class of cases from the courts: ‘K.T. Telang, *The reign of law in Bombay Presidency*’, in J.C. Johari, ed., *Voices of Indian Freedom Movement*, Vol. I, Delhi, 1993, p. 351.

¹⁸⁹ In 1920 the Central Fingerprint Bureau at Shimla was asked for an expert opinion in the following number of court cases: departmental: 1; criminal: 3; and civil: 26. Home Police, B, February 1921, No. 233.

¹⁹⁰ The Madras superintendent of military pensions said the deputy collector and *tahsildar* developed a personal acquaintance with pensioners and did not have the time to actually compare thumb impressions. The controller of military accounts, Madras, admitted that a case of false personation was ‘not within the memory of the Department’. Supdt Pensions to Controller, 24 June 1895. F&C, P&G, August 1896, No. 171–80. The IG registration in Madras stated that the ratio of documents by false personation was very small, but nevertheless felt fingerprints would be useful to identify the illiterate, and *pardah* women. To Chief Secy, 31 July 1895 in GO No. 2467, 28 November 1895, Madras Judl, October–December 1895, Andhra Pradesh State Archives (APSA), Hyderabad. See also Home Police, A, August 1919, No. 202–6.

¹⁹¹ 18 November 1898, in Leg Dept, February 1899, No. 132–65, Appendix A-54.

¹⁹² The Commissioner of Bareilly wrote in alarm of the indignity of subjecting descendants

distinction, another sort of social indignity, especially in non-criminal contexts. Yet administrative rationalization under colonial rule was constantly compromised by race privilege—its discriminatory edge occasionally blunted by special favour. European women and officers were exempted from giving their fingerprints in the registration department on the principle that a signature would suffice for those 'well known by other means'.¹⁹³ Others so favoured were princes, ex-gazetted officers, those specially exempted by the government or those who had acquired a title from the state.¹⁹⁴ So one Radha Nath Bose, who inaugurated his service book in 1886 with the prints of his left hand, did not have to dirty his fingers on his pension book when he retired as Rai Bahadur in 1918.¹⁹⁵

Minimal Contact, Maximum Access

Taking a fingerprint did not involve a detailed handling of the body, or any undressing.¹⁹⁶ Police officers were absolved of the unpleasant business of examining the bodies of the low and possibly diseased and the time taken up in anthropometric measurement or detailed descriptive notes was spared. There was another advantage, wrote Edward Henry: 'No objection can be raised on the ground of religion or caste, or rank in society, or sex, so there is no prejudice to be overcome in obtaining it.'¹⁹⁷ For example, fingerprinting could be extended to women who had been exempted from police anthropometric measurement.¹⁹⁸ Fingerprints precluded the problem of changing body measurements in the case of children and young adults which made the anthropometric record unstable¹⁹⁹ and it could be used extensively in non-criminal contexts.

One of the problems in inspecting the expenses of Indian ruling households was of ensuring that those designated as the rightful female claimants to a political pension got it and not someone else. Financial scrutiny often ran aground on

of the former ruling chief, Hafiz Rahmat Khan, to the descriptive certificate standardized in 1830 for verifying pensioners. Foreign Dept. Political Cons, 21 May 1830, No. 14 and 16 September 1831, No. 65–67.

¹⁹³ Home Public, A, June 1904, No. 377–78.

¹⁹⁴ Foreign Progs, Estab, B, January 1909, No. 346.

¹⁹⁵ Foreign Political, B, Estab, November 1918.

¹⁹⁶ Henry, *Classification*, p. 73. The body had to be uncovered to note marks and scars for the anthropometric record. Male convicts sent to the Andamans settlement were photographed wearing only a *jangeah*, loose drawers. IG Jails to Secy, Bengal Govt, 22 July 1874, Home, PB, A, December 1874, No. 57–71.

¹⁹⁷ *Ibid.*, p. 9. Also Cox, *Police and Crime in India*, p. 209. There were traces of friction but these were brushed over. The higher classes in Chittagong objected to dirtying their fingers when registering a deed. At the lower end of the social scale, the Palwar Dosadhs of Ballia complained that collective fingerprinting cast a criminal stigma over them and hampered their livelihood. Leg Dept B, December 1898, No. 102; Home Judl, A, February 1900, No. 153–54.

¹⁹⁸ Bengal police circular No. 1 of 1893. Women were also exempted from examination for distinctive marks in the certificates of identity given to British Indian travellers to satisfy Australia's restrictions on emigration. Revenue and Agriculture, Emigration, file 57 of 1901, A, No. 20–22.

¹⁹⁹ In Madras Presidency a separate identification bureau was set up for juvenile offenders

pardah, the norms of female seclusion observed by respectable households. The fingerprint was enthusiastically hailed as a device which would allow the administration to authenticate female identity through this screen.²⁰⁰ The ready presence of the *pardahnashin* woman in certain transactions and her inconvenient seclusion in others had always been a site of contest between the colonial state and its subjects.²⁰¹ Against a drive to rationalize administration in the later nineteenth century, officials claimed that exemptions around *pardah* encouraged evasion of legal process and impersonation, and threw procedure into confusion by encouraging even the low-born to claim that their women observed *pardah*.²⁰²

However, Indians with claims to respectability defended these exceptions. The status privilege it crystallized gave them a vantage point against race privilege—an equal prerogative to protect their women from the public and the plebian. The fingerprint seemed to promise an accession of power to government in these manoeuvres around *pardah*.²⁰³

Professional Aspirations: Scientific Policing and Older Routines

However, resentment against race hierarchies in identification practices may have been muted at the outset because the thumbprint was introduced to the examination system and the service book at a time when opportunities were opening out for

based on fingerprint identification. F&C, P&G, A, November 1898, No. 597–601. In Punjab boys sent to a reformatory could be fingerprinted. *Punjab Police Rules*, Lahore, 1915, Vol. I, ch. lxii.

²⁰⁰ The Home Secretary said fingerprints on pension receipts would prevent false personation especially of *pardahnashin* women. F&C, P&G, A, August 1896, No. 177. See also Misc GO No. 2467, 28 November 1895, October–December 1895, Judl, Madras, APSA.

²⁰¹ Colonial law demonstrated its concern for rank and status through special procedures to take the evidence of the *pardah* woman and exempted them from personal appearance in civil courts. The Census Act XVI of 1890 stated that men were not bound to disclose the names of females of their household and no female was bound to state the name of her husband, or of any other person whose name she was socially prohibited from mentioning. However, in other contexts women were made directly accountable to the law. A judicial circular of 1851 ordered that women who were parties to civil suits would have to record their own names instead of putting themselves down as 'wife or widow of such a one, or under some other indefinite designation.' CO No. 155, 21 November 1851 in J. Carrau, *The Circular Orders of the Court of Sadler Dewanny Adawlut, 1795–1852*, Calcutta, 1853, p. 465.

²⁰² Registrar General, NWP to Offg Secy, NWP, 3 September 1870, complaining that false personation was particularly difficult to check among the *pardahnashin*. Home Public, A, January 1876, No. 238–59; Home Judl, A, November 1881, No. 167–80.

²⁰³ Another episode in this saga opened up in 1916 when the Government of India tried to push through a uniform system of photographs on passports. It caved in and exempted *pardahnashin* women travelling between India and many British colonies because of anxieties about provoking a religious agitation at that time, particularly among Muslims. Foreign and Political: General, A, July 1916, No. 1–16; General, B, July 1916, No. 96–97; General, A, November 1918, No. 2–18; General, A, November 1918, 2–18.

Indian agency.²⁰⁴ The educated and respectable Indian sub-inspector was supposed to provide the backbone for investigative work of greater complexity and a more positive image of the police than the corrupt and terrorizing head constable of the bad old regime.²⁰⁵ The first batch of directly appointed Indian sub-inspectors graduated from the police training school at Vellore in 1904. Winning an appointment as a police sub-inspector through a competitive examination caught the imagination of the Indian educated classes. It offered an opening to power and influence at a rank which maintained gentility—a counterpoise to the image of the disloyal educated agitator. In the North Western Provinces two Urdu periodicals emerged—*The Police Paper* and *The Police News*—which were oriented to Indian officials and literate classes who aspired to respectable posts.²⁰⁶ Educated Indians were eager to vindicate their professional abilities in such positions. The idea of acquiring a professional and scientific capacity to penetrate the secrets of crime began to fascinate the would-be Holmes' among aspirants. *The Police News* said it would describe the various methods of detection in the shape of a novel for its police readers.²⁰⁷ Zafar Umar, an Indian police officer, wrote a popular crime novel in Urdu called *Neel Chhatri*, which went into several editions. From the semi-urban settlement of Gahmar in eastern UP, a monthly periodical *Jasus* emerged which patronized crime writing.²⁰⁸

Sub-inspectors like Aziz ul Haq and H.C. Bose provided the backbone of the specialized departments of police such as the Anthropometric Bureau and the provincial fingerprint bureaus. The remarkable M. Pauparao Naidu, and others like him, compiled criminal ethnographies and reports on professional crime not only to win the patronage of British superiors but also to claim competence on common professional ground.²⁰⁹ However, British officials continued to be cynical about training Indian agency below this level to acquire skills in scientific

investigation. Ironically, this distrust of native agency could encourage innovation, as when special appliances were introduced to check individual variation in taking anthropometric measurements.²¹⁰ It also built up a pressure in India to shift from the more taxing system of anthropometric measurement and classification to identification by fingerprints alone.²¹¹ Even an illiterate constable could take a fingerprint and forward it to a centralized agency for skilled search. And the direct impress of the finger on paper removed the need to allow for a margin of error because of differences between measurements taken by one policeman and another.²¹²

However, the induction of scientific methods into policing had its critics among officers who felt that relying on specialized agency might dilute local responsibility for preventing crime.²¹³ They also feared that higher standards of evidence would fetter executive discretion. A ready, and by implication also a rough, policing which drew upon personal and local knowledge was advocated as more appropriate to a backward society and to the quality of Indian subordinate agency, than methods that relied on systematic record and reference. And yet in many ways the fingerprint extended rather than changed older routines of policing which relied on maintaining registers of *badmaashes*, bad characters, whose definition always remained fluid and fluctuating.²¹⁴

²¹⁰ These were automatic in their working, the pressure being applied by a spring kept constant and a self-registering index. Henry, *Classification*, p. 70. These improvements are credited to G.W. Gayer.

²¹¹ 'In Bengal...certain weaknesses in the system showed themselves so detrimental to successful working that attention was directed to the feasibility of substituting a system of identification by fingerprints alone', wrote Henry. Measurers had to undergo a special course of instruction, and understand the decimal scale. If the data was incorrectly recorded it was impossible to rectify later, and margin had to be allowed for errors by the measurer. Henry, *Classification*, pp. 71–74.

²¹² Henry to Chief Secy, Bengal, 22 February 1898, Home Police, June 1899, No. 10–16. He said fingerprints secured a higher rate of recognition of old offenders than anthropometry by doing away with 'the personal equation of the measurer'. They took a fraction of the time of record, the search was more exhaustive and yet quicker.

²¹³ Curry, *The Indian Police*, pp. 154–56. He points out that for this reason detective agency in India was more decentralized in India than in England or Europe.

²¹⁴ *Badmaash* is a term of abuse for someone who, operating outside the terrain of legitimate power, poses a threat to the peaceable and respectable. However, it can be bandied about at various social levels. In the first century of colonial rule the figure of the *badmaash* in official reports was often of one who had lost his identity in the imposition of colonial order—most typically, the disbanded cavalryman in one of the fortified towns, or the déclassé rentier. In the 1867 census of the North Western Provinces, *badmaashes* found their way into the list of 'indefinite and non-productive' occupations. *Census of the North Western Provinces*, Vol. II, Allahabad, 1867, Order XVIII, p. 24. Advancing into the twentieth century, the *badmaash* also emerges in police accounts as a figure able to shift from one identity to another because he had taken birth in a new context which gave him no clear affiliation. Of the criminal underworld in the colonial metropolis J.C. Curry wrote: 'Some are so depraved that they hardly know whether they are Hindus or Muslims and, passing quite easily as either, have several Hindu and Muslim aliases. Such men are usually children of the gutters.' See Curry, *The Indian Police*.

²⁰⁴ In the same way, fingerprints on service pension books confirmed a certain entitlement from government, even as they also underlined an obligation to mobilise loyalty. Sir E. Blunt, *The I.C.S.*, London, 1937, p. 239.

²⁰⁵ *Report of the Indian Police Commission*, (Fraser Report), 1902–3, reprint, Karachi, 1965.

²⁰⁶ Such periodicals presented the accommodative visage of the educated classes but also their demand for lowering race barriers. One correspondent said reserving higher police office for Europeans compromised efficiency, another that police reform was possible only if European superiors curbed their arrogance and allowed Indian sub-inspectors to develop their professional capabilities. *SVN*, NWP and O, No. 36 of 1899, upto 6 September 1899, p. 433, para 15, p. 473. *SVN*, No. 37 of 1899, upto 13 September 1899, p. 489, para 22.

²⁰⁷ *SVN*, NWP & O, No. 36 of 1899, upto 6 September 1899, p. 477, para 32.

²⁰⁸ *Jasus* forwarded two crime novels, to the *Saraswati*, a monthly magazine—*Jasus ki Budhi* and *Jasus ki Daali*. *Saraswati*, Vol. 17, part 2, no. 5, Prayag, November 1916. Reference from Dr Charu Gupta.

²⁰⁹ M. Pauparao Naidu built his career in the Criminal Intelligence Department, was commended for his investigation into counterfeiting, and published brochures on criminal tribes. He received the King's police medal in 1909 and retired with the title of Rai Bahadur. Gayer, principal of the police training school at Vellore, acknowledged the ethnographic input of three Indian inspectors in his publication: Gayer, *Lectures*.

Though fingerprinting was specially meant for criminals of unknown antecedents, its use in India was not so much to trace the unknown criminal as to extend police power over groups of people who were already under suspicion.²¹⁵ In the early decades of Company rule, one of the favoured devices of crime prevention was to make the *badmaashes* of the village sleep at the police station on moonless nights, and to round them up before some fair or festival.²¹⁶ However, two factors made it more necessary now to prepare a case for 'preventive policing'. The vernacular press and the presence of a legal personnel emerging through educational institutions and through touting, posed some challenge to the unfettered use of police powers.²¹⁷ This was more so when the 'bad characters' were men with some social resources, not so when they were impoverished migrants of the lower castes or the 'criminal tribes'. The Indian Penal Code of 1862 and the Code of Criminal Procedure in its various re-workings had also consolidated points of legal reference which could be cited to challenge discretionary action.²¹⁸ However, the latter did not really shackle the powers of the magistrate to detain 'suspicious' characters, but outlined procedures which could get sentences of up to three years under the so-called preventive provisions of the law—s109 by which security could be demanded from vagrants and s110 from habitual offenders for bad livelihood.²¹⁹

To construct cases under these sections, the police built up history sheets for those put down for surveillance on station registers.²²⁰ The most limited definition of the habitual criminal was the man convicted twice for serious offences. But there was also the person convicted of a crime such as coining or forgery, which 'seemed to suggest a profession', suspected receivers of stolen property, and members of criminal tribes. Ex-convicts of the village or town, were also put on a list, so too were local bad characters against whom 'evidence of general repute' had to be kept in readiness for some future prosecution under the security provisions. Local situations could also convince officials that an epidemic of some crime, for instance, cattle poisoning or kidnapping, had revealed a dangerously systematic pattern. So the district magistrate might order the police to put all those suspected or convicted of that crime on the bad character list of the station. Thus, E. Henry stated that the criteria for selecting prisoners for anthropometric measurement could not only be the law under which they had been convicted, but that 'It must be based mainly upon what is known of their character, history and antecedents,

²¹⁵ In contemporary times, too, an author comments on the neglect of fingerprints at the scene of crime and the small number of references made to the fingerprint bureau at Philaur. B.R. Kalia, *A History of the Development of the Police in the Punjab, 1844-1905*, p. 87.

²¹⁶ *Report of the Committee on the Improvement of the Mofussil Police in Bengal*, 1838.

²¹⁷ See *Police Administration Report for Bengal*, 1895. Act XVIII of 1879 admitted *mukhtars* to criminal courts.

²¹⁸ In response, court inspectors began to be appointed from the subordinate police to organize the prosecution case and to oversee the trial.

²¹⁹ Act X of 1882. These provisions did not apply to the European British subject, s517.

²²⁰ D.C. Singh, *A Guide to the Administration of Criminal Justice in British India*, Allahabad, 1930, p. 126.

and it can be best made in the district of conviction....'²²¹ Those, successfully charged under these security provisions had to give their fingerprints, even though they had not been convicted of a specific crime. This procedure added another brick to a future prosecution—the existence of an anthropometric card or a fingerprint record provided an argument for longer remand, especially when the prisoner was discovered to be a member of a criminal tribe.²²² The number of successful prosecutions under these 'preventive' sections was treated as the index of a district kept in order.²²³

Yet, this order depended more on keeping the threat of such prosecutions hanging over various categories of 'habituals' than on the efficiency of the actual surveillance over them. Given the looseness of the definition of 'habitual' and the influence of local factors, statistics of police registration reveal only the extent to which 'preventive policing' was being enforced from district to district. What was the objective of such strategies of surveillance which constantly hovered on the unmanageable? The real issue was the potential range of police power and public rituals of its demonstration. For the *darogha* of the station, the numbers on his registers signalled the scope of his authority, hence his reluctance to shorten the list in the name of efficiency.²²⁴ Police registers were a bank of encashable evidence for future prosecution under s109 or s110. Courts objected futilely to these registers being made public because this put too much power for extortion in the hands of the police.²²⁵ But in fact a 'bad-livelihood' or 'bad-behaviour' case was built up by drawing upon hearsay evidence, and taking the testimony of the village headman, neighbours and the police. It was a ritual of power often used by magistrates for a variety of administrative ends.²²⁶ It was also one which co-opted local elites, even though it was well understood that the price they exacted was to deploy it against a recalcitrant tenant or conduct their own feuds.²²⁷

The shift to fingerprint identification in policing almost immediately permitted an extension of police powers over a wider range of 'criminal tribes'.²²⁸ The Criminal

²²¹ Home Police, June 1893, No. 129-45.

²²² Bengal police circular 1 of 1893 on anthropometry, F. Galton Mss 172/B; Home Police, June 1893, No. 129-45, NAI.

²²³ Cox, *Police and Crime in India*, p. 109; *Police Report for Bihar and Orissa, 1913*, pp. 16-17.

²²⁴ Cox said police registers were often in the utmost confusion, and were used to harass ex-convicts and warn employers. The police would shout out publicly to verify the presence of a registered man at home, and use the registration to block a licence to drive a carriage for hire. Cox, *Police and Crime in India*, pp. 205-6.

²²⁵ In 1866 the Allahabad High court observed that the *badmaashi* register had become a public register, with the entry regarded as a form of punishment in the hands of the magistrate or police. H.T. Prinsep, *The Code of Criminal Procedure*, 1901, pp. 48-9.

²²⁶ Motilal Nehru accused Punjab district magistrates of using s110 CrPC to force the pace of army recruitment in 1917-18. Amritsar Congress, 1919, in R.Kumar and D.N. Panigrahi, ed., *Selected Works of Motilal Nehru*, Nehru Memorial Museum and Library, Delhi, 1984, pp. 270-71.

²²⁷ Cox, *Police and Crime in India*, p. 108; J. Halliday, *A Special India*, London, 1968, pp. 28, 43-44.

²²⁸ J.C. Curry, 10 November 1967 in Mss Eur 161/185, IOL.

Tribes Act had stated that if a wandering community was restricted to a locality, then some alternative livelihood had to be found for it.²²⁹ To avoid this responsibility the Act was usually deployed against communities who did have some identifiable residence. Now, as the Punjab government, and the Indian Police Commission of 1902–3 hastened to point out, with fingerprint identification, wandering gangs could be registered without this obligation.²³⁰ Act III of 1911 amended the Criminal Tribes Act to this end. All adult males of registered-criminal tribes—and in wandering communities this applied to boys over 12 years—could be fingerprinted and subjected to various restrictions on their movement.²³¹ Any member of a registered criminal tribe found without a pass outside his permitted zone of movement did not even have to be proved guilty of bad livelihood, but could be immediately sentenced to imprisonment for one to three years with a whipping thrown in.²³² Fingerprinting confirmed that ethnography was destiny. Government only ran into resistance when it began to propose the same powers of internment and surveillance for 'bad characters' who had some local power, or for political suspects.

The thumbprint shored up the criminal process in the other ways as well. At one time prosecutors and witnesses in criminal trials were sent in to court 'in a string like criminals and under the charge of Burkundazes or Peons' to ensure their attendance.²³³ Now the thumbprint was taken in acknowledgement of summons for criminal and civil cases.²³⁴ It was imprinted on confessions, and provided a way of taking a receipt for money paid out to an informer without exposing his identity.²³⁵

Race Ideology and Monitoring Inter-Colonial Movement

The first flashpoint of conflict over the racist dimensions of this form of identification came with the introduction of fingerprints in the policing of Asiatic settlements in the Transvaal following the Boer War of 1899–1901. Indians began to feel that this form of verifying their identity criminalized them, and subjected them to surveillance in order to deny them domiciliary and civic rights. This development emerged at a time when the idea of empire was being reformulated on the premises of political liberalism, at least as far as the colonies of white settlement were concerned.

²²⁹ Act XXVII of 1871, s 15.

²³⁰ Judl and General Secy, PB Govt to Secy, GOI, Home, 31 October 1902, Home, Police, A. November 1903, No. 91. *Report of the Indian Police Commission, 1901–2*, p. 145.

²³¹ Act II of 1897 had already allowed government to remove children from these 'criminal communities', put them in a school or reformatory, and contract out their labour. For the Sansis of Punjab, see Mss Eur D 1065/1, IOL, p. 72–231.

²³² Criminal Tribes Amendment Act II of 1897.

²³³ W.B. Jackson, *General Report of a Tour of Inspection*, Calcutta, 1854, p. 28.

²³⁴ Ramaswami, *Magisterial and Police Guide*, p. 846. Earlier the person serving the summons had to take a written acknowledgement and induce the neighbours or some village official to witness execution of service. W. Macpherson, *The Procedure of the Civil Courts*. London, 1850, p. 150.

²³⁵ Halliday, *A Special India*, p. 95. W.H.A. Rich's account, Mss Eur D 1065/1, p. 84. IOL.

The potential of fingerprints as a form of individual identification had been imagined against a reality dominated by images of the mass of modern times, with a potential for movement, disaster and armed conflict in hitherto unimaginable numbers. It was expected that fingerprint records would permit the state to verify the identity of the victim of mass disaster, the dead on a battlefield, and of the criminal who might exploit the anonymity of the mass and the new speed of movement. This 'infallible' form of identification also promised a new accession of power to the nation-state to enforce the obligations of citizenship, especially military service, but also to exclude certain populations from its entitlements.²³⁶

Discussions about fingerprints in the 1880s reveal the same impulses which dominated anthropometric enquiry, a quest to ground theories about heredity and race in biological data, to provide supposedly scientific evidence for the existence of civilizational hierarchies. In 1880, reporting on the persistence of fingertip furrows in *Nature*, Henry Faulds speculated that a study of these might assist ethnological classification, and support Darwin's theories about the genetic link between humans and monkeys. Heredity, he claimed, displayed a dominance through the infinite variety of markings. Yet, paradoxically, he also had to admit that negative results proved nothing in regard to parentage.²³⁷ In fact there was sufficient distinction in the pattern between individuals, he observed, to make fingerprints useful to criminal identification.²³⁸ Herschel, now back in England, responded to Faulds with a communication revealing the same tug of aspirations about the potential application of fingerprints:

The difference between the general character of the rugae of Hindus and of Europeans is as apparent as that between male and female signatures, but my inspection of several thousands has not led me to think that it will ever be practically safe to say of a single person's signature that it is a woman's or a Hindoo's, or not a male European's. The conclusions of your correspondent seem, however, to indicate greater possibilities of certainty. In single families I find myself the widest varieties.²³⁹

The search for physiological data from fingerprints to confirm the place given to a particular collectivity in the civilizational scale or evolutionary sequence proved disappointing. The same data provided procedures to docket and classify the

²³⁶ Torpey evaluates regimes of identification which have allowed states to establish a monopoly over legitimate means of movement over the past two centuries. This gives governments power to access citizens, draw resources from them, and exclude non-citizens from certain entitlements. John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State*, Cambridge, 1999. Galton had suggested that a national directory of fingerprint cards could be assembled, citing the example of another archive which could prise out an individual from a vast population—the London telephone directory. F. Galton, *Fingerprint Directories*, London, 1895.

²³⁷ Faulds to editor, *Nature*, XXII, 28 October 1880, p. 605.

²³⁸ *Ibid.*

²³⁹ *Nature*, 25 October 1880, in Lambourne, *The Fingerprint Story*, p. 193.

individual, but in ways which fed back into discourses and institutions of race, class and gender hierarchy.

Galton was drawn into examining fingerprints because of his preoccupation with race and hereditary genius. He lost interest initially when fingerprints did not provide data in this direction. But having established the lifetime persistence of finger-ridge patterns, and the statistical probability against mistaken identity,²⁴⁰ his immediate idea for application was that fingerprint identification would:

supply an invaluable adjunct to a severe passport system. It would be of continual good service in our tropical settlement, where the individual members of the swarms of dark and yellow-skinned races are mostly unable to sign their names and are otherwise hardly distinguishable by Europeans, and, whether they can write or not, [emphasis added], are grossly addicted to personation and other varieties of fraudulent practice.²⁴¹

The fingerprint was hailed as a useful tool for Europeans, who could not be expected to make out one face from another when it came to the Oriental races, held to have fewer distinguishing characteristics than the Anglo-Saxons.²⁴² In India the problem with colour classification, wrote Risley, was that 'for the bulk of the population, the range of variation, especially in the case of the eyes and hair, is exceedingly small'.²⁴³ The Oriental races were also credited with an extraordinary proclivity for false personation and a totally amoral attitude towards contract, especially those which reduced the negotiating ability of labouring groups by imposing restrictions on occupation, movement and residence, and bringing infringement under criminal prosecution.

The importance of tying the poor to the principle of contract shaped the decision to shift from the right thumb to the left because the former was more calculus.²⁴⁴ Indentured labourers now had to impress their left thumbprint on the contract.²⁴⁵ This verification technique was also drawn into the medical monitoring

²⁴⁰ He calculated that the chance of mistaken identity was one in sixty-four thousand million. Bose, *Hints on Finger Prints*, p. 3.

²⁴¹ F. Galton, 'Identification by finger-tips', *The Nineteenth Century*, 1891, p. 303.

²⁴² The application which quickly came to mind in the late nineteenth century when fingerprints were being discussed in the Western world was to monitor the flow of Chinese labour into the USA after the Exclusion Acts of 1882 and 1884.

²⁴³ Risley, *People of India*, p. 14. Other complaints were that the surnames Indians gave were too recurrent and signatures in the indigenous scripts—Persian or Devanagari—difficult to decipher for verification. R. Heindl, *System und Praxis der Daktyloskopie*, Berlin and Leipzig, 1922, p. 71.

²⁴⁴ In the registration department it was decided to shift from the right thumb to the left thumb 'as the lines on the right thumb become blurred and obliterated on frequent use, especially among the lower classes'. IG Registration, Bengal to chief Secy, Bengal 15 October 1895 in F&C, P&G, A, August 1896, No. 171–80. However, the right thumbprint was taken on pilgrim passports to Mecca.

²⁴⁵ In 1896 this was ordered for labourers placed under contract under the Inland Immigration Act 1 of 1882. From 1903 every indentured *coolie* landing in Natal was fingerprinted.

of the pilgrimage to Mecca—those who had been declared free of plague put their thumbprint on the qualifying certificate.²⁴⁶

Identification in the Transvaal: Kaffirs, Criminals, Coolies and Bhangis

Among the reasons which Britain had cited for going to war with the Boers was the mistreatment of British Indian subjects. But instead of dismantling discriminatory legislation, the crown colony administration formulated a Peace Preservation Ordinance in 1902, imposing a separate and more rigorous system of registration for pre-war Asiatic settlers as the condition for recognizing their domiciliary rights.²⁴⁷ Asiatic males had to put their thumbprint on a certificate giving details of distinctive marks, age, height, names of wives and number of children. Gandhi pointed out that in the process the nature of the registration certificate changed—from a receipt for a three pound tax imposed on Indian traders by a Boer regulation of 1885, it became 'an identification certificate'.²⁴⁸ Under allegations that Indians were flooding the Transvaal illegally, an ordinance of 1906 called for another round of registration, this time requiring every Indian male over 16 years (and all his children), 'no matter what his status', and irrespective of whether he could read or not, to register with ten fingerprints on the certificate.²⁴⁹ The ordinance did not receive the crown's assent but the new legislature under Botha's Het Volk ministry passed its provisions as the Asiatic Registration Act 2 of 22 March 1907.²⁵⁰ This was followed by the Transvaal Immigration Restriction Act No. 15 of 1907, which entirely banned Asiatic immigration.

Discriminatory provisions for the registration and surveillance of Asiatics were bound up with discrimination in civic rights and a colour bar in immigration. Struggling for rights of migration in empire, at least in principle on the same legal footing as other 'civilized subjects of her Majesty', Indians protested against forms of identification which eroded their status. Literacy in a European language was one element in the formula being used to bar Asiatic entry.²⁵¹ Indians were having to defend their norms of sanitation, consumption and marriage to vindicate their standing as desirable settlers. In this context, the compulsion to give a

²⁴⁶ Henry, *Classification*, pp. 7–8.

²⁴⁷ CWMG, Vol. VI, 1906–7.

²⁴⁸ Interview to *The Morning Leader*, 20 October 1906, CWMG, Vol. VI, p. 3.

²⁴⁹ *Ibid.*, p. 3. The draft ordinance had called for the registration of Asiatic females as well, but exempted them because of strong protests about the 'violation of female sanctity' from the British India Association and the Hamidia Islamic society.

²⁵⁰ Under this, regulations prescribed identification by ten fingerprints on the registration certificates—what Indians mockingly described as 'playing the piano'.

²⁵¹ In 1896 Joseph Chamberlain had approved a European literacy test as a criterion for allowing immigration into a British colony despite the protest of Indians and the Indian government against the exclusion of Indian languages. A Natal Act of 1903 prohibited the entry of any person who was 'unable through deficient education' to write out and sign an application in a European language. However, Indian settlers in the Transvaal came to prefer even this kind of disqualification to 'class legislation' on Asiatic immigration.

thumbprint for registration when one could sign one's name, or establish identity by virtue of 'education, property or public character' became a point of protest.²⁵² The racist drive behind ever increasing requirements of identification for Asiatics was clearly acknowledged in public and political discourse. The most scientific means of identification had to be imposed on Asiatics because of their particular proclivity for criminal fraud and impersonation. Botha stated that handwriting and physical peculiarities were 'particularly inapplicable, as has been found by experience in India and elsewhere to Asiatics'.²⁵³ But he also produced an extract from Edward Henry's book to point out that, in India, finger impressions were taken in all branches of public business.²⁵⁴ Selbourne, British Governor in the Transvaal concurred: 'A system so widely resorted to in India...cannot be intolerable when applied to Indians elsewhere.'²⁵⁵ The point which Gandhi made was that, 'thumb-impressions are taken because they make it easy to identify a person.... Digit impressions are taken from criminals because the person...wants to evade being identified.'²⁵⁶ In other words, ten-digit impressions were structured to a system of docketing, classification and tracing usually reserved for criminally suspect populations. A further indignity was an obligation to produce this registration certificate on demand, perhaps even by a 'kaffir' policeman, failure to do so leading to arrest without a warrant.²⁵⁷ Indian settlers said this was like putting a dog-collar on them. With a flash of introspection, Gandhi also used a chilling Indian analogy for this degradation:

the law ...seeks physically to bring compulsion to bear on our persons. Just as in India some of us oppress the *bhangis* and force them to dress in some particular fashion and use obsequious language lest we be polluted by their proximity, it has fallen to our lot to be treated like *bhangis* here in the Transvaal. To remind us perpetually of this status, we are to be obliged to carry permits on our persons.²⁵⁸

²⁵² CWMG, Vol. VIII, p. 41; Johannesburg letter, 7 September 1908. Some Indian soldiers petitioned that 'their uniforms and their discharge papers should be a sufficient passport in any part of the British empire and constitute their complete identification....' CWMG, Vol. IX, September 1908–November 1909.

²⁵³ Communication of 30 June 1907, Commerce and Industry, Emigration, A, December 1907, File 110, No. 1–2.

²⁵⁴ *Ibid.*

²⁵⁵ Govr Transvaal, to Secy of State for India, 8 July 1907: *ibid.*

²⁵⁶ Johannesburg letter, *Indian Opinion*, 4 January 1908, in CWMG, Vol. VII, pp. 461–62. Also CWMG, Vol. VIII, January–August 1908, pp. 10–11.

²⁵⁷ Gandhi said the Asiatic ordinance reduced British Indians 'to a level lower than the Kaffirs. It sets up a system of passes and identification applicable only to criminals.' Letter to *The Times*, 22 October 1906, CWMG, Vol. VI, p. 4. 'His ecumenical egalitarianism emerged slowly', comments R.A. Huttenback, *Gandhi in South Africa, British Imperialism and the Indian Question, 1860–1914*, Cornell, 1971.

²⁵⁸ Johannesburg letter, in *Indian Opinion*, 11 May 1907, CWMG, Vol. VI, p. 470. The other analogy which Gandhi used was that Indians were being treated 'like the youngest housewife in

Race was coming to determine civil status ever more rigorously in colonies claimed for white settlement in Africa, so differential forms of identification, and surveillance and discrimination structured around them, assumed a uniquely ominous quality. 'Respectable' Indian settlers opposed being included with Chinese and Arabs in the blanket category of Asiatic, because it effaced the legal standing they claimed in the empire as British Indian subjects.²⁵⁹ They cited Victoria's 1858 proclamation promising equal treatment and the tenets of rule of law vaunted in British India. But they also worked through class, race and civilizational distinctions, not so much to challenge them as to argue that these very factors entitled them to legal equality.²⁶⁰ By virtue of being Aryans they claimed a common ancestry with the European races, as people of an ancient civilization who should not be put on the same footing as 'aborigines'.²⁶¹ They distinguished their rights as respectable settlers from the situation of indentured Indian labour, or African labourers, for whom they conceded that registration and pass laws might be required.²⁶² Ironically it was an anti-Semitic current which directed some support towards the Indian cause. British officials with Indian connections also felt the prestige of the crown in India would be eroded by a failure to check extreme forms of discrimination against British Indians. This was a time when emigration from southern and eastern Europe, both to England and to other British colonies seemed to be breaking down distinctions between white races in a dangerous way. In 1905, in conditions of economic slump, the Aliens Act had been passed to restrict immigration into Britain, in a political climate which combined anti-foreigner sentiment with anti-Semitism.²⁶³ How was it, asked officials sympathetic to the Indian cause, that Russian Jews could be admitted to the Transvaal but not Indians? Was the European Jew a fully paid up member of the white race? Had British rule in India produced savages who had to be excluded?²⁶⁴ Passive resistance was

the village': CWMG, Vol. VI, p. 500. *Bhangis*: those who removed filth from habitations—treated as a highly polluting social strata in India.

²⁵⁹ CWMG, Vol. VI, p. 54.

²⁶⁰ Memorial to Lord Elgin, 8 November 1906, CWMG, Vol. VI, p. 111.

²⁶¹ MG to W.T. Stead, 16 November 1906, and Deputation notes, 17 November 1906, CWMG, Vol. VI, p. 183.

²⁶² From 1903 every indentured labourer entering Natal was fingerprinted and the record sent to the CID office at Pietermaritzburg. Now if the labourer absconded or disputed his master's claim, his fingerprints could be traced out, instead of having to send him down to the Director of Immigrants at Durban for verification. H.P. Holt, *The Mounted Police of Natal*, London, 1913, pp. 259–61.

²⁶³ Expelled aliens were fingerprinted. E. Henry, *Classification and the Uses of Fingerprints* (4th edition), London, 1919, p. 13.

²⁶⁴ Sir Lepel Griffin, a former ICS officer, said the Ordinance and anti-Indian prejudice was prompted, not by English residents but 'by Russian Jews, by Syrians, by German Jews, by every class of aliens, the very off-scourings of the international sewers of Europe'. 'Is it to be supposed that...we who have governed this province of India...have been governing degraded creatures who are placed lower than the Zulus and Russian Jews.' Deputation to Lord Elgin, 8 November 1906, CWMG, Vol. VI, pp. 115–16.

called off in 1911 when the Transvaal government agreed to a few concessions—to allow the immigration of a few educated Indians every year, and to structure some exemptions from fingerprint identification.

Conclusion

Explaining the spread of the fingerprint to various branches of public business, Edward Henry stated that fingerprints were particularly suited to India because 'the mass of the people are uneducated' and also because penal laws could not control false personation.²⁶⁵ So the argument that fingerprints provided indisputable proof of identity in a largely illiterate population was supplemented with a range of other contentions about the physical, cultural and moral characteristics of Oriental races which demanded 'a form of signature which could not be repudiated'.²⁶⁶

A popular book, *Oriental Crime*, claimed that Indian criminals did not refuse to give their fingerprints because they were more ignorant of its implications than the crafty English malefactor.²⁶⁷ More important was the absence of legal ground which allowed a sense of rights against police surveillance or against self-incrimination.²⁶⁸ Till 1920 the government averted legislation specifying the terms on which undertrials or suspects were to be photographed and fingerprinted because no 'practical difficulty' arose.²⁶⁹ Interestingly, the first instance in which the administration took note of any objection was that of a European convict in Lahore Central Jail in 1904 who refused to be fingerprinted.²⁷⁰

Fingerprinting and 'preventive policing' as directed against the fearful figure of the *badmaash*, and the spectre of the criminal tribe, did give colonial policing considerable legitimacy with its 'respectable' subjects. Protests only came when the provisions for compulsory registration and surveillance and restrictions on the movement of criminal tribes were proposed for other, not too clearly defined 'habituals', particularly when the context suggested that political dissidents might also become targets.²⁷¹

²⁶⁵ Henry, *Classification*, p. 6.

²⁶⁶ Heindl, *System und Praxis*, pp. 71–72.

²⁶⁷ H.L. Adam, *Oriental Crime*, London, 1908, p. 64.

²⁶⁸ Stephen remarked on the elaborate provisions in the Indian Penal Code to uphold the authority of public servants. Under s 179: 'whoever being legally bound to state the truth on any subject to a public servant refuses to answer any question demanded of him...' could be sentenced to jail for six months and a fine of Rs 1,000: J.F. Stephen, *A History of the Criminal Law of England*, Vol. III, New York, 1882. Act XVI of 1890 deemed that census officers were public servants and people were bound to answer their questions.

²⁶⁹ Note, 10 July 1914. Home Police, A, July 1914, No. 140–41. However, in 1916, those arrested at Raja Bazaar for a political bomb case refused to be photographed, and the defence began to object to the photographing of undertrials in political cases. Home Police, A April 1916, No. 144–46.

²⁷⁰ Home Police, August 1905, No.86; Home Police, A, November 1907, No. 71–79.

²⁷¹ In December 1917 a Punjab Bill proposing to extend the restrictions on movement imposed under the Criminal Tribes Act to other 'habitual criminals' was criticized by some

The thumbprint spread rapidly into social use, imposing the carapace of legal contract over ties of personal authority. Landlords, moneylenders and employers took it up to reinforce the legal weight of their engagements with tenants, debtors and labourers, and restrict their ability to re-negotiate terms.²⁷² In this matrix *The Statesman* of 16 December 1916 gleefully alleged that the wily *Kahuli* moneylender had even discovered a way of 'lifting' a thumbprint from one document and impressing it on another.²⁷³ However, the thumbprint on a special money order form for paying revenue to government seems to have given some protection to landholders and cultivators against extortionate officials by providing a record of payment.²⁷⁴ The payment of rent by a similar arrangement met with landlord resistance.²⁷⁵ The new infrastructures of the state and the global labour market traversed the lives of the labouring poor through the thumbprint.²⁷⁶ Assembling the conditions of his social reproduction over long distances, the migrant labourer could send his earnings home through the post office, addressing the money order to himself, or to some relative, with the postman taking a thumbprint in verification of receipt.²⁷⁷ And while the thumbprint continues to be demanded from the

Indians for defining 'habitual' too loosely and allowing misuse by village notables. Supporters of the Bill cited the 'successful' use of internment against disaffected migrants sent back to Punjab during the war. Home Leg. A, January 1918, No. 18–21, and May 1918, No. 119–22.

²⁷² 'The employer who makes advances to the labourer, or pays them salaries, or enters into contracts with them, now protects himself by taking their fingerprints on the receipt or agreement': Henry, *Classification*, p. 7. The Bengal Chamber of Commerce and the British India Association endorsed Act V of 1899 which allowed expert testimony on the fingerprint to be admitted as a 'relevant fact' in court. Leg Dept, February 1899, A-54, A-62.

²⁷³ In Home, Police, A, August 1919, No. 202. 'It is sadly appropriate that, just as the thumb impression took its rise in India...so the forged thumb impression should also owe its origin to India—or rather Afghanistan.' *The Kabulis* were reported to have revealed their secret to one Babu Panchkouri Chatterjee of Howrah who demonstrated it at the local Bar library. The operation consisted of pressing down a paper smeared with gum Arabic over the inked thumbprint, then impressing it on another document and rubbing away the paper. *Ibid*.

²⁷⁴ The special revenue money order form was introduced in 1884, following representations from landholders. Hamilton, *An Outline of Postal History*, p. 191.

²⁷⁵ Hamilton said the number and value of rent money orders had doubled between 1900 and 1910. They were useful to tenants living at a distance, and those in conflict with their landlord: *Ibid.*, p. 192. G. Clark, *The Post Office of India and its Story*, London, 1921, pp. 75–76, 79.

²⁷⁶ I am drawing here upon Gerard Noiriel's fascinating work on the ways in which the social construction of individuals was traversed by the restructuring of states from the late nineteenth century. Gerard Noiriel, *The French Melting Pot: Immigration, Citizenship and National Identity*, Paris, 1988 (G. de Laforcade, tr., 1996).

²⁷⁷ In India the postman delivered the money to the home of the payee, whereas in England it was handed over at the post office. Hamilton said this suited 'native habits' because women did not have to attend at the post office. The average value of the money order in India decreased every year, most ranging from Rs 5 to Rs 10, indicating its use by the poorer classes as a means of remittance. In 1895 illiterate persons were required to use their thumbprint as a signature on money orders and postal savings accounts: Hamilton, *An Outline of Postal History*, pp. 35–37, 179.

labouring poor by the variety of social forces which dominate their existence, they occasionally use it to authenticate their voice in petitions or demands vis-à-vis those forces.²⁷⁸

Lust, Marriage and Free Will: Jesuit Critique of Paganism in South India (Seventeenth Century)

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Jesuit missionary reports from India around the turn of the seventeenth century endeavoured increasingly to transport the European imagination into the culturally 'thick' but, as they came to believe, aesthetically appalling and morally deficient world of the 'natives' in the name of 'scientific' interests, 'true' information and 'ethnographic' comparison. In addition to the private Jesuit correspondence, official exchanges and *Annual Letters* (the first written from Goa in 1552), the inspired Jesuit travellers and writers offered texts concerning either particular problems and topics encountered in their missionary field (usually entitled *Relação*, *Tratado*, *Summário*, *Livro da [...]*, *Commentarius* etc.), or general hagiographic histories of Jesuit missions in Asia.¹

These 'additional' Jesuit texts represent a self-conscious effort to order, classify, describe and remember significant Jesuit actions in the missionary field, and their cultural experience of a non-European, non-Christian reality. While Jesuit hagiographies continued to nourish a wide range of historiographical projects, both pro- and anti-Jesuit, during the seventeenth century and all through the Enlightenment, their field notes or treatises containing information about 'native' cultural practices, cosmologies and worldviews inspired many of their learned contemporaries, from theologians and moralists to polymaths and scientists. Although the critique of non-Christian beliefs, presumed to have been initiated by one or the other demonic agency, was the main goal of these texts, the desire for knowledge, or perhaps simply for telling 'curious' and 'edifying' stories, often surpassed the limits of the missionary framework and facilitated the 'discovery' and representation of the 'native' social and cultural patterns which were then

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¹ John Correia-Afonso, *Jesuit Letters and Indian History*, Bombay, 1955. See also Ines G. Županov, *Disputed Mission, Jesuits Experiments and Brahmanical Knowledge in 17th Century India*, Delhi, 1999.

²⁷⁸ As when the workers of Jamshedpur in 1932 submitted a petition marked by thousands of thumbprints expressing their support for the jailed president of their labour federation, who had been denounced as an 'outside agitator'. D. Simeon, 'The currency of sentiment: An essay on informal accumulation in colonial India', paper presented to the Davis Centre, Princeton, 1999.