



Criminalising Tribes (Pt. 1):

Pre-colonial and
Colonial Times

06
22

| Fahad Nahvi



Discussion Paper

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Cover Image Description: A group of four men of the Purriar Meenas tribe in Rajasthan, photographed by Eugene Clutterbuck Impey in the early 1860s, from the Archaeological Survey of India Collections. In the 19th century the Government of India commissioned a series of ethnographic photographs of different tribes, races and castes. Capt. E.C. Impey of the Bengal Staff Corps was appointed to cover the areas of Delhi, Agra and Rajasthan. Figures were often posed to display their characteristic attributes and artefacts; in this image the men are posed in front of a thatched house, and armed with matchlocks, bows and other weapons.

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SERIES INTRODUCTION

This series looks at the legal category of 'Criminal Tribes' in India, today known as Vimukta Jatis or Denotified Tribes. Although, stereotypes of hereditary criminality are as old as untouchability, DNTs, like SCs have not been able to access equal opportunities because of their ancient stigmatisation and the resulting administrative high handedness. Even though many of them are clubbed under Scheduled Caste and Scheduled Tribe [SC/ST] as well as Other Backward Classes [OBC], a significant part of the denotified tribes' population have been denied affirmative action. That is to say, while they may receive affirmative action for being SC, ST, or OBC, they are not able to access state support despite undergoing forced criminalisation and its additional burden to date.

The first paper maps the pre-history of those who would become labelled 'criminal tribes' in 1871 with the passage of the Criminal Tribes Act in colonial India. The second paper picks up from this critical juncture and examines how being legally criminalised affected the daily lives of those in the community. This part also covers the period between 1871 and 1952 when the Indian parliament repealed the Criminal Tribes Act. The final paper looks at the repeal and how it was simultaneously replaced with new legislation. Known as the Habitual Offenders Act of 1952, the new law gave the state power to incriminate any individual but was disproportionately used against members of former 'criminal' tribes, Dalits, Adivasis, and religious minorities. The last instalment of the series ends with policy recommendations aimed at de-stigmatising and uplifting the denotified tribes who have long been victims of historical wrongs.

ABSTRACT

This paper maps the pre-history of those who would become labelled as ‘criminal tribes’ in 1871, following the passage of the Criminal Tribes Act in colonial India. While the act legally created and codified the category of tribes that were considered hereditary criminals, such stereotypes about certain communities developed in pre-colonial times. This paper, attempts to take stock of the stereotypes associated with communities like itinerant communities, jungle dwellers, and “lower castes” during pre-colonial times. It provides an overview of these ancient stereotypes which formalised during the Mughal period and were used to target non-sedentary communities with the enactment of the Criminal Tribes Act of 1871. Ultimately, this paper seeks to demonstrate how pre-colonial notions of “hereditary criminality” informed British lawmaking in India.

KEYWORDS: Denotified Tribes, Criminal Tribes, Vimukta Jatis, Criminal Tribes Act of 1871, British, Colonialism, Wandering Communities, Robber Castes, Thugs

AUTHOR’S NOTE

I am writing this paper from a position of class and caste privilege, and from a historical distance.

INTRODUCTION

Seventy-five years ago, as India awoke to freedom at the midnight hour, 35 lakh Indians from the ‘criminalised tribes’ remained shrouded in the darkness of their imposed ‘criminality’ by the British. Five years later, on 31st August 1952, they were denotified, but their emancipation within an independent nation is still a long time away.

It all began with the combination of the British understanding of India’s distinct caste structure and the colonial vision of India as an exoticised ‘jewel in the crown’ resulted in a peculiar basis for representing and classifying India’s inhabitants¹. This need to classify indigenous inhabitants resulted in the enactment of the Criminal Tribes Act of 1871. The legal category of ‘criminal tribe’ developed as a result of colonial perceptions of Indian people and included a wide range of communities with varying markers of religion, caste, and ‘tribe’. However, notification under the act was based on local policing, patronage, labour demands, and pre-existing indigenous/local stereotypes.

The Act was initially limited to Punjab, the North-West Provinces, and Oudh (Tolen, 1991). Initially, the act was aimed at itinerant and wandering communities, but its targets increased when the law was expanded both geographically to all of British colonial India and also in scope (Gandee, 2018). Communities and even individual offenders that the government, local elites, or local state actors considered a nuisance started getting notified under the act (ibid.). This categorisation socially excluded, discriminated against, and marginalised almost all criminalised populations. Therefore, when the Criminal Tribes Act was replaced with the Habitual Offenders Act of 1952, it only changed the terminology from ‘criminal’ to ‘denotified tribes’, while sustaining the stigmatisation of those affiliated.

The Constitution of Independent India guaranteed affirmative action to address inequalities through quotas in state administration, education, and employment for officially recognised disadvantaged groups (Gandee, 2020). Yet, despite the fact that the ‘criminality’ of the ‘criminal’ tribes had been considered a disadvantage by State paraphernalia, they have not been officially recognised for protection and empowerment. Even though many of them are clubbed under Scheduled Caste and Scheduled Tribe [SC/ST] as well as Other Backward Classes [OBC], a chunk of their population have been left out of the fold of affirmative action² (ibid.). Therefore, while the denotified tribes face continued prejudice, police brutality, and harassment from the general public in addition to the stigma they face because of their other identity markers, many of them are ineligible for any government benefits. At the same time, other denotified tribes classified under SC, ST, and OBC do not receive special benefits for undergoing forced criminalisation even though they face its additional burden (ibid.).

This three-part series explores the history of ‘criminal’ tribes in India from pre-colonial to their contemporary marginalisation. This first paper traces the development of stereotypes around the communities that were put under the 1871 Criminal Tribes Act. It covers the pre-colonial period concepts that later became the basis for the Criminal Tribes Act of 1871. The paper ends by looking at how ‘criminal tribes’ thus became a legal category.

¹ The Jewel in the Crown is the title of a 1966 novel by Paul Scott that narrates the story of the final days of the British Raj. India was frequently referred to as the crown jewel or the most prized possession of the British Empire.

² Despite the formation of a National Commission for Denotified Tribes, the community hasn’t been able to ameliorate their condition (NewsClickin, 2017).

HISTORIOGRAPHY

The association of certain castes and tribes with the concept of criminality emerged as a legal-political category for governance in colonial and postcolonial states, drawing from existing stereotypes and histories rooted in the pre-colonial period. The Criminal Tribes Acts (1871, 1897, 1911, and 1924) in South Asia officially categorised lakhs of people as ‘criminal tribes’ between 1871 and 1952, under which entire communities were monitored and policed.

The British categorised already marginalised or nomadic communities as ‘criminal tribes’ since they believed that these communities subsisted on thieving as their hereditary occupation³. Historians have debated whether ‘criminal tribes’ were ‘constructed’ or ‘invented’ during the colonial period or whether the British drew from existing upper-caste attitudes and literary traditions (Piliavsky, 2015; Schwarz, 2010). Edward Said (2003) postulates that controlling imagery of the Orient helped with administering the East. Creating binaries (West as Enlightened and East as Savage or Vicious) produced a vast corpus of knowledge around essentialised stereotypes to control the East. Building on the Saidian concept, historian Metcalf (1995) further argued that the British classified Indian society into “unchanging racial and cultural identities”. The process of codification of only dominant Hindu and Muslim laws and practices eased overseeing by homogenising the entire subcontinent populations (King, 1999; Thapar, 2002).

Other scholars argue that such categories are not creations but continuations from pre-colonial to colonial times. Caste was a significant factor in all aspects of life even before the arrival of the British in India, especially because of the changes that took place during the Mughal period (Bayly, 2001; O’Hanlon, 2017). Norbert Peabody also states that British “colonial discourses often built on indigenous ones” and argues postcolonial scholars “ignored the role of indigenous actors” (Peabody, 2001).

Some academics highlight the agency of indigenous actors. Colonial concepts of caste, ‘tribe’, and crime were as much a result of “Indian agency, structures of knowledge, and values” as they were of western discourses on “scientific progress and race” (Gandee & Gould, 2020). According to these scholars, negotiations between local populations, informants, and state actors on the ground, shaped these categories (ibid.). However, because these categories failed to capture the Indian subcontinent’s rich social fabric, they were frequently ignored by colonial anthropologists on the grounds of ambiguities, geographical variances, and failure to accurately conduct enumerative activities (Fuller, 2015a, 2015b).

The study of the history of India’s ‘criminal tribes’, a varied mix of around 200 communities designated as hereditary offenders by the CTA of 1871, also saw the aforementioned arguments being utilised (Gandee & Gould 2020). Historian Sanjay Nigam, influenced by Said’s concept of essentialised stereotypes, was one of the first to argue that the notion of the Criminal Tribe is derived from “India’s otherness” with respect to the West (Nigam, 1990a, 1990b) and is a product of colonial imagination. He argued that the ‘criminal tribe’ was an ahistorical colonial stereotype that was created through an elaborate project of collecting knowledge from “revenue, juridical, and police records.” (Nigam, 1990a, 1990b).

³ See, Said (2003) for the binaries of ‘Occident’ (West) and the ‘Orient’ (East) required to describe the West as enlightened and to show the East as savage or vicious.

However, some scholarship traces the origins of the ‘criminal tribes’ to indigenous notions. Historian Andrew Major (1999) contested that the wandering hereditary criminal was not “entirely created out of thin air”. He argued that a pre-colonial concept of group criminality of pastoral communities driven to crime existed. Meanwhile, historian Stewart N. Gordon highlighted the convergence of European and Indian Brahmana thought that viewed the subcontinent’s itinerant cultures as criminals (Gordon, 1985). Susan Bayly (2001) looks at the tracking of standardised criminal descriptions based on racial and caste characteristics of the Mughals. The British colonisers eventually adopted and built on this. Anastasia Piliavsky (2015) concurs that “robber caste” stereotypes existed in the subcontinent long before the British. The category was used by precolonial actors ranging from Mughal rulers to wandering communities themselves.

At this juncture, it is critical to note that scholars have studied Criminal Tribes as a monolith. As historians Gandee & Gould (2020) note, these groups did not share a common experience and had complex identities “rooted variously in the region, religion, occupation, ethnicity, and nationality”. Some from the criminal tribes have self-identified as criminals at specific moments in time and for specific reasons, and some draw connections to the history of illegal behaviour (Bajrange et al., 2019; Gandee & Gould, 2020). Research on the pre-colonial understanding of ‘criminal tribes’ presents a uniform picture, obscuring the diverse experience of the people in the community. Nonetheless, it is important to understand the concept of criminal tribe and who constituted it in different time periods.

THE IDEA OF ‘ROBBER CASTES’ IN BRAHMIN TEXTS IN PRE-COLONIAL TIMES

This section and the following borrow from anthropologist Anastasia Piliavsky’s essay and its primary and secondary sources. Always depicted as “banded, cartelized, and organized groups that live together”, robbers were rarely shown as solitary criminals (Bloomfield, 1926). The Aranyakas, the Ramayana, the Mahabharata, Kathas, and Jatakas are filled with references to thieving communities preying on merchants, traders, and travellers on roadsides, mountain passes, and forest tracks (Piliavsky, 2015).

The ‘robber castes’ are almost always shown as residing in the Jungles (Piliavsky, 2015). Manu, the author of the Manusmriti, describes these ‘robber tribes’ as pariahs who lived “outside the village,” wore “the garments of the dead,” and ate “food from broken dishes” (Bühler, 1886). The very names of robber tribes, “Dasyu, Mleccha, Dravida, Pulinda, Sabara, Bhilla, and Barbara”, are synonymous with lawlessness, immorality, and disorder in ancient texts (Piliavsky, 2015). “Dasyu” (or Dasa) was used in texts to describe “barbarians, demons, outcastes, robbers, and beasts” (ibid.). All these texts present a demonised image of a community that subsisted on thievery and other criminal activities.

Several Jain texts also mention robber families living in “well-protected robber settlements” known as Corapalli (Das, 1977). In the Adventures of Rāuhineya, a 15th-century Jain text, Rāuhineya (protagonist) describes himself as a “the scion of a distinguished thief-family, proud of its reputation and position among fellow thieves ... a thief, sprung from a thief-family, of pure thief-lineage on both my father’s and my mother’s side” (Johnson, 1920 as cited in Piliavsky, 2015). Thieves are depicted to work alongside their fathers, mothers, sisters, and other members of the family in several different folktales such as Mrcchakatika, Dasakumaracarita, Dharmacauryarasayana, etc. (Passi, 2005; Piliavsky, 2015; Ryder & Lanman, 1905). On his father’s deathbed, Dharmasamgrahin, the hero-thief of Dharmacauryarasayana, proclaims to his father that he will make a livelihood by “theft, caurya, as

practiced «by the book», i.e. in accordance with the dharma of thieves” (Passi, 2005). The notion of a professional robber guild is also found in Arthashastra, in which Kautilya asks the king to hire “veteran thieves” to attack and disrupt forest tribes by inciting them to “raid caravans, cattle camps, and villages,” and during the raid getting them killed by “concealed soldiers or by means of provisions for the journey mixed with coma-inducing juice” (Olivelle, 2013).

Not always met with scorn, ancient works also described robbery as a specialised occupation requiring expert knowledge and skill (Piliavsky, 2015). Upadesamala also known as Puspamala, a twelfth-century Jain scripture, portrays a “horde (dhāṇī) of thieves” well versed in “Thagvidya,” tricksters’ knowledge used for criminal activities (Dundas, 1995). Some ancient scholars were fascinated enough by professional thieves’ knowledge to create a large corpus of “thievery manuals” or “larceny lore” (Piliavsky, 2015). The Sanmukhakalpa (7th-9th Century) and Dharmacauryarasyana (18th Century) are such examples of handbooks of thieves’ potions, poisons, incantations, invisibility ointments, sleeping draughts, and other expert knowledge and abilities, such as thieves’ signals and unique clothing rules, among other things (Passi, 2005; Piliavsky, 2015).

However, the stereotypes of these ‘robber caste/communities’ in texts do not necessarily imply the existence of the group. Pilliavsky (2015) argues that these texts may well be products of Brahmin imagination. The stereotypes may very well owe their origin to the lack of possession of either the ‘animal’ or the ‘land’ capital by communities portrayed as thieves in these texts, which could have played a crucial role in the determination of one’s social status, in this case, professional thieves.

BORN CRIMINALITY IN THE EARLY MODERN PERIOD

Pilliavsky (2015) uses texts from Mughal rulers, Venetian travellers, and Jesuit priests from the early modern period that reference ‘hereditary’ criminals. These works shed light on the existence of a “caste of thieves” (Pilliavsky, 2015). Father Bouchet, a Jesuit missionary in Madurai, and Father Peter Martin wrote about the “caste of thieves” who “rob in a very licentious manner” (ibid., p. 69). Similarly, Nicolò Manucci, the Venetian explorer who resided at the Mughal Court, wrote about the Kallars (Shudras) as a “caste of thieves” and was surprised by their customs, especially the “barbarous” and equally “remarkable” practice of divorce, which could be initiated by both men and women (Manucci & Irvine, 1907). He further says that this practice is not followed anywhere among “Brahman or Rajah caste, nor in those of the shop-keepers, nor among Sudras of decent standing” (ibid.).

Akin to Brahmin textual narratives, tribes of these robbers lived in jungles, hills, and mountains and often raided Mughal, Rajput, Marathas, and other regional polities (Pilliavsky, 2015). Babur, the first Mughal emperor, himself mentioned in his journal Baburnama about “Jats and Gujars always pour down in countless hordes from hill and plain for loot in bullock and buffalo” (Beveridge, 1970, p. 454). He lamented that “they fell in tumult on poor and needy folks who were coming out of the town to our camp and stripped them bare” when Babur reached Sialkot (ibid.). He later ordered “two or three of them to cut to pieces” (ibid.).

Many itinerant groups like Minas, Bhattis, Mewatis, Gujars, Jats, Kolis, and Bhils gained repute as ‘robber castes’ and were later included under the Criminal Tribes Act of 1871 (Pilliavsky, 2015). Pilliavsky (2015) writes that this reputation as ‘robbers’ became formalised by the seventeenth century. A 1672 farman from Aurangzeb targeted the Garasia community and Zamindars of Gujarat, declaring them “habitual robbers and usurpers” and recommended they be put to death in “public interest” (Sarkar, 1935: 127). Further, Jean Chardin, a French traveller, called Kolis “a race of robbers,” while

François Bernier, a French physician at the Mughal Court, labelled them as the “greatest robbers” (Pillivsky, 2015).

The idea of ‘robber tribe’ also pervaded the judicial practice. ‘Robber tribes’ were punished excessively compared to ‘ordinary’ lawbreakers, with Mughal jurisprudence making a distinction between the two following Aurangzeb’s 1672 decree. It ordered that the ordinary “strangler” (phansigar) was to be “chastised (tazir)” and “confined till he repents” (Sarkar, 1935: 127). Whereas a “habitual strangler” was put to death (ibid.). This was also followed in Maratha and Rajputana polities (Pillivsky, 2015).

However, the lines between ‘criminal tribes’ and menial castes were blurred at a local level. As highlighted in the preceding paragraphs, ‘low-standing’ Shudras were referred to as “caste of thieves” (Mannucci & Irvine, 1907; Pillivsky, 2015). For instance, locals categorised vagrants in pre-colonial Punjab under various vague categories such as “Chuhra (the scavenger, the lowest in village society), Khanabadosh (the wanderer, with ‘his home on his shoulder’), Bazigar (also Nat: itinerant acrobat and juggler), or Pakhiwara (the dweller in a temporary shelter of reeds)” (Major, 1999). Andrew Major (1999) also claims that the British declared hereditarily ‘criminal tribes’ as virtually indistinguishable from dozens of menial castes. They were lumped together by the British as ‘criminal tribes’ on the basis of ‘similarity’ due to local perceptions.

Sometimes, communities appropriated these stereotypes. Pillivsky (2015) notes that because of their reputation as congenital thieves, certain tribal and nomadic groups (Minas, Kolis, Gujars, and Bhils) carried favours from local leaders, who then hired them as watchmen, raiders, and escorts. These hill tribes became gentrified during the nineteenth century by receiving land grants and titles, where they even became kings. Historians refer to this as “Rajputisation” or “Kshatriyaization” (Banerjee-Dube, 2010; Kulke, 1993; Sinha, 1962, as cited in Pillivsky, 2015). Some married minor nobles became members of the Rajput elite and, much later, local actors of the British state as well. During the twentieth century, some of these tribes, such as the Sansis, Bhandus, and Kanjar-Bhats, drew on this Rajput heritage to demand universal citizenship rights (Bajrange et al., 2019).

CRIMINAL TRIBES IN THE COLONIAL PERIOD

The 19th century in India was marked by great political unrest. At least 110 violent demonstrations, revolts, rebellions, insurgencies, and upheavals took place⁴ (Guha, 2002). These events were of significance to the colonial administration, which occupied itself with dealing with the rising ‘crime’. They began classifying Indians as ‘nekmash’ (of good character) or ‘badmash’ (of bad character), which fed into the idea of ‘Criminal Tribes’ (Rana, 2011).

In the early nineteenth century, the British ‘found’ that some communities were involved in the “cult of thuggee”, committing “extraordinary crimes” (Bruce, 1969; Sleeman, 1839, 1849, 2011). British attempts to bring ‘robber castes’ into the society’s fold alternated with attempts to completely eliminate them. By the twentieth century, most British officials were in favour of the latter. Resultantly, the Government of India established the Thuggee and Dacoity Department in 1835, with civil servant

⁴ The nineteenth century witnessed tribal groups and peasant communities staging small revolts, insurgencies, and rebellions against the British empire. Led by moving, tribal, and peasant groups, these uprisings were in response to the Empire’s exploitative and discriminatory agricultural and forest practices. Peasants and rural people in a few parts of India began to challenge the Zamindars, white officials, and the village bureaucracy’s nexus (Rana, 2011).

William Sleeman as its Superintendent. He is credited as the ‘discoverer’ and later obliterator of the thugs, who defined them as a “pan-Indian fraternity of felons” (Sleeman, 1839, 1849, 2011). The anti-thuggee campaign ran between 1824 and 1841 with their cult declared extinct by the 1840s.

However, Radhika Singha (1998) argues that it was actually the rising costs of the anti-thuggee campaign and its failure to establish charges of “systematic murder” by a “network of robbers” that forced Sleeman to claim that their dacoity ended in the 1830s. Even though the campaign against Thuggee was halted, the concept of hereditary criminality survived in the Indian Penal Code of 1860 and subsequent criminal tribe acts, which relied a lot on Sleeman’s reports.

For British policymakers in India, the late nineteenth century was a hard time, marked by “unemployment, strikes, economic distress, and a rise in political radicalism” (Radhakrishna, 2008). During the Great Rebellion of 1857, communities like Harnis, Sansis, Gurjars etc. (who were later notified under the Criminal Tribes Act) engaged in a violent struggle against the British in the eastern part of the empire (Nigam, 1990).

In retaliation, the British took to legal means to restore order and drafted the Indian Penal Code 1860. The IPC, as the “first code of criminal law in the British Empire”, established a comprehensive set of laws to combat a variety of criminal activities that endangered the lives and “liberty” of British India’s “citizens” (Wright, 2016). A lot of itinerant communities were marked as ‘hereditary criminals’ and were already brought under the fold of criminality via Section 401 of IPC. The section states:

“Punishment for belonging to gang of thieves.—Whoever, at any time after the passing of this Act, shall belong to any wandering or other gang of persons associated for the purpose of habitually committing theft or robbery, and not being a gang of thugs or dacoits, shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine.” (Ranchhoddas & Thakore, 2014)

Still unhappy with Section 401, the British introduced the Criminal Tribes Act of 1871 to completely control the lives of these wandering communities, from their participation in the anti-British struggle to their daily movements. The British set out to change the community’s living patterns by herding them into agricultural or industrial settlements, forcing sedentarisation on them, and making normal functioning of their day subject to roll-calls.

In these conditions, India in the late nineteenth century saw a unique formation of a ‘surveillance regime’ implemented as an attempt to regulate and control (Rana, 2011). One of the legislation that came out of this ‘unstable’ period was The Criminal Tribes Act of 1871. The act aimed at altering local customs and practices while codifying criminality due to a nomadic lifestyle, deploying local agents and state actors to identify ‘criminal tribes’.

CONCLUSION

The Criminal Tribes Act redefined what constituted a crime and, therefore, who became a criminal. Association of tribes and vagrancy with criminality resulted in the establishment of an entirely new identity for some groups and communities in India, that persists till day. These stereotypes of hereditary criminality are recorded in texts of Brahmin origin, the medieval Mughal empire, and finally, the colonial period. These pre-colonial stereotypes informed the colonial apparatus' notion of hereditary criminality, but the work of rancorous officers like Henry W. Sleeman, the British preference for sedentary living, and the events and developments of a turbulent 19th century resulted in the 1871 legislation that criminalised tribes.

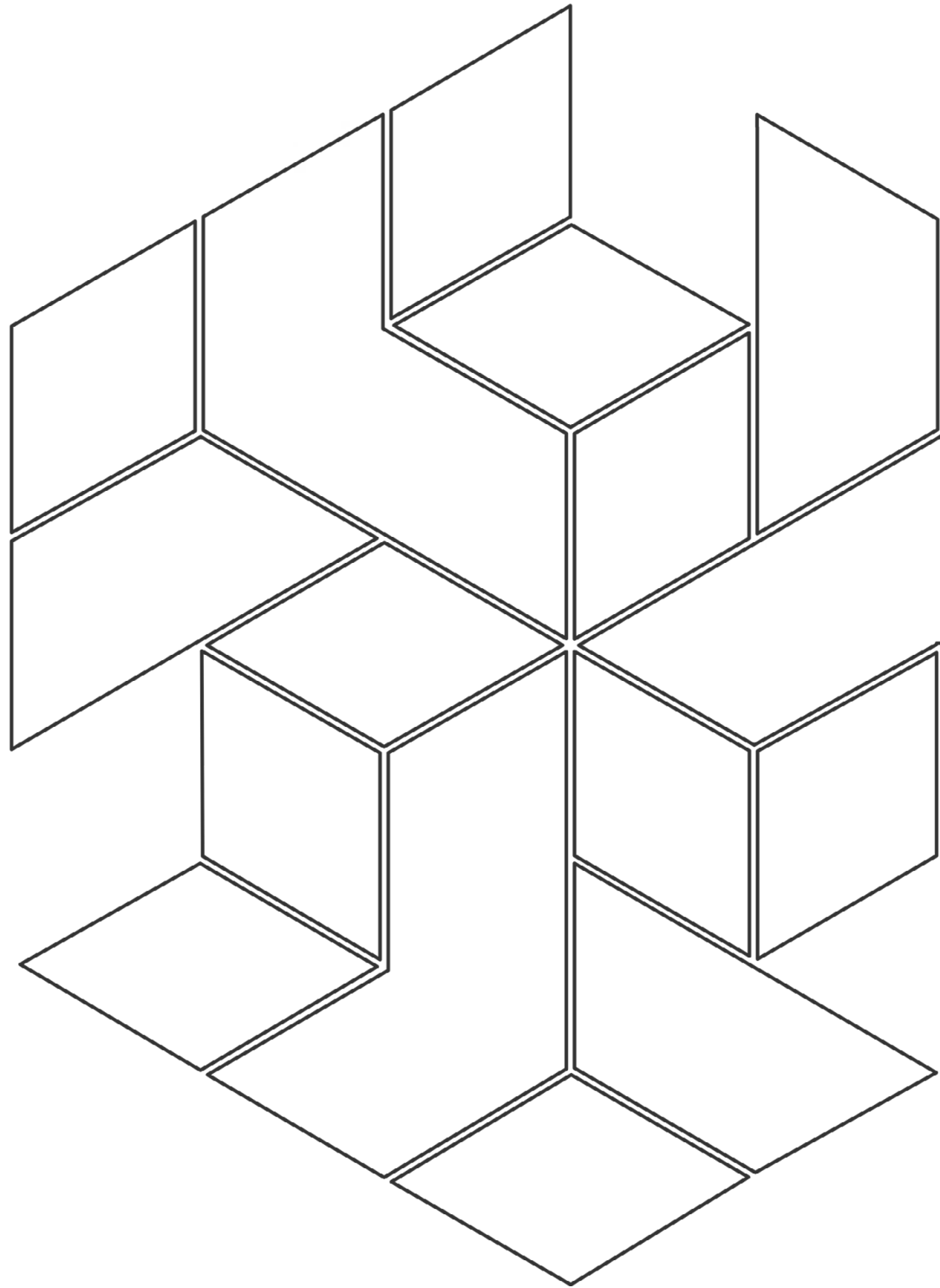
The next paper picks up from the juncture this one ends with the enacting of the Criminal Tribes Act of 1871. It covers the period from 1871 to 1952, from the inception of The Criminal Tribes Act to its repeal. The work will follow how the act was deployed and its damaging impact on the lives of wandering communities while also looking at criminalised tribes' resistance to the act and demands for its repeal.

BIBLIOGRAPHY

- Bajrange, D., Gandee, S., & Gould, W. (2019). Settling the citizen, settling the Nomad: 'habitual offenders', rebellion, and civic consciousness in western India, 1938–1952. *Modern Asian Studies*, 54(2), 337–383. <https://doi.org/10.1017/s0026749x18000136>.
- Banerjee-Dube, I. (2010). *Caste in history*. Oxford University Press.
- Bayly, S. (2001). *Caste, society and politics in India from the eighteenth century to the modern age*. Cambridge University Press.
- Beveridge, A. S. (Trans.). (1921). *Bābur-Nāma (Memoirs of Bābur)* (Two vols. bound in one). Oriental Books Reprint.
- Bloomfield, M. (1926). On organized brigandage in Hindu Fiction. *The American Journal of Philology*, 47(3), 205. <https://doi.org/10.2307/289688>.
- Bruce, G. (1969). *The Stranglers the cult of Thuggee and its overthrow in British India*. Harcourt, Brace and World.
- Das, S. (1977). *Crime and punishment in Ancient India: (C a.d.300 to A.D.1100)*. Abhinav Publications.
- Dundas, P. (1995). Some Jain references to the Thags and the Samsāramocaka. *Journal of the American Oriental Society*, 115(2), 281–284. <https://doi.org/10.2307/604671>.
- Fuller, C. J. (2015a). Anthropologists and viceroys: Colonial Knowledge and policy making in India, 1871–1911. *Modern Asian Studies*, 50(1), 217–258. <https://doi.org/10.1017/s0026749x15000037>.
- Fuller, C. J. (2015b). Colonial anthropology and the decline of the Raj: Caste, religion and political change in India in the early twentieth century. *Journal of the Royal Asiatic Society*, 26(3), 463–486. <https://doi.org/10.1017/s1356186315000486>.
- Gandee, S. (2020). (Re-)defining disadvantage: Untouchability, criminality and 'tribe' in India, c. 1910s–1950s. *Studies in History*, 36(1), 71–97. <https://doi.org/10.1177/0257643019900089>.
- Gandee, S. E. (2018). *The "Criminal Tribe" and independence: Partition, decolonisation, and the state in India's Punjab, 1910s-1980s* [Unpublished doctoral dissertation]. University of Leeds.
- Gandee, S., & Gould, W. (2020). Introduction: Margins and the state—caste, 'tribe' and criminality in South Asia. *Studies in History*, 36(1), 7–19. <https://doi.org/10.1177/0257643020907318>.
- Gordon, S. N. (1985). Bhils and the Idea of a Criminal Tribe. In A. A. Yang (Ed.), *Crime and Criminality in British India* (pp. 128–139). The Association for Asian Studies by the University of Arizona Press.
- Guha, R. (2002). *Elementary aspects of peasant insurgency in colonial India*. Oxford.

- King, R. (1999). Orientalism and the modern myth of “hinduism”. *Numen*, 46(2), 146–185. <https://doi.org/10.1163/1568527991517950>.
- Kulke, H. (1993). Kshatriyaization and Social Change: A Study in Orissa Setting. In *Kings and Cults. State Formation and Legitimation in India and Southeast Asia* (pp. 82–92). Manohar Publishers & Distributors.
- Major, A. J. (1999). State and criminal tribes in Colonial Punjab: Surveillance, control and rec-
lamation of the ‘Dangerous Classes.’ *Modern Asian Studies*, 33(3), 657–688. <https://doi.org/10.1017/s0026749x9900339x>.
- Bühler, G. (Trans.). (1886). *The Laws of Manu*. Oxford.
- Manucci, N., & Irvine, W. (1907). *Storia do mogor* (Vol. 3). John Murray Publishing House.
- Metcalf, T. R. (1995). *Ideologies of the Raj*. Cambridge University Press.
- NewsClickin. (2017, Sep 4). Denotified Tribes of India and the Never Ending Struggle for Freedom. Youtube. <https://www.youtube.com/watch?v=xl0v1orwVbc>.
- Nigam, S. (1990a). Disciplining and policing the ‘criminals by birth’, part 1: The making of a colonial stereotype— the criminal tribes and Castes of North India. *The Indian Economic & Social History Review*, 27(2), 131–164. <https://doi.org/10.1177/001946469002700201>.
- Nigam, S. (1990b). Disciplining and policing the ‘criminals by birth’, part 2: The development of a disciplinary system, 1871-1900. *The Indian Economic & Social History Review*, 27(3), 257–287. <https://doi.org/10.1177/001946469002700302>.
- O’Hanlon, R. (2017). Caste and its histories in colonial India: A reappraisal. *Modern Asian Studies*, 51(2), 432–461. <https://doi.org/10.1017/s0026749x16000408>.
- Olivelle, P. (2013). *King, governance, and law in Ancient India: Kautilya’s Arthashastra: A new annotated translation*. Oxford University Press.
- Passi, A. (2005). Perverted dharma ethics of thievery in the dharmacauryarasāyana. *Journal of Indian Philosophy*, 33(4), 513–528. <https://doi.org/10.1007/s10781-005-5012-x>.
- Peabody, N. (2001). Cents, Sense, Census: Human Inventories in Late Precolonial and Early Colonial India. *Comparative Studies in Society and History*, 43(4), 819–850. <https://doi.org/10.1017/S0010417501004340>.
- Piliavsky, A. (2015). The “Criminal Tribe” in India before the British. *Comparative Studies in Society and History*, 57(2), 323–354. <https://doi.org/10.1017/s0010417515000055>.
- Radhakrishna, M. (2008). *Dishonoured by history: ‘criminal tribes’ and British colonial policy*. Orient Black Swan.
- Rana, S. (2011). Nomadism, Ambulation and the ‘Empire’: Contextualising the Criminal Tribes Act XXVII of 1871. *Transcience: a Journal of Global Studies*, 2(2), 1–22.

- Ranchhoddas, R., & Thakore, D. K. (2014). *Ratanlal & Dhirajlal's the Indian Penal Code: (act XIV of 1860)*. LexisNexis.
- Ryder, A. W., & Lanman, C. R. (Trans.). (1905). *The Little Clay Cart (Mrchakatika), a Hindu Drama Attributed to King Shudraka*. Harvard University Press.
- Said, E. W. (2003). *Orientalism*. Vintage books.
- Sarkar, J. (1935). *Mughal Administration (3rd ed.)*. M.C. Sarkar and Sons.
- Schwarz, H. (2010). *Constructing the criminal tribe in colonial India: Acting like a thief*. Wiley-Blackwell.
- Singha, R. (1998). *A despotism of law: Crime and justice in early Colonial India*. Oxford University Press.
- Sleeman, W. H. (1849). *Bagree Decoits and Other Gang Robbers by Hereditary Profession and on the Measures Adopted by the Government of India, for their suppression*. Bengal Military Orphan Press.
- Sleeman, W. H. (2011). *Ramaseeana: Or, a vocabulary of the peculiar language used by the Thugs*. Cambridge University Press.
- Sleemann, W. H. (1839). *The Thugs or Phansigars of India: Comprising a history of the rise and progress of that extraordinary fraternity of assassins: And a description of the system which have been adopted by the Supreme Government of India for its suppression*. Carey & Hart.
- Thapar, R. (2002). *The Past and Prejudice*. National Book Trust.
- Tolen, R. J. (1991). Colonizing and transforming the criminal tribesman: The Salvation Army in British India. *American Ethnologist*, 18(1), 106–125. <https://doi.org/10.1525/ae.1991.18.1.02a00050>.
- Wright, B. (2016). Macaulay's Indian Penal Code: Historical Context and Originating Principles. In B. Wright (Ed.), *Codification, Macaulay and the Indian penal code: The legacies and modern challenges of Criminal Law Reform (International and Comparative Criminal Justice)* (pp. 19–55). Routledge.



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