BEYOND NEOPATRIMONIALISM: A NORMATIVE AND EMPIRICAL INQUIRY INTO
LEGITIMACY AND STRUCTURAL VIOLENCE IN POST-COLONIAL INDIA

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ABSTRACT

The purpose of this project is to demonstrate that the rational-legal bureaucratic institutions inherited by post-colonial states from their former colonial patrons have clashed with indigenous cultural norms, leading to legitimation failure. This lack of legitimacy, in turn, leads to political and bureaucratic corruption among the individuals tasked with embodying and enforcing the norms of these bureaucratic institutions. Instances of corruption such as bribery and solicitation of bribes, misappropriation of public funds, nepotistic hiring practices, and the general placement of personal gain over the rule of law on the part of officials weaken the state's ability and willingness to enforce its laws, promote stability and economic growth, and ensure the welfare of its citizens. This corruption and its multidimensional detrimental effects on the lives of citizens are forms of what has been called structural violence. In this project, I examine four case studies of Indian subnational states that have experienced varying degrees and types of colonial bureaucratic imposition, resulting in divergent structurally violent outcomes. Deeming these systems "violent" has normative implications regarding responsibility for the problems of the post-colonial world. Corruption is often cited as a reason not to give loans or aid to certain developing countries; but viewing the matter in terms of structural violence highlights the need for not only economic assistance but also institutional overhaul.

ACKNOWLEDGMENTS

TABLE OF CONTENTS

CHAPTER 1. STRUCTURAL VIOLENCE: A NORMATIVE THEORETICAL FRAMEWORK

Violence is at the center of politics. All forms of political expression revolve around how to control violence and how to eliminate its undesirable manifestations. Violence lurks in the shadows of all political discourse, at times bursting into the forefront of political life and at others seeping subtly into policymaking. The relationship between violence and political legitimacy is complex and contentious. The aim of this project is to use the concept of structural violence to explain postcolonial neopatrimonialism through legitimation failure. This chapter will put forth my view of how violence should be conceptualized, how popular perceptions of legitimacy relate to violence, and the intermediary role that cultural hegemony plays with respect to these concepts. In particular, I will define and explore the concepts of structural violence and hegemony for the sake of challenging dominant conceptions of the reasons for and meanings of "neopatrimonialism," particularly within postcolonial contexts.

In a certain respect, the main questions that I want to address in this project concern the relationship of legitimacy to violence. This is an issue that can be explored on many levels, from the familial and communal to the geopolitical realms. For our purposes here, we shall focus primarily on statewide, internal manifestations of legitimacy and violence. Of course, manifestations on the state level are often greatly influenced by localized, regional or international events. This is an issue that we shall address in due course.

In modern democracies, the threat of "legitimate force" is synonymous with the rule of law as embodied in the bureaucratic order. When law is broken in a modern rational-legal state, this force is dispatched to restore order. Here, it is important that we make a distinction between the concepts of "force" and "violence." Max Weber famously defined the state as an organization with a "monopoly on the legitimate use of force within a given territory." Some English translations have used the phrase "legitimate use of violence" instead of "force."[1] In essence, these scholars seem to conflate the term "violence" with "force"—the latter of which is a more accurate translation of the German *Zwanges* originally used by Weber. For reasons that will be discussed below, it is my position that "force" and "violence" are different concepts. Force can be legitimate when it is genuinely utilized in the defense of a community. Violence, which constitutes a violation of a given formal or informal social system, cannot be legitimate with respect to that system. However, this does not mean that states by definition cannot be violent. In fact, states are often the primary perpetrators of violence, both in international warfare and against their own people. When states act violently against their own citizens, they commit illegitimate acts with respect to the informal systems that constitute society. Sometimes such acts are overt demonstrations of physical brutality—Saddam Hussein's use of chemical weapons against Iraqi Kurds, for example. In other cases, state violence is more silent, embedded in organized procedure and institutions.

The rational-legal bureaucracy has long been assumed to be central to the development of strong, stable democratic states. This is because the bureaucratic

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[1] For example, see Gupta, 2012: 19.

institutional arrangements that facilitate rational-legalism are seen as the institutional counterpart to the normative idea of the equality of citizens' fundamental rights. Only when justice functions as a machine, blind to subjective differences between individual citizens, can citizens be truly equal before the law.

While no state apparatus has yet achieved this rational-legal ideal in its purest form, states in the developing and post-colonial world tend to be much further from achieving it than are post-industrial advanced democracies. Many of these states exhibit what has come to be known as "neopatrimonialism"—the coexistence of rational-legally designed institutions with practices mired in patrimonialism. In this case, patrimonialism refers to traditional norms and structures of political interaction that pre-date the introduction of rational-legal ideas into the polity. Personalized control of state institutions, hiring practices based on tribal or ethnic loyalties, rampant use of state resources for the personal ends of public officeholders, and a general disregard for the principle of rational-legal authority are all manifestations of neopatrimonialism. Many Western political scientists[2] have examined neopatrimonial states in the post-colonial world. Being accustomed to the rational-legal ideal, these scholars tend to view the continued reliance on "patrimonial" relations (which have been deemed pre-modern and corrupt) alongside Western-influenced bureaucratic structures as evidence of state weakness, political failure and the absence of norms necessary for true sovereign statehood.

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[2] For example, see Eisenstadt, 1973; Erdmann & Engel, 2006.

In doing so, they seem to misdiagnose the root of the problem, which is not that these societies lack the norms necessary for stability and democracy but that the bureaucratic institutional arrangements that now exist in these "neopatrimonial" states are unsuited for these particular cultural contexts. This is particularly the case in post-colonial states because the institutions inherited by these states were initially designed to serve the purposes of the colonizers. Endemic political and bureaucratic corruption have been shown to result from a "wide divergence between the aims, attitudes and methods of the government and those of the societies in which they operate."[3] My argument in this project is that under such circumstances, these bureaucracies perpetuate a form of structural violence that prevents these societies from developing to their full potential. By this I mean that while there may not be a particular agent currently responsible for bureaucratic legitimation failure, it nevertheless constitutes violence because it runs against the grain of cultural norms, undermines state stability, and imposes a burden on the governed which prevents them from realizing their human potential.

Organically formed bureaucratic institutions are an ancient, global phenomenon, but rational-legalism is predicated on a worldview that emerged from the European Enlightenment and is rooted in what Ashis Nandy calls the "ideology of the modern state."[4] Buttressed by unprecedented growth in the organizational and technological power of the state, this worldview fetishizes rationality. It seeks to iron out contradictions and untangle incomprehensible webs of social organization for the purpose of making society governable according to rational-legal principles. Thus, for example,

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[3] McMullan, 1961: 184.
[4] Nandy, 2003: 10.

British colonial officials rigidified previously fluid caste distinctions in the Bengal Presidency for the purposes of creating an official census. This history will be examined in the case study chapter on Bihar.

This is not to say that post-colonial bureaucracies lead to legitimation failure in all cases. Colonial powers inevitably impacted the cultures of their colonies, and in some instances they succeeded in inculcating their colonial subjects with liberal norms of rational-legal bureaucracy. Many of these bureaucratic success stories take place in countries where a bureaucratic tradition existed prior to colonization or where the indigenous population was either small to begin with or was largely exterminated. We will address this point in a subsequent chapter.

Johann Galtung and the Expanded Definition of Violence

The study of political violence is as old as the study of politics itself. Ancient thinkers including Sun Tzu, Plato and Ashoka made reference to the role of violence in politics. Niccolò Machiavelli, often considered the founder of modern Western political thought, noted the violent origins of all political systems; by contrast, Thomas Hobbes contended that the state was formed as a means of eradicating the violence of the state of nature and creating a set of shared norms and expectations to regulate interactions between individuals. Much more recently, Antonio Gramsci wrote about conflicts between frameworks of discourse in military terms, suggesting that there may be a violent element to the dissemination of ideological constructions, particularly when such ideas enable the subjugation of certain groups of people.

Unlike Machiavelli and Hobbes, Gramsci's idea of hegemony speaks to a more structural conception of violence. At the same time Gramsci seems to echo Machiavelli's sentiment that state legitimacy and stability are forged through acts of ruthlessness and deception which would be considered reprehensible in most contexts. Politics, Machiavelli famously said, "turns vice into virtue." Similarly for Gramsci, the dominant power builds its legitimacy from the hegemony of its public narrative: from the acceptance as common sense of ideas and structures that are in fact deeply violent.

Mahatma Gandhi, in the course of leading what Gramsci termed a counter-hegemonic "war of position" against British colonial rule in India, championed an uncompromising position of nonviolence. Crucially for our purposes, in *Hind Swaraj* Gandhi warned against an independent India replicating the values and institutions of the colonists. This, Gandhi said, would be "English rule without the Englishman."[5] For Gandhi, the problem was not the presence of the British but of "modern civilization" and the institutions that they had brought to India. When Gandhi used the word "violence" it was usually in the direct, agential sense. But it was clear in his view that the greater threat to his country was the erosion of indigenous culture and the adoption of the trappings of capitalism, private property and Western political and bureaucratic institutions—all part of a creeping hegemony of cultural "modernism." He termed his movement *satyagraha*, which he translated into English as "truth force." He counter-posed truth against violence, with the strong implication that the encroaching Westernizing forces were both untruthful and violent—and, in a sense, that untruthfulness *was* violence. These forces were untruthful because they seduced people with their promises of efficiency and

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[5] M.K. Gandhi, 1909.

comfort; they were violent because such luxuries were weakening the Indian people in body and spirit.

Gandhi and his followers utilized passive, nonviolent resistance in the face of brutal physical oppression, and in the process helped rob the British empire of its legitimate claim to rule. Elsewhere in the anti-colonial struggles of the mid-twentieth century, Frantz Fanon contended that the violence taking place in the crumbling colonial empires of Africa was a direct result of the violent imposition of European rule. Fanon wrote that "violence is atmospheric, it breaks out sporadically, and here and there sweeps away the colonial regime."[6] In a certain sense, Fanon took Gandhi's conception of non-agential violence a step further, noting that anti-colonial resistance of any kind (through armed force or not) was violent because it sought to upend an established normative and structural framework.

Despite the profound difference in their emphasis and in their professed solutions to the problem of colonial rule, both Gandhi and Fanon saw the colonial institutions as a far greater threat than the colonizers themselves. When Fanon spoke of a need for a violent solution to the problem of colonial violence, he emphasized the "cleansing" nature of such a solution. Violence, he said, was necessary to achieve a true decolonization, to fully purge society of the old colonial order (and thus this violence was aimed directly at the formal institutional order of the colonial power—it was a counter-violation of this violent order itself). It provided a moment of anarchy, from which the

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[6] Fanon, 1994 [1961].

formerly subject people could begin anew. As for Gandhi, the enemy for Fanon was not simply the colonizer, but his legal, political and moral institutions.

Responding in 1970 to Fanon and Jean-Paul Sartre, Hannah Arendt argued that the "unlikely victory" of the violent uprisings of colonized peoples "would not result in changing the world (or the system), but only its personnel."[7] In other words, the violent rebellion of the colonized and the overthrow of European rule reflect a mere perpetuation of the hegemonic violence that previously dominated in the form of the colonizers. Presciently, Arendt suggested that the violent systems of oppression would remain intact in the post-independence era.

Despite their disagreements, both Fanon and Arendt seem to view violence as a subjective phenomenon and hinted at an understanding of violence broader than the conventional definition highlighting only direct physical force (Fanon's discussion of "atmospheric" violence and Arendt's argument about personal responsibility of individuals under despotic regimes are examples of this). But it was the Norwegian sociologist Johann Galtung who first directly engaged this task and elaborated such an understanding. In a series of articles published between the late 1960s and early 1990s, Galtung crafted a rather expansive definition of violence, initially proceeding from the notion that "violence" exists in any instance where the "actual somatic and mental realizations [of human beings] are below their potential realizations."[8] Of course, the use of the word "below" raises issues about whether Galtung is defining violence in subjectively normative terms. In other words, perhaps he is arbitrarily crafting the term

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[7] Arendt, 1970: 21.
[8] Galtung, 1969: 168.

"violence" so that he can hurl it at any political entity, behavior or practice that he does not like.

For example, an intelligent young woman in a small American town may forego an opportunity to go to law school and choose instead to marry her high school sweetheart, stay at home and raise a family. Galtung might contend that such a situation is laden with violence: societal pressure from her family and friends have created a structural barrier to the woman's fulfillment of her potential. This may very well be the case, but what if this young woman says she is happy with the choices she made?

Perhaps recognizing this potential liability, Galtung later retuned his definition as "avoidable insults to basic human needs, and more generally to *life*, lowering the real level of needs satisfaction below what is potentially possible."[9] Consistent with his previous writing, "needs" here is meant to convey psychological as well as physical needs. As we shall see, this tweaking of the definition solves part—but not all—of the problem.

In any event, Galtung's expanded definition means that a violent situation may involve either physical or psychological injury (for example, a physical assault versus the the psychological injury of a hurtful racial epithet), that it may be either latent or positively manifest (armed robbery with the threat of injury versus the actual firing of a gun), and that it need not be perpetrated by any specific subject. Galtung devised a typology of violence that distinguished between these different forms. Perhaps the most important distinction he made was between "personal" and "structural" violence.

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[9] Galtung, 1990: 292.

Violence is "personal" or "direct" when there is an actor that commits it. "Structural" violence, on the other hand, does not involve a subject: "There may not be any person who directly harms another person in the structure. The violence is built into the structure and shows up as unequal power and consequently as unequal life chances."[10]

The concept of structural violence has a number of implications worth discussing. For one thing, it may at least partially contradict some of the more agency-based arguments regarding violence. Hannah Arendt argued that no individual can justly surrender her agency in choosing to follow orders. In her essay "Personal Responsibility Under Dictatorship," Arendt writes, "There is no such thing as collective guilt or collective innocence; guilt and innocence make sense only if applied to individuals."[11] Attaching violence to the agency of the individual precludes at least some instances of structural violence. Arendt wrote extensively on the totalitarianism of Nazi Germany—a governing structure drenched in violence. But for her, the structural violence of the totalitarian order is impossible without the compliance of individuals involved.[12][13]

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[10] Galtung, 1969: 170-171.
[11] Arendt, 2003: 29.
[12] This is why Arendt believed that Adolf Eichmann, a low-ranking Nazi officer who claimed to be "following orders," was guilty of mass murder and deserving of execution.
[13] Arendt's mentor Karl Jaspers had a different view on collective guilt. In *The Question of German Guilt*, Jaspers writes, "That in fact all people pay for all the acts of their government…is a mere empirical fact; that they know themselves liable is the first indication of political liberty…The inner political unfreedom has the opposite feeling. It obeys on one hand, and feels not guilty on the other. The feeling of guilt, which makes us accept liability, is the beginning of the upheaval which seeks to realize political liberty" (Jaspers, 71). The collective obedience of political and bureaucratic officials to a violent system, and their simultaneous denial of culpability, are a testament to their lack of freedom, according to Jaspers. This is emblematic of the structural violence we are examining.

While some violent structures are perpetuated by the compliance of individuals, there are many other instances of structural violence where it is impossible to find any agent to hold responsible.   For example, a global economic system that promotes wealth accumulation and property ownership has a violent effect on communities that place little or no cultural value on these things, but the ensuing harm cannot be blamed on any individual actor.

On the other hand, political corruption in neopatrimonial states can certainly be reduced to the individual level. Bureaucrats and officials who use their positions to enrich themselves or dole out patronage bear individual responsibility for such actions, even as they may be part of a larger network of similar-acting officials. But while it is possible (and perhaps desirable) to hold individuals responsible for compliance in structural violence, it is more practical from a political standpoint to address the violent structures that incentivize such behavior.

For some thinkers (Francisco Suárez, for example[14]), a distinction must be made between the terms "violence" and "force." Violence, it is said, implies violation of some norm. According to this point of view, when a man kills his wife, he commits an act of both force and violence. But when the police break into the man's house, fire gun shots, and bring him into custody, they are using only "force" and not "violence." As they are upholding the values of society by neutralizing the transgressor, their act is not a violation but a correction. Viewed in this way, violence is a normative, not an empirical, concept.

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[14] Doyle, 2010.

There is good reason to accept the notion that violence is a normative concept. Even acts that are universally considered to be violent (random murder, for example) are violations of norms—albeit norms that apply in virtually every cultural environment, since no culture that condones such acts can long survive. Other acts, whether or not they involve the infliction of harm on people, may be considered violent in certain contexts but not in others. The 1992 destruction of the Babri Mosque in Ayodhya, India by Hindu fundamentalists was certainly considered violence by most Muslims. But to many Hindus, it was merely the forceful removal of a violent vestige of Mughal rule (the mosque, built in the 16th century under the auspices of the Mughal Empire, displaced a temple dedicated to Rama, a believed incarnation of the Hindu god Vishnu). Additionally, the empowerment of local elites and the upheaval of social norms by European colonizers in Africa and Asia was not a violent act from the perspective of the colonial powers, but it certainly was within the colonies.[15] As we shall demonstrate in the ensuing pages, accepting that violence is normative becomes all the more important when we expand the definition of violence as Galtung has done.

However, the idea that violence is a normative concept seems to run counter to Galtung's stated definition. As mentioned above, for Galtung violence includes anything that "lowers the level of needs satisfaction below what is potentially possible." While there is some debate on the subject of what constitutes a human need, it is beyond dispute that when one asserts that there is a "need," one is making an empirical claim. It appears,

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[15] Colonialism was not seen as violent from the perspective of the colonial powers because the colonizers did not see their subjects as equal human beings. The central task of anti-colonial leaders like Gandhi and Fanon was to expose to the world the violence of the colonial situation, while affirming the humanity of the colonized peoples.

then, that Galtung means to describe violence as something solidly empirical (though, as we will see, this empiricism is founded on normative principles).

Further evidence of this is his notion of "cultural violence," developed decades after he first wrote about structural violence. Galtung defines cultural violence as the process by which direct and structural violence become culturally accepted. This concept is, of course, familiar as Antonio Gramsci's idea of cultural hegemony (though Gramsci makes a clear distinction between hegemony and "domination"—or coercion). But if this sort of "norming" is to be considered violent, then violence itself cannot be a normative concept.[16] In other words, it is impossible to define violence as the violation of specific norms if those norms are themselves violent. To do so would be tantamount to expanding the definition of violence beyond all comprehensible meaning.

In addition, we must keep in mind that culture is not a monolithic entity. A successful upheaval of the social and political order may, in fact, leave behind residual traces of the old regime and its legitimating cultural institutions, even as society broadly accepts the new order. Colonial rule often impressed upon indigenous populations the values of republican democracy, spreading Western liberal norms like a picnic blanket over the broken, jagged remnants of the old equilibrium. In some instances, the colonial

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[16] At least, if said norming is successful. This is not to say that viewing violence as normatively based rules out any possibility of a concept of cultural violence. It would not be a contradiction to say, under the presumption that violence is normative, that a failed or incomplete counter-hegemonic movement is violent, since it is an attack on the prevailing normative order (and thus necessarily a violation of that order). But a cultural movement that succeeds in changing norms necessarily ceases to be violent at the time it replaces the old normative order, and thus in retrospect would not be considered "violent."

legacy created competing sets of norms at the state and societal levels. We will see in a subsequent chapter how the British colonial administration left a legacy of deep caste and class stratification in Bihar, while at the same time bequeathing to the state a Westminster-inspired legislature and a Westernized bureaucracy. This legacy became the groundwork for institutionalized corruption, caste-based political cleavages, and an ongoing rivalry between a Brahmin-dominated civil service and a lower caste-led political establishment.

Within the colonial context, the structural violence of social and political upheaval and bureaucratic imposition had the effect not only of undermining existing normative structures, but of creating new structures separate from the value systems of both colonist and subject. These new normative structures liberated indigenous elites from the nuanced accountability that had long constrained them. They created a new order in which abuse of power was the norm and rational-legalism was supererogatory.

The fundamental idea behind Galtung's expanded definition of violence is useful for our purposes here. The concept of structural violence has myriad implications for how we view politics in general and the colonial legacy in particular. The problem with Galtung's conception of violence is that it strives to be empirically grounded even as it rests on its own normative presumptions regarding what constitutes a human need. The possible remedies for this problem include: (a) searching for a truly empirical conception of violence, or (b) accepting that any definition of violence must in the end rest on normative principles. By attempting to construct a truly empirical definition of violence, we would have to accept the presumption that violence can be said to exist outside of human subjectivity, as Galtung apparently believes.

It seems that the simplest way to do this would be to take Galtung's definition and confine it to those instances which include physical manifestations. Psychological "needs" and "well-being" are too normatively laden to be objectively discerned by themselves. Note, however, that this would not entirely eliminate the concept of structural violence: poverty, malnutrition and social and political instability are all manifestations of structural violence that have deleterious effects on the physical well-being of individuals. Nor would this restriction preclude all psychological factors: there are numerous instances where psychological changes in populations—the destruction of morale and the propagation of ethnic hatred, to name two examples—can lead to profound bodily harm and death, and could therefore be considered instances of violence under this definition.

One problem with this approach is that it curtails the concept of structural violence and significantly limits the meaningful distinction between that concept and that of direct physical violence. Another problem is that this limited version of Galtung's definition is still normatively laden. Unless we were to define violence as strictly "acts with the aim of inflicting physical harm on human beings," some acts that inflict such physical harm may not be considered violent if they are committed with the intent of preventing greater harm to other humans. The problem here is that which acts we would deem violent becomes subjective. Furthermore, if we were to define violence as only involving (intended) direct physical harm, we would have to eliminate the concept of structural violence, which would make our argument moot. Hence, it seems that the inclusion of structural violence necessitates a normative idea of violence, which means

that for our purposes we must affirm that any definition of violence will rest on normative principles.

In other words, for our purposes, whether an act is violent is contingent on whether it violates a given set of values. It is necessary, then, to specify a body or entity whose norms are being violated: the most relevant norms are those of the individuals or communities that are the objects of violence. Any set of norms that claims to be universal runs the risk of becoming an imperial or neo-imperial manifesto. The point that violence is contingent on the norms of the object will be crucial for our later discussion of bureaucratized structural violence and "neopatrimonialism." It should be noted that norms are socially constructed, and while interpretation may vary at the community and individual levels, it is not possible to change one's norms for the purpose of claiming a violation by another actor.

So we are now left with a new definition of structural violence. From the above discussion, we can conclude that violence is defined as a violation of a given set of values held by the object individual or group of individuals, which limits the potential of individuals or communities for achieving contentment. Structural violence, then, is the structural (non-agential) violation of such a set of values, which leads to harmful outcomes. In other words, structural violence exists when social, political or economic structures stand in violation of another layer of cultural norms with the effect of systematic harm to individuals and communities.

It should also be made clear that we do not mean to in any way condone culturally sanctioned practices such as human sacrifice, sati, honor killings and female genital

mutilation. Such acts, though they may be in line with indigenous norms (and may not be perceived as violence within these contexts), are ultimately violent because of the indisputable harm they cause to the communities that practice them, which lowers general quality of life and causes misery in the long term (circumstances which are undesirable within any cultural context). Amartya Sen discusses the instrumental benefits of gender equality in particular. "There is considerable evidence," Sen writes, "that women's empowerment within the family can reduce child mortality significantly. Going well beyond that, women's agency and voice, influenced by education and employment, can in turn influence the nature of the public discussion on a variety of social subjects, including acceptable fertility rates…and environmental protections."[17]

More broadly, while this project argues for a contextualized understanding of political legitimacy, many of the effects of structural violence—including those in which we are most interested—can be understood in more universal terms. Sen points out that the fulfillment of certain basic human needs (food, shelter, education, freedom from oppression and discrimination, and identity preservation) are widely recognized as desirable if not essential. As we will discuss in a later section, hegemonic ideas create assumptions that some of these needs must be prioritized over others. Hence, for example, the communitarian rights of *adivasi* tribal communities in Madhya Pradesh become secondary to the national developmental imperative, which leads the state and its economic allies to commit acts of violence against these communities.

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[17] Sen, 1999: 193.

Max Weber: Legitimation, Rational-Legalism and Bureaucracy

The idea that violence is subjective is also necessary for the notion that there can be "legitimate" uses of physical force. Max Weber identifies what he sees as three distinct types of legitimation, through traditional, charismatic, and rational-legal authority respectively. He notes that these three types do not exist in pure form, and indeed it seems that most political entities employ all three types to varying degrees. Neo-patrimonial states combine rational-legal institutions embedded in Western-inspired constitutions and legal systems with practices more in line with long-standing traditions. As noted earlier, many of these states are former colonies of European empires that have adopted the political and legal systems of their erstwhile colonial patrons. I would like to focus this section of the chapter on the ideological and structural conditions of rational-legalism.

Rational-legal authority is distinct from other means of legitimation in that it embodies the rule of law, as opposed to the rule of individuals. Power in a Western rational-legal order is bureaucratized; it belongs to the office rather than to the office-holder. It has been said that rule of law is what distinguishes the modern state from its more primitive antecedents. It is the predictable, coolly calculated, rational-legalistic ordering of procedure that governs the modern state, not the hot-headed whim of the individual king, prince or minister. Yet there has not been a state in the history of human civilization that has been fully able to subsume its processes to formal rational order. Rule of law may prevail in the institutionalization of procedure, but it is men and women who ultimately enact, interpret and enforce the law; and men and women are subjective, culturally embedded creatures.

It is certainly true that when the culture of a bureaucratic organization is such that the risk involved in violating a legally institutionalized procedure outweighs the possibility of benefit, the organization becomes relatively predictable regardless of the individuals operating within it. On the other hand, some degree of political corruption persists in virtually every state organization. In cases of corruption, where individual office-holders use their position for personal gain, the rule of man trumps the rule of law. Hence, even in the most modern states, there is a degree of personalized rule. This was no less the case in the early twentieth century when Weber defined his concepts of bureaucratization and legalistic authority than it is today.

It seems, then, that the phenomenon of bureaucratization as described by Weber is an idealized form of a general trend that was gaining momentum in his time—the trend away from politics based on patronage and toward the rule of law. Of course, the notion that this ideal may actually be reached assumes that it is possible to regulate at all times the behavior of the individuals entrusted with state power—either through the watchful vigilance of horizontal accountability structures or through the diffusion of hegemonic norms among the individuals who exercise the power of the state. While no state has yet met this ideal, some have certainly come closer than others. There exists a wide range of contemporary states with rational-legal constitutions and bureaucracies. This includes neopatrimonial states in addition to the sturdy, developed states of the post-industrial world.

Modern states are complex organizations, and we would be amiss if we did not take into consideration the vast network of agencies and individuals that make up a modern rational-legal bureaucratic system. Joel Migdal argued that in order to fully

understand this complexity, it was necessary to disaggregate the state and examine it on four distinct levels. "The trenches" consist of those who "execute state directives" such as tax collectors, police officers, "and other bureaucrats with the mandate to apply state rules and regulations directly."[18] "The dispersed field offices" are local and regional governing authorities, including legislative bodies, courts and military and police units that operate on a sub-national level. At the next level are what Migdal calls "the agency's central offices," which formulate and enact national policy and are responsible to the central leadership. Finally, there is "the commanding heights," or the top executive authority.

In an ideal rational-bureaucratic order, all of these levels of government function mechanically, with individuals deferring to written law and acting as instruments of the state. Corruption and structural violence can pervade any and all levels of the state. Police officers, tax collectors, bureaucrats, judges and politicians all often have the capacity, the motive and the disposition to stray from their rational-legal stations. When states lack a strong hegemonic cohesion, these formally bureaucratized systems can work against one another. An example is the schism between the civilian Pakistani government and the shadowy Inter-Services Intelligence (ISI), which has provided aid to Afghan insurgents against the wishes of its superiors in the political establishment. Another example is the divide in Bihar between the lower-caste-dominated legislature and government ministries on one hand, and the Brahmin-led civil service of the state on the other.

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[18] Migdal, 1994:16.

Bureaucracy is a structure held together by the threat of coercion. The individuals operating within their bureaucracy are assumed to perform their functions in adherence to legal guidelines so that they may continue to live their lives and receive pay. If a bureaucrat engages in an act of corruption, s/he risks the wrath of the state. S/he can be dismissed, charged, convicted, fined or sentenced to prison, and if s/he refuses such penalties, s/he must contend with the state's overwhelmingly superior brute force. This reality is at the heart of bureaucratic function. But along with this fear, the stronger bureaucracies also derive their function from the internal perception of legitimacy. Bureaucrats who believe that they are serving justice are less likely to engage in corruption than those who believe they are serving unjust regimes. When individuals are committed to the project of an efficacious state and see bureaucratic institutions as advancing such a project, they are more likely to be loyal to the rules of the bureaucracy. When such a commitment is absent and corruption becomes the norm, institutional despair can spread beyond the parameters of the state, forming a vicious cycle of corruption and cynical apathy as revenue is depleted, oversight becomes problematic, and hopes for reform grow dim. In 2013, the *International Business Times* reported that less than 3 percent of Indians pay taxes.[19] As Dr. Arun Kumar explains:

> The more property you have and the richer you become, the less and less tax you pay, because you can take things like dividend income from shares and property away from taxable income… Then there are those who use illegal methods like taking all the costs of the home and treating them as company costs, which are tax-deductible like phone bills, the servants'

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[19] Ghosh, 2013. A number of other factors are at work here. To name two major examples, the large poor population of India is exempt from income taxes; and the majority of India's economic activity takes place in the informal black market and is untaxed. But rampant tax avoidance by wealthy formal market actors deprives government of much needed revenue.

wages, airfares for holidays. They take out a lot of money [from the system] through inflated expenses.[20]

This same article quoted a "New Delhi businessman" as saying, "Of course I don't pay my taxes. Why should I pay my taxes while the politicians are getting richer and richer every day?"[21] A reflection of perceived government corruption, this attitude is pervasive throughout the Indian business community, and combined with a general slackness in tax auditing,[22] contributes to fact that a negligible proportion of Indians file their own taxes (most of the 3 percent who have taxes filed are salaried employees whose employers file their taxes for them).

When individuals within the bureaucracy do not fear punishment for transgression, the bureaucracy is difficult to sustain. This is especially true when the state that the bureaucrats serve is viewed as illegitimate or morally questionable. James Scott has chronicled the "everyday resistance" of individuals who are tasked with serving states they view as illegitimate. Scott famously contended that peasants who have no opportunity for open rebellion may resist the dominant classes through "footdragging, dissimulation, false-compliance, pilfering, feigned ignorance, slander, arson, sabotage and so forth."[23] Such acts individually have little effect, but can collectively hamper the functioning of the system.

The logic of Scott's argument can easily be extended to underpaid, overworked bureaucratic functionaries who feel little loyalty toward the organizations they serve.

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[20] Quoted in Ibid.
[21] Ibid.
[22] Purohit, 2007: 289.
[23] Scott, 1985: 29.

Such individuals may seek opportunities for self-enrichment or use their positions for patronage at the expense of the system. The argument here is *not* that instances of graft, bribery or slackness in auditing should always be conceived of as political acts, but that the inclination of officials to engage in acts of corruption, of auditors to look the other way, and of reform efforts to be met with cynicism and noncompliance stem from a lack of cohesion to the ideology of the rational-legal bureaucratic nation-state.

Enrique Dussel describes corruption as the "fetishization" of delegated political power which becomes alienated from its source (*potentia—*the will of the people). This fetishized power is then utilized by the officeholders in violent opposition to the goals of its source: "Fetishism begins with the subjective debasement of the individual representative who has the pleasure, the desire, and the sadistic force of the omnipotent exercise of fetishized power over disciplined and obedient citizens**."[24]** The use of the term "disciplined and obedient" might conjure an image of a brutally autocratic relationship between official and subject, held in place by physical coercion. The autocracy of bureaucratic corruption is more subtle but no less damaging to civil society. When power is fetishized in this manner, the institutions themselves are weakened and come to be hegemonically perceived as troughs for their occupants, lacking in credibility and undeserving of transcendent loyalty or maintenance. As mentioned earlier, the resulting fetishized use of power is usually not conceived of as political by these actors (unlike the conventional interpretation of Scott's everyday forms of resistance). In fact, this fetishization is anti-political. It strips away the public, political element from

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[24] Dussel, 2008: 32.

officialdom, rendering it private and individualistic. It is a wholesale rejection of the representativeness of the mediating bureaucratic institution—and of politics itself.

Layered Hegemony and Colonial Legacies

Scott's notion of everyday resistance has often been contrasted with Antonio Gramsci's discussion of hegemony. Whereas Scott portrays subordinate classes that habitually express their defiance of regimes, Gramscian hegemony is interpreted as a means by which the dominant classes reinforce their legitimacy through control of political narratives. If this representation is accurate, Gramsci would have it that the subordinate classes accept the power of their political and economic superiors as a matter of course.

However, I believe that the theories of Gramsci and Scott are reconcilable. While Gramsci referred to hegemony primarily in conjunction with state power, a closer examination of his work reveals that hegemonic constructs can exist independent of the state. In fact, it has often been the case that when the formal order of the state is swept away, its underlying hegemony remains intact.

David Waldstreicher's examination of the role of ritual in the creation of the American national identity may be useful here.[25] Waldstreicher chronicles the use of celebrations in the American colonies, and the ways in which festivals and rituals of British origin were appropriated and partially transformed into "American" fetes. For example, the celebration of the birthday of King George III was replaced with the Fourth of July Independence Day celebration. In a point that seems to echo both Gramsci and

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[25] Waldstreicher, 1997.

Partha Chatterjee, Waldstreicher makes it clear that even as the emerging American nationalism sought to sever the colonies from their connection with mother England, the ritual forms adopted by the nascent revolutionary movement were locked in the British framework.[26] Not only were the celebrations themselves decidedly English in form, but as in Britain, they were utilized by the political Right (in this case, the Federalist Party in the 1790s) to stifle and marginalize ideological dissent.

This illuminates a critical point about the Gramscian notion of state hegemony: while it is an important tool used by the state to facilitate consent, it is in a sense independent of the state itself, and can adapt to whatever state presently exists (be it British or American). Paradoxically, it is this organic, "spontaneous" element of hegemony that makes it possible for a revolutionary movement to form a "counter-hegemony" through a war of position. Because hegemony exists independent of the state, it can be undermined and (partially) transformed even while the coercive apparatus of the state remains strong. Hegemony is layered: for instance, in the American revolutionary struggle, while some elements on the surface were altered by the celebratory rituals that Waldstreicher documents (the "national" identity and the relationship of the colonies to the monarchy, for example), other, deeper elements remained unchanged (the need to reify some figure, be it King George III or President George Washington; the repressive tendencies of the ideological Right, be they British Tories or American Federalists).

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[26] Chatterjee, 1993.

If hegemony can exist independent of the state, hegemonic constructs can be entirely consistent with the "everyday forms of resistance" of which James Scott speaks. Normative dispositions and discursive frameworks that allow individuals to make sense of their societies may in fact be wildly inconsistent with laws crafted by governing institutions—especially when these institutions are culturally remote from the societies they are designed to govern.

Gramsci alludes to the layered nature of hegemony in his discussion of "common sense": "Every philosophical current leaves behind a sedimentation of 'common sense': this is the document of its historical effectiveness. Common sense is not something rigid and immobile but is continuously transforming itself, enriching itself with scientific ideas and with philosophical opinions which have entered ordinary life." In other words, common sense dynamically borrows from different narratives, purporting to reconcile competing myths and ideas.

As mentioned in an earlier section, the layered nature of hegemony creates conditions where policies, practices and specific actions contradict supposedly upheld values—and where some of these values themselves are laden with contradiction. In *The Romance of the State*, Nandy highlights the ways in which developmentalist ideology places the priority of material wealth above those of democracy and cultural integrity. The Republic of India was founded on the principles of secular republicanism, anti-imperialism, communitarian federalism and nationalist developmentalism—a complex amalgamation of narratives rooted in both the colonial legacy and the reaction to that legacy. National and state policies in subsequent decades have sought to strike a balance between these competing imperatives. We can see this in the Nehruvian "third way"

mixed economic model of India's early decades, the sweeping land reform acts in Bihar and West Bengal, the establishment of the panchayat raj throughout India, and the national economic reforms of 1991.

Hegemonic constructs have often served the ends of social stratification on the basis of heredity, economic class, race, ethnicity and gender, among other fault lines. Historically, laws have been used to codify these distinctions, branding certain groups of people as superior to others and granting them exclusive privileges. The caste system in much of India, for example, conferred certain privileges to upper castes while barring lower castes and "untouchables" from a range of places and activities.[27]

The layered nature of hegemony creates space for this stratification even in societies that claim to place a high value on equal opportunity. The paradox of continued American slavery despite a founding document which declared that "all men are created equal" is one example of such stratification. It was thus, also, that Enlightenment ideals came to be used to justify the endorsement of caste hierarchy and the creation of a de facto landed nobility in the zamindari provinces of colonial India.

The colonial legacy has shaped social hierarchy in many instances throughout the developing world. In *When Victims Become Killers*, Mahmood Mamdani chronicles how European colonizers, acting on their own beliefs, created a narrative of racialized difference between Hutus and Tutsis in Rwanda, deeming the latter a "superior" breed

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[27] As we will see in a subsequent chapter, the British colonial administration codified caste distinction in new ways, rigidifying boundaries between *varnas* (caste groups) and creating a framework for a legacy of considerable structural violence.

and bestowing upon them elite status vis-à-vis their Hutu neighbors.[28] Tutsis were

assigned intermediary positions of authority in the colonial bureaucracy; Hutu village

chiefs were replaced with Tutsis; and the Hutu majority was transformed into a

permanent underclass beneath a Tutsi aristocracy, which in turn served at the pleasure of

the Belgian colonists. Each Rwandan received an identification card indicating the

ethnicity of the bearer, a practice that continued until the 1990s. By the time the Belgians

left in 1959, many Hutus viewed the Tutsis as an extension of the colonial establishment.

After independence, the colonially imposed racial hierarchy was quickly flipped on its

head as the Hutu majority seized political dominance and brutally subjugated the Tutsis.

In 1994, decades of broiling tension finally erupted in blood-drenched catharsis.

Mamdani notes that having imposed their racialized ideology on Rwandan

society, Europeans (especially the Belgians, who took Rwanda from Germany after

World War I) proceeded to convert ideology into "institutional fact." In other words,

Belgian colonists imprinted cultural hegemony into administrative structure. In doing so,

they gave lasting life to their own pseudoscientific misconceptions about ethnic

superiority and inferiority, reinforcing their beliefs through the institutional framework—

a framework whose basic structure and practices could not simply be erased. When

Rwanda became independent, the institutionalized hegemony of ethnic stratification

remained behind. Though the Tutsi elite was dismantled, the cultural narrative of the

inherent difference between the two groups remained.

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[28] Mamdani, 2001.

The social strife that culminated in the Rwanda genocide teaches us a lesson about the ways in which colonial legacies can shape societies and institutions. When colonial powers ruled indirectly through empowering local elites, the result was often a disruption of social equilibrium and an erosion of pre-existing norms of reciprocity between different groups of people. These norms were often difficult for Europeans to perceive because they were not institutionally formalized. The stratification of the Tutsi-Hutu division in Rwanda, the rigidification of caste systems throughout India, and other instances of elite empowerment during late European colonialism constitute what I will refer to as patterns of structural violence.

"Neopatrimonialism" and the Loss of Democratic Reciprocity

Anne Pitcher, Mary Moran and Michael Johnston (2009) notably bristle at what they believe to be a persistent conflation of the Weberian term "patrimonialism" with political corruption in current scholarship. This conflation may come naturally to Western scholars who have adopted bureaucratized procedure as both the ultimate means and end of social and political order. Pitcher, Moran and Johnston, however, note that the traditional, patrimonial forms of legitimacy discussed by Weber, although based largely on the personal authority of an individual or small group, contained strong elements of reciprocity between ruler and ruled: "The parties to a patrimonial arrangement, according to Weber, are highly aware of their mutual dependence and have institutionalized means of holding each other accountable."[29] In other words, there are

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[29] Pitcher, Moran & Johnson, 2009: 139.

democratic, institutional elements in the practices of people in such patrimonial arrangements.

This seems to echo a sentiment expressed by early twentieth century British anthropologist R.S. Rattray, who lived in present-day Ghana and studied the Ashanti people. In *Ashanti Law and Constitution*, Rattray writes:

> Nominally autocratic, the Ashanti constitution was in practice democratic to a degree…An Ashanti who was familiar alike with his own and our [British] constitution would deny absolutely our right to apply this term ["democratic"] either to ourselves or to our Constitution. To him a democracy implies that the affairs of the Tribe (the state) must rest, not in the keeping of the few, but in the hands of the many, that is, must not alone be the concern of what we should term "the chosen rulers of the people," but should continue to be the concern of a far wider circle…In England, the government and the House of Commons stand between ourselves and the making of our laws, but among the Ashanti there was not any such thing as government apart from the people.[30]

It is not my purpose to say that colonized societies have received nothing of value from their colonizers, but it is clear that the Western means of classifying regimes cannot be used to adequately describe pre-colonial Ashanti society.

Two additional points need to be made here. First, we should point out that the community-based democracy described by Rattay mirrors in some ways the normative projects of many post-liberal and radical democratic political theorists. The idea that government cannot be separated from the governed is at the heart of Jean-Jacques Rousseau's concept of the general will. For Rousseau, the best form of political

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[30] Rattray, 1929. Quoted in Gyekye, 1997: 127.

association was one that produced "a moral and collective body…which receives from this same act its unity, its common self, its life and its will."[31]

Parliamentary democracy has long been decried by Marxists, radical democrats and post-colonial thinkers alike because of the manner in which it substitutes the act of voting for true citizen participation in government. Karl Marx noted the distinction in a parliamentary democratic system between political society (where all citizens have equal representation through voting rights) and the far more consequential civil society (where wealth, ownership and other factors create a realm of exploitation that is masked by political rights).[32]

Ironically, although traditional Ashanti political relations were characterized by what we can call democratic norms and practices, the introduction of bureaucratic-institutional forms of democracy in more recent times has been fundamentally undemocratic. This brings us to our second point, which is that the imposition of Western-style institutions in African and other post-colonial states is an example of both direct and structural violence. The state boundaries of Africa, for example, were carved by European powers at the Berlin Conference in the 1880s, regardless of pre-existing ethnic and cultural boundaries.[33] When these states became independent in the second half of the twentieth century, they inherited the bureaucratic infrastructure and legal systems of their respective erstwhile colonizers (e.g. former British colonies like

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[31] Rousseau, 1987: 148.
[32] Marx, 44-45.
[33] For a thorough discussion of how the arbitrarily delimited states of Africa have survived, see Robert Jackson and Carl Rosberg, 1982.

Zimbabwe, Tanzania, et cetera. adopted common law while former French colonies such as Mali and Gabon adopted continental civil law).

European colonial powers were aware of the disruption that might be caused by a total upheaval of existing political institutions in the colonies. British officials in India like Sir Warren Hastings and Sir Henry Maine stressed the importance of allowing their colonial subjects to maintain their own customs. Thus, out of caution, colonial officials enforced what they perceived as existing systems of governance.

Mamdani (1996) notes that, in fact, colonial legal systems in Africa were bifurcated: there was a centrally administered system of civil law and power on one hand, and a decentralized system of customary law on the other. However, "customary law" was in many cases administered and enforced in a manner that was foreign to indigenous populations. European perceptions about African and Asian cultural and political institutions tended to be overly simplistic and missed the nuances of networks of accountability and reciprocity that made these institutions sustainable. Colonizers perceived African and Asian institutions as despotic and stratified, and the frameworks they enforced through "customary law" mirrored this perception. Village chiefs who heretofore had ruled subject to constraints from peers and subjects were now liberated from these constraints and soon became despots. Zamindaris (landlords) in certain parts of British India were similarly freed from any semblance of reciprocal responsibility. Caste systems in India were rigidified as the colonial administration empowered Brahmins and Kshatriyas in strange new ways. Mamdani made the point that this legal bifurcation was most extensive in Africa, where "custom" defined much of the legal infrastructure for natives. India, he said, was different:

> For in the development of a colonial customary law, India was really a halfway house. Whereas in India the core of the customary was limited to personal law, in Africa it was stretched to include land. Unlike the variety of land settlements in India, whether in favor of landlords or peasant proprietors, the thrust of colonial policy in Africa was to define land as a communal and customary possession.[34]

As we will see in subsequent chapters, the Indian land settlements that Mamdani mentions were often structurally violent in their own way.

The fact that these bifurcated bureaucratic structures were externally imposed poses a significant problem for the future development prospects of these states. In his seminal work on the birth of the modern European state, Charles Tilly details how bureaucracies gradually evolved in Europe as monarchs expanded their war-making capacities.[35] In transplanting these same institutions into their colonies—even whilst purportedly allowing them to maintain their respective traditional systems, Europeans ignored this fact. To assume that post-colonial societies will grow into these institutions is to ignore the multitude of deeply embedded norms and practices that have held these societies together for centuries.[36]

In addition, Atul Kohli notes that colonization in Nigeria (as in other African states, and to a lesser extent India) was extractive in nature compared to the more investment-heavy Japanese colonization in East Asia.[37] In many cases, the Europeans focused mainly on extracting raw materials from and selling finished products to these

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[34] Mamdani, 1996: 50.

[35] Tilly, 1992.

[36] For more on the superficiality of imposed institutions in African states, see Jeffrey Herbst, "Responding to State Failure in Africa," *International Security*, Vol. 21, No. 3, 1996.

[37] Kohli, 2005.

colonies, and little thought was given to building infrastructure or laying the foundations for a functioning state. Elite empowerment on the behalf of the colonizers sowed the seeds of discord, resentment and class conflict in subsequent decades.

The rather violent hegemony of state structures and the international system, which has dominated global politics at least since the end of World War II, has created and currently maintains the Western-style rational-legal parliamentary systems and bureaucracies that exist in many post-colonial states today. The phenomenon that we know as political corruption is a defining feature of these neopatrimonial states. It includes all instances where individuals within bureaucratic apparatuses hijack the mechanisms of those institutions for their individualized purposes. This includes, but is not limited to, the soliciting of bribes, embezzlement of government funds, nepotism, cronyism and patronage. These practices prevail to the extent that the institutions have not gained legitimacy in their respective cultural contexts. As we mentioned earlier, all states experience some degree of friction between the rational-legal system and the interest of the individual official or bureaucrat; rational-legal order is never complete and legitimacy is never absolute. What distinguishes neopatrimonial states from other states with rational-legal systems is that in the former, these extralegal practices are so widespread as to be crippling to the state.

Generally, when present-day scholars in the West speak of "democracy," they are referring to parliamentary democracy. We would not call traditional Ashanti society "democratic" because it did not contain the institutions that we associate with representative democracy such as elections, nor was it based around a Western-style bureaucratic order.

The phenomenon of competitive authoritarianism, which has been the subject of much scrutiny in comparative politics, is at least partially attributable to this absence of connection between legitimate practice and institutions. As Steven Levitsky and Lucan Way have pointed out, once the Cold War ended, the United States began to distance itself from its erstwhile authoritarian client states, and put pressure on many of these states to democratize.[38] As a result, the 1990s saw the emergence of democratic institutions in a slew of formerly authoritarian developing world states. However, in many cases, these democratic institutions were soon subverted by ruling elites, and meaningful civil and political rights never took hold.

The failure of democratic consolidation in these former client states has often been explained as the result of an underdeveloped political culture, including a dearth of civil society traditions conducive to democracy. But Rattray and Kwame Gyekye have shown us that the story is not quite so simple, and that many societies in Africa and elsewhere in the developing world have traditionally operated under their own cultural mechanisms of accountability and reciprocity. Just as Western-style rational-legal institutions can be subverted into competitive authoritarian orders when they lack a cultural grounding, the rules governing the societies of the Akan, Ashanti and others would have had very different meanings without these culturally inscribed modes of reciprocity. Culture and institutions must work together. This is why these societies are "nominally autocratic" to the eyes of the Western observer, and this also seems to be

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[38] Levitsky and Way, 2002.

why, when the traditional patterns of authority and reciprocity are disrupted, new forms of rule may produce weak states, autocracy and corruption.

Neopatrimonialism as a Manifestation of Structural Violence

In recent years, many scholars have assumed that neopatrimonialism is strictly an authoritarian phenomenon. Gero Erdmann and Ulf Engel write, "There seems to be agreement that neopatrimonial rule belongs to the realm of authoritarian regimes. Democracy is closely linked and dependent on the rule of law and thus dependent on legal-rational bureaucracy and its rules."[39]

This view appears to assume that neopatrimonialism is a cut-and-dry concept, that states can be neatly divided into "neopatrimonial" and "not neopatrimonial" (much like the line some scholars try to draw between democracies and autocracies). It is certainly true that functioning democracies require a certain degree of rule of law, but it is quite clear that neopatrimonialism exists in degrees, and that even stable democratic states exhibit some elements of the phenomenon. This is especially true in many post-colonial states that are characterized as "free" or "democratic" according to international observers like Freedom House. India, the world's largest democracy, is rife with neopatrimonial relations, as are "flawed democracies" Ghana and Mali in West Africa.[40]

We mentioned earlier that the imposition of Western-style bureaucratic institutions in non-Western societies was and is an instance of both direct and structural violence. That the initial foisting of bureaucratic institutions onto these societies

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[39] Erdmann & Engel, 2006: 9.
[40] *Freedom in the World 2011*. Washington: Freedom House, 2011.

involved direct violence should require little further elaboration: colonization was a violent affair in which traditional norms and political structures were forcefully subverted and displaced. To the extent that the continuing disconnect between institutions and practices contributes to state weakness and failure, war, poverty, corruption and oppression, there is structural violence in the perpetuation of these institutions through the colonial era and the subsequent several decades of statehood.

Recall that structural violence need not have a subject; such is it with the illegitimate political and legal regimes that emerged in the wake of colonialism. These mostly inherited regimes have become self-perpetuating systems, left intact because of convenience and because they were thought to be the most conducive to the nation-state paradigm (as they had coexisted for centuries with the nation-states of Western Europe). The founding leaders of the post-colonial African states kept these systems in order to smooth the transition from colonial to sovereign rule; in essence, they had little choice but to do so. Despite their incongruity with the societies bound by them, these bureaucratic structures had become embedded in these fledgling states before they were even born.

The results have varied by country, region and community. In certain cases, societies have adapted reasonably well to rational-legal institutions. In others, the situation is far less encouraging. In the worst cases, corruption pervades every level of the state and its relations with society. In the space referred to by Migdal as "the trenches," tax collectors may habitually solicit bribes or neglect to collect taxes from members of their own ethnic groups. When widely practiced, this in turn would deprive the state of a considerable amount of revenue that may otherwise have been used for

improving infrastructure or providing a social safety net for the country's most marginalized citizens, greatly diminishing the ability of a large number of people to meet their own needs—and thus inflicting violence on them. The practice of politicians using patronage to ensure the loyalty of key ethnic groups or communities has a similar violent effect in that it denies resources to those outside of these groups. Nepotistic practices in the hiring of government officials often ensure a lower quality of government service than may exist with a more meritocratic hiring system, and the quality of life for citizens may be considerably poorer as a result.

It is reasonable to ask about the potential normative and policy implications of viewing neopatrimonial relations in post-colonial societies as a manifestation of structural violence. As I see it, there are two responses to this question. To begin with, there is the normative implication regarding the responsibility for the problems that plague the states of the post-colonial world, including corruption and patronage in government. Some policy-makers have been quick to blame individual government officials or cultural norms for the many failures of post-colonial states. Viewing the issue in the light of structural violence suggests that the problems run deeper than the individual leadership. I believe that the normative thrust of the term structural violence adds urgency to the matter and conveys a sense of responsibility even if this particular form of violence does not require a direct agent. Secondly, if we accept the idea that the existing political and legal regimes in post-colonial states are problematic within their respective cultural contexts, it becomes necessary to devise new systems that both incorporate indigenous cultural values and allow their respective societies to be represented in an increasingly interconnected geopolitical sphere. Currently, the nature of the global economic system

puts many of these countries at a disadvantage. The commodification of land and other goods and services was a strange and foreign concept in many of these societies, and while many of them have adapted to some extent, a disconnect between culture and institutions still exists. In addition, the effects of the initial shocks and displacements caused by the institution of these systems are still being felt today, and seem to have caused certain regions to lag behind others in development.

There are three questions that should be addressed at this point. (1) Why is it necessary/how is it possible to describe colonial legacies as structural violence? (2) Why was the era of European colonialism more structurally violent than previous invasions and upheavals by outside forces? (3) Given the diversity of colonial policies, of relationships between colonizer and colonized, and of post-colonial outcomes, how and to what extent is it possible to group all of these legacies under the umbrella of structural violence?

(1) To answer this first question, we need to revisit our definition of structural violence. Earlier we defined structural violence as existing when social, political or economic structures stand in violation of another layer of cultural norms, with the effect of systematic harm to individuals and communities. In colonized societies, organic norms and networks of accountability were superseded and displaced by colonial institutions. Even when colonizers purported to preserve existing institutions as they perceived them, colonial policy served to dismantle cultural institutions of reciprocity, empowering certain actors and disempowering others in a way that was ultimately harmful. At their most successful, colonial and postcolonial institutions of reciprocity have taken a different form, dispensing political and economic power according to the

model of Western democratic capitalism, often at the expense of cultural group identities. This is an issue that will be explored in some of our case study chapters.

(2) In many cases, European colonial rule in the developing world constituted only the most recent period of foreign invasion and institutional displacement. Given this, some may argue that notions of a pre-colonial norm as a reference point are absurd, and therefore that so is the idea that colonial legacies are particularly structurally violent. It is true that the Western scramble for land was not the first time most of these societies had experienced foreign invasion, and that many of these prior invasions were quite disruptive. The difference was that for the most part, previous waves of invasion had left local organic institutions with room to breathe, usually because they lacked the resources to fully penetrate the dominant patrimonial arrangements throughout their territories. European colonial rule brought with it high-modernist ideology and a civilizing mission, along with the resources necessary to uproot social arrangements to the degree that they saw fit. The post-World War II era of decolonization coincided with a newfound rigidity in state boundaries, and in many of the institutions these states inherited. In short, the legacy of colonial rule is the most relevant legacy of displacement because it is the most recent and the most pervasive. Many developing world institutions are still locked in a European colonial framework, sustaining European colonial practices from generation to generation.

(3) So under what circumstances does a colonial legacy yield structural violence? This is the central question that we will address in subsequent chapters. A number of factors are important to recognize here, including the difference between direct and indirect colonization; states and regions that contained urban hubs of colonial investment

and those that did not; modes of taxation and bureaucratization within colonial

subdivisions; the degree of linguistic homogeneity; and the adaptability of existing

cultural narratives to Western political and bureaucratic models. Within the context of

India, it appears on the surface that whether a state was directly or indirectly ruled during

the colonial era has little influence on developmental outcomes. There is only a slight

statistical correlation between the proportion of a given state that had a direct colonial

legacy and that state's score on the human development index. But a deeper examination

of colonial rule on one hand and political, institutional and economic development on the

other within four subnational Indian states demonstrates that the nature and intensity of

colonial involvement played a key role in those outcomes. The next chapter will entail an

introduction to the empirical framework of this project.

CHAPTER 2. EMPIRICAL FOUNDATIONS OF STRUCTURAL VIOLENCE

In the previous chapter, we discussed the theoretical foundations of structural violence. We established that violence does not merely consist of a specific act by a particular agent, that it can take on a life of its own. It seeps into the social fabric and eats away at the lives of communities and individuals. We asserted that such violence exists in the legacy of late colonialism across the global south.

This chapter marks the introduction to the empirical part of this project. It will include a partial review of the literature on the relationship between different types of colonial legacies, corruption and development, as well as on different ways that the phenomena we are discussing have been studied. This is followed by an introduction and brief historical synopsis of each of the four case studies to be discussed in later chapters with emphasis on the particular manifestations of structural violence in each case. Finally, the chapter will include a discussion of the methods that we will use in the furtherance of our empirical claims. Over the course of the chapter, I will frequently return to the concept of structural violence and the ways in which it manifests in post-colonial corruption and impediments to development.

Review of Literature

The case studies to be discussed in subsequent chapters will explore the structural violence of postcolonial institutional failure. Each case study will involve a subnational state within India. I have chosen to look at India partially in order to combat the notion that neopatrimonialism only exists in authoritarian states, and partially because it offers diversity in terms of wealth, culture and degree of structural violence while at the same

time controlling for geographic region and former colonial patron. The case studies will involve delving into the pre-colonial institutional history, colonial administration, and present-day institutions of the areas in question. There has been a fair amount of research that has broached these subjects. Banerjee and Iyer argued that the divergent economic outcomes in Indian states can be explained by differences in pre-colonial property rights institutions and how the British dealt with these institutions.[41] Along with Rohini Somanathan, these same authors note that more direct British rule (as opposed to mere tribute collection from princely states), concentrated landlord power, and social fragmentation on the basis of caste and religion were all associated with lower access to public goods.[42]

Before presenting their findings, Banerjee et al speculate about what they expect to be the relationship between direct British rule and social divisions:

> …on the one hand, British rule in India was explicitly built on the principle of "divide and rule"—solidarity among Indians was discouraged. Moreover British rule led to a concentration of power in the metropolitan centers and an emphasis on an English education, which contributed to the creation of a new metropolitan-focused Indian elite, cut off from the rural areas where most Indians lived. On the other hand, the British probably helped to modernize Indian society to some extent, for example by introducing a degree of meritocracy through the system of public exams. By contrast the rulers of the native states were clearly more invested in the traditional structures of authority, including the caste system.[43]

Much of the literature on corruption would suggest that the creation of an English-educated elite and the institution of meritocratic procedures for civil service hiring would decrease levels of corruption. If this is the case, then we should expect states with a

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[41] Banerjee & Iyer, 2005.
[42] Banerjee, Iyer & Somanathan, 2005.
[43] Ibid, 640.

greater degree of direct British rule to be less corrupt than states that were mostly comprised of indirectly ruled princely states. Data compiled by Nicholas Charron, however, indicate that states that were mostly directly colonized are on average slightly more corrupt than states that were indirectly ruled,[44] though there does not seem to be a statistically significant correlation here. In addition, the directly ruled states have on average slightly lower scores on the HDI than their indirectly ruled counterparts. On the district level, the correlation between direct rule and poorer access to public goods such as health care and education is much greater.[45] Banerjee et al attribute this to the social divisions that were created by the landlord system of revenue collection set up by the British in many areas.

Nicholas Charron's corruption index, which provides us with a good starting point for measuring corruption, makes use of a compilation of survey data on perceptions of corruption collected from respondents within each of the states in his analysis. In his assessment of the relationship between corruption and economic growth, Paolo Mauro (1995)[46] uses indices compiled by Business International on "corruption, red tape, and the efficiency of the judicial system." These indices are calculated using fixed written survey questions "filled in by BI's correspondents stationed in about 70 countries."[47] Of course, the problem with this survey method is that the subjectivity of the correspondents' responses is likely to color the evaluations.

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[44] Charron, 2010: 185.

[45] Banerjee et al, 646.

[46] Maoro concludes that there is a negative causal relationship between corruption and investment, and that therefore corruption is generally damaging to a country's economy.

[47] Maoro, 682.

There is a statistically significant correlation of -.572 between Charron's corruption index and the HDI (see Fig. 1). The most significant outlier is the capital of New Delhi, which has a very high HDI score despite a corruption score within the middle range of Indian states. Of course, this does not mean that there is necessarily a causal relationship between corruption and the distribution of public goods. But an examination of the long-term effects of British-imposed landlord systems in Bihar (which we will discuss shortly) demonstrates how these systems had a tendency to institutionalize corruption and neglect in local governance, which in turn likely had a negative impact on the local economies, infrastructure, health and education.

Because corruption lies at the heart of the structural violence that we seek to examine, it may be worthwhile to explore some of the literature on the causes of political corruption. Writing over fifty years ago, Jacob von Klaveren stated that corruption "is built on the underlying principle that the people are subjected to the control of officials. Thus there exists a regulating principle, which gives to the officials and other intermediary groups a public existence with a purpose of their own."[48] It follows from this statement that any bureaucratized system is potentially subject to corruption, as long as individuals are entrusted with a public function that is independent of their private interests. This echoes our earlier point that a perfect rational-legal bureaucracy is practically impossible. As we have also discussed, state bureaucracy is infused with violent force—and bureaucratic structures may be organized and interpreted by their constituent members in ways that form structurally violent relations with respect to the public they purportedly serve. This can happen when these constituent members en

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[48] Van Klaveren, 1957: 85.

masse subvert their rational-legal function to identity politics on the basis of religion, sect or caste. It can also happen when institutions are designed as forces of colonial occupation, and when the internal culture of these institutions survives the demise of the colonial regime.

Samuel Huntington (1968) pointed out a link between "rapid social and economic modernization" and corruption. He argued that the introduction of new norms and laws rendered established patterns of behavior unacceptable and corrupt.[49]   This is a modified version of our view that corruption stems from a disconnect between culture and institutions. In Huntington's estimation, corruption is normative, somewhat like our conception of violence. But whereas we would say that structural violence exists in pre-bureaucratic practices that are ultimately harmful to the communities that practice them, Huntington argues that corruption simply does not exist without norms and institutions that label it such. While he maintains that corruption "weakens…the government bureaucracy," he also suggests that "the corruption of one governmental organ may help the institutionalization of another."[50]

In the same piece, Huntington contends that, because corruption is a symptom of the weakness of political institutions, efforts to combat corruption ought to focus on institutionalization. This is likely the case, but the question remains whether these efforts should concentrate more on strengthening existing institutions through vigilance and

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[49] Huntingdon, 1968.
[50] Ibid, 261.

force or on reforming these institutions in a way that enables them to adapt to indigenous cultural realities.

It is debatable whether all corruption is violent. In many countries, an enormous amount of economic activity takes place through informal, extralegal channels, and in many cases these networks of legally corrupt activity not only provide a livelihood for a vast number of people, but also become integral cultural elements of their respective states. Because our primary concern is structural violence, here we are focusing on those instances of corruption that are in fact harmful and violent to the communities and individuals affected by them. But this raises the question of whether there are instances in which this is not the case.

Susan Rose-Ackerman rather narrowly defined corruption as "an illegal payment to a public agent to obtain a benefit that may or may not be deserved in the absence of payoffs." Even if we assume that "payoffs" refer to more than just monetary payments, this definition does not capture all of the instances of corruption relevant to our study. Nevertheless, Rose-Ackerman provides us with the important argument that although corrupt practices may allow bureaucracies and markets to operate more efficiently in the short-term, they may undermine both fairness and state legitimacy, which ultimately hinders economic development and growth.[51] This is key not only to the question of the relationship between corruption and violence, but also the broader issue of the relationship between structural violence and legitimacy. Rose-Ackerman's argument

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[51] Rose-Ackerman, 1997: 353.

reinforces the idea that corruption—including that which stems from the failure of institutions to account for norms—perpetuates structural violence.

Jean-François Médard (1998) addresses the familiar subject of corruption in neopatrimonial African states. He contends that because most African states lacked a national bourgeoisie, the State became the means of economic accumulation, "both directly and indirectly." Thus the line between the political system and the economy was blurred, and government became a means of extracting economic resources. "In Africa, because of straddling, the differentiation between the business world and the political spheres is less clear. Politicians are businessmen and businessmen are politicians. However, it is in their interest, politically speaking, to redistribute part of the stolen money to keep their political clientele."[52] It seems worthwhile to add to this analysis the fact that the colonial legacies in these states were extractive in design and in nature; because they formed much of the foundation for the subsequent post-colonial states, it makes sense to include these legacies among the causes of contemporary corruption.

That more direct British rule was correlated with poorer access to public goods in India may seem counter-intuitive to some. After all, one might expect that direct British administration would serve as a modernizing influence and foster the development of democratic and rational-legal values, while princely states would tend to reinforce more traditional values. To some degree, this may have been the case. But we must keep in mind that the colonial strategy was largely based on the principle of "divide and conquer," which itself is perhaps one of the most blatant forms of structural violence.

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[52] Médard, 1998: 383.

At this point, I must make something clear: regardless of whether they were directly or indirectly ruled, the subnational states of India are all subject to the structural violence of the post-colonial, outsider-imposed bureaucratic order. All of the states in newly independent India adopted Westminster-style parliamentary forms of government and rational-legally-designed bureaucratic institutions, as have the newer states that have emerged in subsequent years. Pre-existing organic institutions were upended to some degree or another in all of these cases.

Recent scholarship has tackled the question of which types of colonialism are a greater breeding ground for long-term structural violence. Matthew Lange (2009) argues that, among former British colonies, those that were ruled more directly have subsequently tended to exhibit more favorable developmental outcomes.[53] Using both statistical analysis and a number of in-depth case studies, Lange concludes that the British were able to establish well-functioning bureaucratic institutions in their directly-ruled colonies, which in turn laid the groundwork for development in the post-independence era. Conversely, he argues, indirect British rule tended to operate through intermediary local elites, thereby creating or reinforcing social stratification and patronage networks, which impeded the creation or maintenance of strong, meritocratic institutions and inhibited development.

Both Lange and James Mahoney (2010) make the case that the directly ruled colonies of "liberal" colonial patrons such as Britain tend to have better post-colonial developmental outcomes than indirectly ruled colonies of the same.[54] But unlike

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[53] Lange, 2009.
[54] Mahoney, 2010.

Mahoney, Lange does not make any particular distinction between "settler" colonies and "directly ruled" but unsettled colonies. Lange uses Mauritius as his case of "direct rule and development"—meant to support his hypothesis that direct British rule enabled a colony to become relatively prosperous after independence. It should be noted that Mauritius was completely uninhabited before it was settled by Dutch sailors at the end of the 16th century, meaning that there was no "pre-colonial" state or society in Mauritius. Indigenous norms and societal institutions could not have an impact on the colonial or post-colonial Mauritian state because such indigenous factors never existed. In fact, many of the British colonial "success" stories pointed to by Lange were in fact settler colonies in which the indigenous populations either never existed, were very small in size, or were dwarfed or destroyed by the settlers. While the vast majority of Mauritius' population was forcibly transported to the island colony, the fact that none of them originated as Mauritians meant that there was no collective subaltern identity. Though Lange attributes the developmental success of settler colonies to the creation of strong legal-administrative institutions, the lack of a shared pre-existing culture whose adherents would be predisposed against recognizing the legitimacy of the colonial apparatus (and its post-independence successor) should not be dismissed as a factor in that success.

In his abbreviated case study of India, Lange claims that "the more directly ruled regions of India have higher levels of development than the more indirectly ruled regions,"[55] but he provides no elaboration on this point. In fact, judging from the findings of Banerjee et al (cited earlier) and from the cases that we will examine in subsequent chapters, the more direct form of British rule in India appears to have been

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[55] Lange, 176.

the most damaging (when controlling for other factors, which will be discussed in the case studies). That the Indian state with by far the highest HDI score (Kerala) was indirectly ruled while the state with the lowest score (Bihar) was (more) directly ruled flies in the face of the direct-good, indirect-bad model.[56]

In any case, if one disregards India, the hypothesis of Lange's book does seem to hold together fairly well in most cases, if only regarding British colonialism.[57] On its face, Lange's theory would appear to directly contradict the notion that the imposition of Western-style bureaucratic institutions leads to structural violence. But a close examination of his case studies reveals that the major reasons for the developmental lag of the indirectly ruled cases have to do with British colonial influence. In his chapter on Sierra Leone, Lange notes that "imperial rule radically transformed power relations throughout the Sierra Leone protectorate…the British dismantled the hierarchical structure of the indigenous federated states [and] constructed new chiefdoms, the number of which fluctuated throughout the colonial period and depended primarily on the whims and interests of the administration."[58] Later, Lange notes that such disruption was the norm in indirectly ruled African colonies. In other words, indirect rule often did not mean leaving indigenous governing institutions in place; rather, it tended to violently disrupt existing systems and organize intermediaries in a way that would serve the

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[56] India was so large that even the colonial bureaucratic administrations in the more directly-ruled regions often had to rely on intermediaries, as in Bihar. In a sense, then, one might say that the experience of some of the directly-ruled regions of India mirrored that of indirectly-ruled states elsewhere in the British Empire.

[57] Lange is careful to stress that his hypothesis is specifically designed to apply to British former colonies. James Mahoney shows that the erstwhile directly-ruled colonies of more mercantilist colonial patrons actually fared far worse than their indirectly-ruled counterparts.

[58] Lange: 99.

colonial patrons at the expense of indigenous peoples. What doomed many of the

indirectly ruled colonies was not just the lack of direct rule but this dismantling of

indigenous governing structures in favor of intermediary colonial proxy systems. As

Mahoney points out, "Less extensive liberal [read: British] colonialism introduces

problematic governance institutions…when liberals indirectly and incompletely rule their

colonial territories, they empower only a small group of elite allies and subordinate all

others…[creating] a polarized society."[59] In such cases, it typically becomes nearly

impossible to crack the entrenched power of the intermediary elites. These elites resist

colonial attempts at reform and eventually become the undisputed power centers in a

despotic, corrupt post-independence regime. These cases of indirect rule, then, are a

prime example of structural violence.

In his most recent book *Colonialism and Postcolonial Development*, Mahoney

makes a distinction between "mercantilist" and "liberal" forms of colonial rule. He

focuses most extensively on the states borne out of the Spanish colonial empire in the

Americas, which exemplified both of these types: mercantilism under the Habsburg

monarchy that ruled Spain before 1700; and liberalism, which was introduced through

colonial reforms under the subsequent Bourbon monarchy. Mahoney contends that the

mercantilist colonialism of the Habsburg era focused more heavily on areas with highly

complex pre-colonial societies and civilizations, and that the regions most central to the

Habsburg empire would be at a relative disadvantage in terms of post-colonial

development. Conversely, he argues that the liberal mode of colonialism introduced

under the Bourbons concentrated more on sparsely-populated areas with low levels of

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[59] Mahoney, 2010: 29.

social and political complexity, and that the "core" areas of the Bourbon empire would tend to fare better in post-colonial development than would the "peripheral" areas.

Following a passage from Adam Smith's *Wealth of Nations* (1776), Mahoney asserts that British colonialism was on the whole much more liberal than her colonial peers from the same era, and therefore that one would expect those former British colonies that experienced more direct rule to have stronger developmental outcomes than their indirectly ruled counterparts. In the course of his discussion of the British Empire, Mahoney discusses the "hybrid" nature of colonialism in India. He argues that because of the vastness of India's population relative to the size of the colonial administration, "both directly and indirectly ruled areas experienced rather low levels of colonial influence."[60]

Mahoney heavily implies that all of colonial India was, in most respects, an indirect colony: "Even in the directly ruled areas, officials relied on indigenous elites for a number of functions because of the general absence of the colonial administration, especially in the countryside."[61] In other words, the strong bureaucratic and legal institutions usually present in direct liberal colonialism, which Mahoney and Lange believe to be associated with a positive post-colonial development trajectory, were largely absent in much of colonial India.

Aside from "settler colonies," the prime examples of "direct" British colonization that Mahoney refers to are Hong Kong and Singapore. Mahoney rightly notes the high levels of development enjoyed by both of these former colonies. However, he does not

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[60] Mahoney: 240.
[61] Ibid.

account for the fact that both Hong Kong and Singapore were city-colonies, with highly concentrated populations. Economic and political modernization tend to come easier to cities than to the countryside; this could be a lurking variable, having more to do with Hong Kong and Singapore's success than the "directness" of their colonial experiences. Of course, direct British rule is what transformed Hong Kong and Singapore from small fishing villages into economic powerhouses within the British Empire. But this only suggests that direct British rule was more beneficial to the cities it propped up as trading ports than to the hinterlands. Similarly in India, economic development in the countryside (whether in directly or indirectly-ruled areas) lagged far behind that in commercial hubs like Bombay. Of course, the main difference between Singapore and Bombay was that the former was an autonomous city-state after 1965.

Finally, in a new book provocatively titled *Why Nations Fail,* Daron Acemoglu and James Robinson posit that institutions constitute most (if not all) of the story behind political and economic discrepancies between states.[62] They make a rather compelling argument, dispelling explanations about geography and culture by pointing to the differences between North and South Korea and adjacent towns straddling the border between the United States and Mexico. The early adoption of quasi-democratic institutions in the English North American colonies laid the groundwork for robust democracy, innovation and economic growth; meanwhile, the plantation oligarchies of Mexico kept the country mired in institutional weakness, economic stagnation and authoritarianism. Turning to the more recently decolonized societies of Africa and Asia,

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[62] Acemoglu and Robinson, 2013.

the authors contend that the legacy of European domination and exploitation is largely responsible for the plight of many of these countries.

Acemoglu and Robinson argue that development of South African private property institutions were curtailed by Europeans who deliberately impoverished Africans because they wanted to create a black underclass to serve the white settler minority. Indeed, this appears to have been the case. But not every case of colonial domination was so starkly exploitative. This story does not account for cases where Europeans came with "civilizing missions," seeking to either establish new institutions meant to foster capitalist development or to strengthen and codify existing ones. As we will see in the next chapter, there were elements of both of these types of policy in the British Bengal Presidency in eastern India.

The authors posit that development was curtailed or reversed in Africa through colonial (and, in the case of South Africa, post-colonial) institutional design. This is a sentiment on which I largely agree, and indeed this forms the basis of an intentionally constructed form of structural violence (intentional in its design and structural in its ongoing effects). But particularly in the case of South Africa, many of these old structures have been formally disintegrated and replaced with multiparty, multiethnic democratic institutions. If institutions are the only thing that matters, as Acemoglu and Robinson seem to suggest, then it stands to reason that we should see greater prosperity for black South Africans now that Apartheid has ended. Instead, conditions have actually worsened for the black majority in South Africa over the last twenty years. Acemoglu and Robinson seem to ignore the lingering effects of the dismantled institutions and the cultural interpretation of new institutions. Many countries that have adopted multiparty

democratic elections have failed to substantively democratize because parties become hijacked by sectarian ethnic or religious interests, which serve to instigate social unrest.

Defenders of Acemoglu and Robinson would likely argue that institutional change in these countries has been superficial and that the competitive authoritarian states of sub-Saharan Africa, for example, retain much of the institutional structure that propped up autocracy in previous decades. Again, this is a viewpoint to which we are very sympathetic. But this brings us into the murky question of what exactly an institution is. Many deeply authoritarian or rampantly corrupt states have formal constitutions that enshrine democracy, egalitarianism and accountability. The problem is that these institutions are subverted by entrenched economic or cultural elites.

In their chapter "Breaking the Mold," Acemoglu and Robinson point to three late nineteenth century tribal chiefs in Bechuanaland (modern-day Botswana) who made a deal with the British to save their country from invasion by Cecil Rhodes. In particular, they make note of the strong networks of reciprocity within the tribal societies governed by these chiefs. For example, they reference John Comaroff's study of the Tswana, an indigenous Bechuanaland state. Crucially, "though in appearance the Tswana had clear rules stipulating how the chieftaincy was to be inherited, in practice these rules were interpreted to remove bad rulers and allow talented candidates to become chiefs."[63] Acemoglu and Robinson interpret this as indicative of the Tswana's "inclusive institutions," and in a sense they are right. But in a formal sense, the governing structures of the Tswana were hereditary and authoritarian. Tswana society was more democratic

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[63] Acemoglu & Robinson: 407.

than its formal institutions allowed because of strong cultural democratic norms and because the Tswana were not constrained by the rigid Weberian bureaucratic interpretation of institutions. The authors insist that culture makes no difference, but it clearly did in this case.

Case Studies

At this juncture, I believe it would be best to include four cases. One will involve Bihar, a state that was under direct British rule, is rife with neopatrimonial relations, and currently has the lowest GSP per capita and HDI score, and the highest corruption index score, of any state in India. Another case will involve Kerala, a state that was largely under the control of princely states during the time of the British raj, and today has the highest HDI score of any Indian state, a relatively high GSP, and the lowest score on the Charron corruption index. The other two cases will follow the developmental trajectory expected by Lange and Mahoney: one in which the British ruled mostly directly and where GDP per capita and HDI score are high (Maharashtra); and one which was primarily under princely jurisdiction and now has a low GSP per capita and HDI score (Madhya Pradesh). The goal here is to ascertain why these states followed these particular trajectories, and how significant was the role of the difference between "direct" and "indirect" rule. As we have noted, among Indian states the statistical correlation between "directness" of rule and most numerical measures of developmental success is rather limited. Given this, it would be easy to conclude that the extensiveness of colonial involvement had little bearing on the developmental trajectory of different parts of India. But a closer study reveals that this is far from true. The reality, like India itself, is much more layered and complex.

Bihar is the poorest state in India and the third most populous. With a total

population in excess of 100 million, it is larger than all but eleven countries in the world.

Located in the northeast of India, Bihar sat at the heart of the powerful Mauryan and

Gupta empires before 1000 C.E., and was a prominent nexus of power, education and

culture up until the invasion of the forces of Muhammad Khilji in the late twelfth century.

The British East India Company obtained the rights of tax collection in the region in 1793

through the Permanent Settlement of Bengal, an agreement signed by the administration

of the East India Company, headed by Lord Cornwallis, and Bengali Mughal zamindars

(landholding functionaries who had collected taxes on behalf of the Mughal emperor).

This Settlement gave the zamindars effective ownership of the land they held and fixed

their land tax burdens in perpetuity at a relatively high, inflexible rate, causing many of

the zamindars to fall into arrears. The Company's policy of auctioning off the land of

indebted zamindars led to the commercialization of land in the region, which created a

new class of landlords consisting largely of East India Company bureaucrats who used

their positions to obtain significant wealth, and who "managed their land through their

landlords and who had little attachment to their land."[64] Investments and improvements

in the land and infrastructure went largely neglected. When the British attempted to

institute reform to the landholding system in the early twentieth century, the zamindar

class dug in its heels and resisted change. Post-independence land reforms encountered

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[64] Cohn, 1960: 430.

similarly stiff opposition. In recent decades, Bihar has severely lagged behind the rest of India in development. In accordance with the findings of Banerjee et al, Bihar today is the poorest, least educated, and most corrupt state in India.

Bihar exemplifies the structural violence of the colonial legacy in its starkest form. We can see this in a number of ways. First of all, the Permanent Settlement of 1793 set in motion a pattern of corrupt and oligarchic property relations that continued into the post-independence era. This was an instance of structural violence from the very beginning. In many cases, structural violence emerges as the perpetuated outcome of intentional, agential violence. This was and has been the case with the legacies of African American slavery and the creation of apartheid in South Africa, for example. But in the Bengal Presidency, the colonial intention was partly extractive but also involved the "civilizing mission" of developing an Indian model of agrarian capitalism. It was the British failure to understand pre-existing traditions and nuances of property relations in the region which led to the failure of the Permanent Settlement. It was thus that an institution rooted in anti-feudal, bourgeois capitalist ideals created a "neo-feudal organization of landed property."[65] At the same time, British policies aimed at upholding and strengthening existing social institutions in the Bengal Presidency served instead to radically transform these institutions. Brahmin privileges which had been informal and

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[65] Ranajit Guha, 1996.

qualified were now codified into hard-and-fast law, while channels of democratic

accountability to lower castes were removed.

The case of Bihar will be designed to demonstrate the violence of the colonial

legacy through the institutional weakness, corruption, poverty and general misery that

plague the state more than most others in India. The mode of colonial administration and

specific colonial decisions will be examined and compared with those in Maharashtra in

order to determine whether any discrepancies might help account for the developmental

failure of one and the relative success of the other.

Located on India's west coast, Maharashtra is one of the most urban and most

prosperous states in the country. The hub of the state is Mumbai, the largest and richest

city in India and the country's financial, commercial and entertainment capital. Known

as Bombay until the 1990s, the city served as the headquarters of the British East India

Company and later as the seat of the Bombay Presidency. The British invested heavily in

the infrastructure of Bombay, turning it into a major trading port and establishing it as a

center of India's fledgling railway system. This boosted the economy of the city and the

surrounding area. In addition, revenue collection in Maharashtra was administered under

the ryotwari system. Unlike in the zamindari system, here the colonial government

collected taxes directly from the farmers.[66] Hence, colonialism in rural Maharashtra was

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[66] Dutt, 1902.

significantly less disruptive to existing social institutions than it was under the

jurisdiction of the Permanent Settlement in Bihar. These two factors—the presence of a

major coastal urban hub and the ryotwari system of revenue collection—distinguish the

direct rule legacy of Maharashtra from that of Bihar. Yet Maharashtra's success in

quantitative economic terms is not matched by its performance in other areas. The

chapter on Maharashtra separately examines the histories of both Mumbai and the interior

of the state, since the historical legacies of colonialism in the city and the rest of the state

are quite different.   Particularly in Mumbai, the violence of the colonial legacy is quite

strong. The Brihanmumbai Municipal Corporation, the governing body of Mumbai, was

inherited directly from the colonial administration and retains many of the practices of its

forebears. For example, abuse of the poor by law enforcement officials is quite common

and dates back to similar patterns in the colonial law enforcement apparatus. This point

is particularly crucial because despite the vast amount of wealth in Mumbai, economic

inequality is enormous and a majority of the city's residents live in slums.

The hinterland of the state, while economically poorer than Mumbai, has a

strong and intricate political infrastructure in the form of the panchayat raj (local, village

level elected governing councils) which is stronger than in most of the country. The

relative strength of the panchayats in Maharashtra owes much to the relatively subdued

nature of caste-based politics, especially compared with Bihar. Here the colonial legacy

was a positive one: unlike in Bengal, the British administration in the Bombay Presidency allowed the lower castes agency in tax policy and opportunities in civil service employment. This contrasts sharply with the Bengal Presidency, where these opportunities were available only to upper caste members for much of the colonial era. Thus, because colonial policies were less disruptive and less damaging, there is arguably less post-colonial structural violence in the small towns and villages of Maharashtra than in either the state of Bihar or the city of Mumbai. This may be true even if the quality of life of city residents is better than that of villagers. But development has continued at a gallop in Maharashtra, and an ever-growing concentration of the state's residents has been forced into cities—especially Mumbai—a trend that may soon become infrastructurally and environmentally unsustainable.

Kerala has been the subject of much fascination by scholars of development. During the colonial era, most of the present state's territory formed the tribute-paying princely kingdoms of Travancore and Cochin. The northernmost part of the state was part of the directly-ruled British subdivision of Mysore, part of the Madras Presidency. While Kerala only ranks ninth in GDP per capita among Indian states, it has the highest HDI score, the highest adult literacy rate, and the lowest level of corruption (according to the Charron index) of any state in the country. Kerala boasts wide newspaper circulation, robust social empowerment of women, and a proud tradition of democratic civic

engagement. A detailed examination of the colonial era history of Travancore and Cochin reveals that, unlike most of the directly-ruled parts of India (including nearby Mysore), these kingdoms were able to promote egalitarian institutions on their own terms. The Travancore kingdom in particular was responsive to social pressure. During the nineteenth century, the kingdom adopted land reforms and expanded educational access for non-Brahmins. Elsewhere in India, traditional educational institutions were shut down in favor of "modern," Western-style schools; but in Kerala these schools flourished alongside English schools well into the twentieth century. Matrilineal inheritance traditions, which were firmly discouraged by the colonists, were common throughout Kerala. In the Madras Presidency and elsewhere, the British sought to undermine matriliny, which they viewed as "degenerate."

It seems likely that had Kerala been directly ruled, the indigenous education systems and matrilineal inheritance structures would have been either dismantled or severely undermined during the colonial era. I believe that this would have fundamentally altered Kerala's course of political and economic development in a profoundly negative way. Under the guidance of the Travancore monarchs, egalitarian educational institutions flourished, and the culturally intertwined conceptions of Brahminical sagacity and learnedness became accessible to a much larger segment of the population. This helped pave the way for Kerala's robust modern educational

achievement. Without the indigenous vernacular schools, this would not have been possible. In addition, the persistence of matriliny throughout much of Kerala gave women in the region a degree of agency that they would not have had in exclusively patrilineal socieities. The relative parity between the genders in many educational and economic measures, the low levels of sex-selective abortions, and the low incidence of physical and sexual violence against women can be traced to the power that women held in traditional societies in Kerala. Many scholars, including Amartya Sen, have pointed to the strong connection between women's empowerment and overall societal health. If Kerala had been directly ruled by the anti-matrilineal British, these achievements in post-independence Kerala may not have come to fruition.

Though it exhibits a lesser amount than the rest of our case studies, Kerala is not entirely free from post-colonial structural violence. Like its indirectly ruled counterpart Madhya Pradesh, Kerala has suffered due to its incorporation into the post-colonial framework of the central Indian state. In recent decades, Kerala has lost some of its luster as communal strife and discrimination against women have crept upwards. But on the whole, Kerala remains a remarkable post-colonial success, in no small part because it escaped some of the most damning elements of colonialism.

Madhya Pradesh is the poorest, most underdeveloped state in India that was not directly colonized. Like Kerala, most of present-day Madhya Pradesh was divided into

princely states in the colonial era. The area was called the Central India Agency for

administrative purposes, but local princes were generally responsible for domestic affairs.

More than perhaps any other state in India, Madhya Pradesh is a cultural and linguistic

hodge-podge—a legacy of the "Central India Agency," a collection of tribute-paying

princely states that shared little beyond a general geographic location. Hindi is the official

language, but Marathi, Telugu and a variety of tribal languages can be heard in different

parts of the state. Largely due to the fact that it mostly escaped direct colonization, the

state retains a substantial *adivasi* or tribal population (about one-fifth of the state's total

population) that remains largely unincorporated into the realm of the state government.

Its life expectancy, literacy rate and GSP per capita are the lowest among states without a

direct colonial legacy.

The chapter on Madhya Pradesh focuses considerable attention on the state's

large tribal population. This is because I believe these tribal communities are some of the

clearest victims of structural violence in the post-colonial context. In this case, ironically,

the violence of the colonial regime did not fully manifest until after India became

independent. Because the Central India Agency was indirectly ruled, the princely states

and communities across the region were relatively unaffected by colonial policy. After

independence, the formerly autonomous kingdoms were folded into the new Republic of

India, submitting to the jurisdiction of formerly colonial institutions. Since then, the

developmental goals of the Indian state have clashed repeatedly with the values of these tribal communities. The violence of the colonial legacy is being felt by the adivasis today more than ever before.

The evidence from these case studies points to the following conclusions. First, as expected, in cases of direct rule the presence of an economically important urban hub mitigates the effects of structural violence on quantitative measures of development. Second, the empowerment of local intermediaries in tax collection was deeply disruptive and violent for the directly ruled regions governed under such policies. Hence, Maharashtra (a state with an urban hub where taxes were collected directly from the ryots) fares far better than Bihar (a state with no major urban hub where zamindars were unduly empowered). A quick look at other states in India appears to support this theory. West Bengal is home to India's second largest city, Kolkata, and was at the heart of the Bengal Presidency (like Bihar, part of the Permanent Settlement zone). Today, the state is less prosperous than Maharashtra but certainly better off and less corruption-ridden than Bihar. Karnataka, mostly under the Bombay and Madras Presidencies, has a largely rural population but was governed under a ryotwari system, and today fares about average among Indian states.

The degree to which indirectly ruled regions are subject to post-colonial structural violence is a more complex matter. Based on the studies of Kerala and Madhya Pradesh,

it appears that several factors play a role in the relative political and economic strength of

indirectly ruled areas. Linguistic homogeneity and relative cultural affinity have enabled

the citizens of Kerala to foment statewide political discourse. Despite the state's

relatively small size, several of India's most highly circulated newspapers are in

Malayalam, the native language of Kerala. By contrast, Madhya Pradesh has been unable

to develop a cohesive state identity, in part because of the multitude of different linguistic

and cultural groups. Education plays a role as well. During the colonial era, the princely

states of Kerala (especially Travancore) were deeply committed to vernacular education;

meanwhile the states of the Central India Agency were too weak and fragmented to make

such a commitment. This difference spawned the legacy of difference in educational

attainment between these two states, as we will see in subsequent chapters.

Finally, the nuanced outcomes of these cases point to the flaws of what one might

call the "developmentalist" paradigm. Without proper clarification, one might interpret

the above paragraph to suggest that multilinguism and multiculturalism are "bad." This

is not my intention. Rather, I want to point out that the legacy of Western colonialism—

which includes the high-modernist nation-state ideal—is more structurally violent when it

encases various different groups within a single political entity.[67]

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[67] Again, Herbst (1989), Jackson and Rosberg (1982) and others have shown this to be
the case with arbitrarily delimited African states. In her study of Kerala, Prerna Singh
(2010) aptly notes that cultural heterogeneity is not an impediment to development as
long as there is an overarching sense of "we-ness" that unites the polity.

Banerjee et al found a correlation between a direct colonial legacy and poor access to public goods, but they did not fully explore the connection between these variables. I believe that there is a causal mechanism behind this relationship, and that it has to do with the structural violence inherent in the imposed systems of colonial rule. I believe that on the whole, states that developed parallel to British colonialism with minimal direct involvement from the colonists have fared better than states where colonial institutions were more extensively involved. By examining two states with direct British legacies, this project traces the process of colonial institutional development and determines what factors may have led to its apparent success in Maharashtra and failure in Bihar. Pre-existing indigenous cultural norms will be examined, as will economic factors such as availability of natural resources and (insofar as such data is available) quality of life in the pre-colonial era, and policies implemented by the colonial administration. The other two states, while never directly ruled by the British, were subject to institutional pressures and adopted quasi-Anglicized parliamentary systems in the wake of independence after their constituent princely states surrendered their domestic autonomy. Hence, all four states were exposed to a considerable degree of colonial influence. I believe it is the case that the imposition of a Westminster-style parliamentary system in Madhya Pradesh was structurally more violent than in directly colonized regions because such a system remained culturally foreign in 1947.

In their 2005 comparison of zamindari (landlord) areas and ryotwari (non-landlord) areas, Banerjee and Iyer noted that poverty reduction is greater in non-landlord areas where masses cooperate with elites; hence, "masses could perhaps have done a little better, or at least no worse, by focusing on what they had in common with the elites" (p. 1210)—Problem is not that the masses made the choice to oppose the elites, but that within the contexts of Bihar and other Permanent Settlement areas, the entrenched power of the ruling classes convinced them that the system was designed to marginalize them; and that parliamentary democracy could never be a true mechanism for addressing their grievances.

Colonialism, Culture and Corruption

Many of the conceptual pieces in this project are, by their nature, difficult to pin down. First of all, there are the concepts that we have termed "colonial legacy" and "indigenous culture." We have posited that the particular type of structural violence that we seek to examine stems from the friction caused when there is a clash between these two variables. Hence, it is necessary to explain what we mean by these two terms and what would constitute a clash between them. The "colonial legacy," in the contemporary Indian context, refers to any institutional or cultural practices or norms that date to the colonial era and that are rooted in British influence. The common law legal systems, the bicameral parliament with single-member districts, the use of the English language, and the national fixation on cricket are all part of the colonial legacy. "Indigenous culture" refers to long-standing norms and practices that exist independent of (and almost always developed prior to) the influence of the colonizers. We must recognize that there are often cultural tropes that do not fit neatly into either of these categories, but the norms

and institutions that we are examining can generally be described by this dichotomy.

Historical research provided in the case study chapters indicates that there is a clash between these two variables that has led to legitimacy issues. One example of such a clash can be seen in Bihar (discussed in a subsequent chapter), where the creation of the zamindari system and the introduction of Western-style property rights upended traditional society and led to corruption and profound structural economic inequality, which persists today. Another hypothetical example might be a state tax collection agency, largely designed by the British with the aim of extracting as much revenue as possible for the purposes of the crown. Now, in this imaginary scenario, the Indian civil servants hired to work in this agency—happy though they are to have the income—do not view its methods as just or legitimate, and indeed believe this new system to be strange and foreign. They fudge numbers, solicit bribes, and misappropriate funds on a regular basis. These practices are passed on to the next generation of bureaucrats, and to the next, and are eventually inherited by an independent Indian state government. Though the British crown is no longer in the picture, the official tax policy remains oppressive and the present crop of civil servants sees no reason to act to disrupt a system that they and their colleagues have come to rely on economically and that may be a lot easier and less time-consuming than honest work. Thus, the legacy of the clash between colonial procedure and indigenous culture continues into the post-independence era. We would expect to find scenarios similar to this in the bureaucracies that we observe.

Next, there is the concept of bureaucratic corruption. It includes all instances where individuals within bureaucratic apparatuses hijack the mechanisms of those institutions for their individualized purposes. This includes, but is not limited to, the

soliciting of bribes, embezzlement of government funds, nepotism, cronyism and patronage. These practices prevail to the extent that the institutions have not gained legitimacy in their respective cultural contexts. The concept of political corruption parallels that of violence in some ways. Both involve deviation from a norm or set of norms, and depending on who one asks, these norms may or may not be rooted in legality. As James C. Scott wrote, "Corruption, we would all agree, involves a deviation from certain standards of behaviour. The first question which arises is, what criteria shall we use to establish those standards?"[68] Particularly because both corruption and violence are normative concepts, there exists a temptation to turn to legal positivism for empirical grounding. For our purposes, however, it is the mode of legality itself that, under certain circumstances, helps spawn both corruption and violence. The corruption that we seek to examine is both an element and a cause of structural violence. We emphasize corruption in this project because is the most basic indicator of when rational-legally designed institutions serve to promote structural violence rather than mitigating it, as it demonstrates that the individuals tasked with embodying and upholding these very institutions do not treat the same institutions as legitimate. The absence of legitimacy in these institutions in the eyes of those who make up the institutions is self-reinforcing, as it manifests in poor quality of government services, revenue shortfalls, infrastructure problems, deprivation and general breakdown of the rule of law.

One might argue that such bureaucratic corruption is less an issue of legitimation than one of the rational interests of the individual bureaucrats. For example, an official may view bureaucratic procedures as perfectly legitimate, but may choose to circumvent

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[68] Scott, 1972: 221.

these procedures and solicit a bribe or misappropriate state funds because he or she is not paid enough to otherwise make ends meet, because the benefits of such actions would outweigh the likelihood of or costs involved in punishment, or because the official does not view such actions as stealing *from someone*. But these motivating factors for bypassing legal procedures are, in fact, structural flaws in the overall rational-legal order that often either stem from or are reinforced by the cultural disconnect between indigenous values and institutions and the resulting legitimacy gap. An individual's tendency and ability to rationalize to himself that stealing from the state is not actually "stealing *from someone*" is stronger when the state is not seen as a representation of the governed. As for the likelihood of punishment: this is heavily contingent on the prior prevalence of corruption in the institutional context. If corruption permeates the higher levels of officialdom, corrupt acts at the lower levels are more likely to go unpunished. Monetary considerations (e.g. an official's inclination to solicit a bribe because he could not otherwise make ends meet) are moot if the likelihood of being caught and punished is high enough. This likelihood increases as the pervasiveness of corruption declines.

Finally, there is the question of how we know structural violence when we see it. As previously stated, we take structural violence to be violence that is embedded in institutional practices, both formal and informal, which harms individuals' life chances within the most relevant set of norms. I want to make it clear that I do not view structural violence as anything and everything that prevents all human beings from having exactly equal, optimal life chances. First of all, this is why we have stipulated that violence is normative and dependent on cultural context. Secondly, the structural violence that I seek to examine is institutional. It does not account for differences in geographic and

climatic places of origin or for natural disasters. Such factors certainly inhibit human

beings from achieving their potential, but we are here concerned with human-made

impediments to the achievement of human potential. That these impediments are human-

made is what makes them violent, even though as Galtung stated, they need not have a

direct agent in order to be considered such.

As mentioned earlier, the lack of access to health care, education, food and shelter

at the end of our proposed causal chain clearly falls into the purview of structural

violence for the reason that all of these things are valued in virtually every cultural

context, and structural impediments to the acquisition of such goods violate the

sensibilities of virtually every society. But we have also deemed the bureaucratic

corruption that causes such impediments to be a form of structural violence. I believe

that this claim is justified because the types of bureaucratic corruption that we have

spoken of, rooted as they are in the clash between colonial legacy and indigenous norms,

is itself a violation of both these norms and those rooted in colonialism. Thus, as per our

normative definition of violence, such bureaucratic corruption is clearly violent in the

context of the post-colonial state.

CHAPTER 3. THE VIOLENCE OF GOOD INTENTIONS: COLONIAL MISRULE IN
BIHAR AND ITS LEGACY

Introduction and Pre-Colonial History

On February 14, 2012, Lalu Prasad Yadhav appeared before a Central Bureau of
Investigation court and emphatically denied all accusations against him stemming from
the Fodder Scam, the now decades-old embezzlement scandal that had ravaged the
government of Bihar when it broke in 1996. The scandal had forced Lalu to resign as
Bihar's chief minister, though he had since revived his political fortunes by winning
election to the central Lok Sabha and serving as Railways Minister in the center-left
national government from 2004 to 2009. Heavy-set and bespectacled, the sixty-three-
year-old icon of Indian politics tore into his accusers with characteristic bombast: "People
call me chara chor (fodder thief), and traditionally Yadavs have been called ghas chor
(thieves of grass). I have full faith in you sir, you do justice to me."[69] As we will see, his
appeal to caste discrimination evoked a powerful salient in Bihar's historical narrative.

Lalu accurately pointed out that the Fodder Scam—in which Rs. 9.5 billion ($209
million) was stolen from the Bihar treasury under the pretense of providing
reimbursements for livestock-related supplies—had been underway since at least 1977,
thirteen years before he became chief minister of the state. In fact, the scandal had
worked its tentacles through a vast array of state government agencies under
administrations headed by both the Indian National Congress and Janata Dal parties. In
the years since the scandal broke, three hundred state government bureaucrats,
businessmen, politicians and others had been convicted of wrongdoing.

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[69] PTI, 2012.

How could the functioning of a state be so severely hampered by corruption? The following chapter will examine the cultural, political and institutional history of the state of Bihar with the goal of supporting my overall hypothesis that the relationship between pre-colonial institutions and cultures on one hand, and the modes and practices of British colonial rule on the other, has a significant impact on governance in post-colonial subnational states in India.

Bihar is perhaps the most clear-cut example of a state government that has been wracked by structural violence in the decades since independence. The Fodder Scam illustrates that corruption in Bihar has not merely been a case of a few "bad apples," but has permeated all levels of state government. Corrupt institutional practices in Bihar stem from a fundamental crisis of legitimacy for state government and its institutions. For all the vitriol that swirled around him in the early months of 2012, Lalu Prasad Yadav and his behavior were merely a symptom of a far more malignant cancer rotting the very core of governance in the state.

Nicholas Charron's corruption index gives Bihar a score of 6.95, the highest of any Indian state in the survey. The state's literacy rate as of 2011 was 63.8 percent, among the lowest in the country; the GSP per capita is also abysmally low, at a mere Rs. 28,774—again, the lowest in the country. The state scores .449 on the Human Development Index, and .343 on the inequality-adjusted version of the HDI—reflecting the abject poverty of the rural part of the state (the state capital, Patna, is considerably better off).

The focus of this chapter will be on two specific ways in which the colonial administration created the conditions for the structural violence that currently plagues Bihar. First, the Permanent Settlement of 1793 created a legacy of corruption and neo-feudalism that would carry into the post-independence era. Second, the British interpretation of identity politics exacerbated social stratification, particularly in the area of caste, setting the stage for caste-based politics to dominate post-independence democratic institutions. The chapter will be organized chronologically, beginning with a section highlighting relevant attributes of Bihar's pre-colonial history; followed by a section on the violent changes implemented in the colonial era and the consequent failures of legitimation; and concluding with an examination of contemporary problems of corruption, development and identity politics in Bihar with emphasis on how these policies reflect the violent legacy of colonialism.[70]

There is a vast disparity between the conditions of ancient and modern Bihar. Over the course of a millennium, a thriving intellectual and political center was transformed into a sleaze-infested hovel of poverty and despair. This decline began long before the British arrived, but it was compounded by colonial policies in the eighteenth and nineteenth centuries. It would be a terrible mistake to try to ascribe a static "pre-colonial culture" to Bihar or any other part of India. The region underwent many changes

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[70] For the sake of clarification, it should be pointed out that much of the narrative in this chapter seems to revolve around British policy in India in general, rather than that specific to Bihar. This is because for most of the late eighteenth century, British colonial policy had little reach outside of the Bengal Presidency (the territory which included Bihar for most of the British era).

over the centuries, dating back to its role as the center of the vast Maurya and Gupta empires.

Mauryan political culture and institutions are described in detail in Kautilya's *Arthashastra*.[71] Dating to sometime around 300 B.C.E., the *Arthashastra* is a ruthlessly pragmatic treatise that has drawn comparisons among Western scholars to Machiavelli's *The Prince,* written almost two thousand years later. Kautilya describes in intricate detail what he considers to be the ideal bureaucratic structure of the state and its subdivisions, the command hierarchy of the armed forces, the responsibilities and powers of the various councilors and administrators, the pay grades of various officials, the complex tax code, and the proper punishments for a wide range of offenses (the severing of appendages was prescribed in numerous instances), among other things. He also discusses at great length the qualities of leadership desirable in a king, even going so far as to chart out in ninety-minute blocs his suggestion for the king's daily schedule. Although the state described by Kautilya must not be entirely conflated with the existing Mauryan state, the *Arthashastra* is perhaps the best approximation available to us of the prevailing normative discourse of statehood and governance in eastern India in the third century B.C.E.

There are, however, a number of prescriptions that can be said to be uniquely Indian. For example, he advises the king to practice *ahimsa*, or nonviolence toward all living things. To a western audience, this may seem almost paradoxical given the violent power necessarily wielded by any sovereign. But the dialogue between Arjuna and

[71] Kautilya, 1992.

Krishna in the *Bhagavad Gita* speaks to this paradox. The *kshatriya* (warrior), says

Krishna, is duty-bound to fight in order to fulfill his part in the divine plan—even though,

as Arjuna laments, the opposing side may have its fair share of good people. Just as it is

a warrior's *dharma* to fight, it is the king's *dharma* to personally abstain from

committing violent acts.

Dharma is a Sanskrit term that can best be taken to mean the cosmic law of

nature, which keeps the universe in order and governs human behavior among other

things. This concept of *dharma*, central to Hindu philosophy, is remarkably compatible

with the Weberian idea of bureaucracy: it depicts individuals as instruments, each playing

his or her part in carrying out the divine plan—just as individuals in a Weberian

bureaucracy function as cogs in the machinery of government.

In short, the intricacies of the *Arthashastra* can be taken as evidence that the

institutional structure of the Mauryan Empire was complex and, in a sense, highly

bureaucratized. Gupta rule, from the fourth to the seventh century A.D., largely

preserved and replicated this structure. Under the Gupta dynasty, the Bihar region

continued to flourish, particularly as a center for higher learning. Even after the fall of

the empire in the seventh century, prominent Buddhist universities at Nalanda and

Vikramshila collectively served as the regional center for art, culture and scientific

development.

Toward the end of the twelfth century, India was invaded from the northwest by

the Persian Ghurid dynasty. The Ghurids established a province in northern India with a

capital in Delhi. In subsequent decades, political power in the subcontinent would shift

from Patna to Delhi. Much of Bihar's rich cultural heritage was stripped away with the invasion of Bakhtiyar Khilji's Pashtun army in 1203. Intent on spreading their faith, these Muslim conquerors destroyed the Buddhist universities in Nalanda and Vikramshila. Much of the historical record of scholarly and political discourse in ancient India was lost with the destruction of these universities. But given the long-standing prominence enjoyed by the institutions, it is rather inconceivable that the cultural norms and academic discourse they embodied could be wiped out entirely, even over a period of several centuries. This is particularly true at the societal level, as we shall see in subsequent pages.

It was under Mughal rule that the fulcrum of revenue collection in Bihar shifted to the zamindar—a functionary charged with collecting taxes on behalf of the emperor. These zamindars were supervised by the diwan, who represented the emperor in the province of Bengal (which then included present-day Bihar). In the early eighteenth century, under military pressure from the rival Marathas, the Mughal Empire collapsed and Bengal became an independent kingdom until 1793 (though it was essentially a puppet state of the British East India Company after 1757, for reasons described below).

Before the late eighteenth century, the zamindari system in Bengal was complex and nuanced, with different *zamindars* performing a wide range of functions and exercising varying degrees of authority. Jordan Pouchepadass details some of the overarching elements of the *zamindar*-cultivator relationship in his 2000 book *Land, Power and Market*:

> The relationship between the local chief and the cultivator had consisted
> till then in a sharing of rights in the produce of the land, of which neither

could claim exclusive ownership. The authority in power, among other beneficiaries, was entitled to his share, and the land, finally, really belonged to no one. As for the cultivator, he enjoyed the indefeasible right to occupy it as long as he cultivated it, which it was his duty to do.[72]

"Duty" was a crucial element of this arrangement. Neither the *zamindar* nor the cultivator had absolute power over the land, and each was held accountable by custom— by what might be described as a principle of *dharma*. After a bountiful harvest, the cultivator was expected to pay a reasonable amount of his profit in taxes and toward other expenses of the *zamindar*. During difficult times, it was the duty of the *zamindar* to ensure the welfare of the cultivators. The rules governing such transactions were not codified in rational-legal fashion, but they nevertheless constituted a legitimate system.

> The duty (*dharma*) of the local ruler [zamindar] was to ensure to every man the possibility of accomplishing the task that devolved on him in this world; he could, in return, legitimately claim from him a share of the produce of his individual vocation. The exercise of sovereignty gave him the responsibility of public welfare (which encompassed the ritual functions he had to accomplish in he interest of the community), and this responsibility allowed him to expect or demand in customary manner the active recognition of his subject. This ideology of power thus incorporated coherently the complex and variable body of dues and services into a general conception of the relationship of interdependence that bound the rulers and the ruled. It undoubtedly left a margin of arbitrariness to those in power, but it also laid down a limit, that of the dharmic norm of the king's duty: revolt was permissible against an incompetent or tyrannical prince, and history shows that the Indian peasantry does not seem to have been more resigned than any other in the face of oppression.[73]

The relationship between cultivator and *zamindar* was characterized by a kind of reciprocity which could not easily be captured by the principles of rational-legalism.

Rigid, codified law backed by bureaucracy was generally not required to sustain such

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[72] Pouchepadass, 2000: 275.
[73] Ibid, 278-279.

systems because no entity had such a monopoly on force that it could impose its will by fiat alone. These informal institutional arrangements bore a legitimacy that would prove difficult to replicate under the more formalized structures that would be imposed later.

As we have discussed, bureaucratization did develop organically in ancient India, centered in what is now Bihar. As organically formed institutions, governmental bureaucratic structures went hand-in-hand with social networks and norms. These two aspects of life grew and evolved together and complimented each other. Kautilya's exhaustive prescriptions for the state and society in *The Arthashastra* illustrate this. In addition, both Mahdav Gadgil (1983) and Declan Quigley (1993) note how caste-based communities organized themselves independently of one another and in emulation of the king's court.[74][75] Gadgil writes,

> The different caste populations, unlike tribes, have extensive geographical overlap and members of several castes generally constitute the complex village society. In such a village society, each caste, traditionally self regulated by a caste council, used to lead a relatively autonomous existence…Each of the caste groups was thus the unit within which cultural and perhaps genetic evolution occurred, at least for the last 1500 years when the system was fully crystallized and probably much longer.

The caste-council, according to Quigley, represents the caste-based community's efforts to "reproduce…an élite structure within itself…[which] is replicated at all levels of society: each group attempts to emulate the king's court by attaching retainers to itself."

Paul Clements notes that many of Bihar's modern governance and developmental problems stem from the rather paradoxical dual dominance of egalitarian democratic principles and a social and political order organized along rigidly hierarchical caste lines.

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[74] Gadgil, 1983. Quoted in Sunder, 2010: 56.
[75] Quigley, 152-153.

While the roots of the two sides of this paradox reach far back into Indian history, their starkly contrasting manifestations in modern India are a direct result of British influence. As Clements points out,

> The caste principles that gained political salience after 1947 were not simply those of ancient tradition. Whatever this tradition may have been in earlier centuries, it had been modified by British rule. The British had undermined some caste practices that they found particularly offensive, but by acknowledging caste in the courts and the census they strengthened the caste system, reinforcing its hierarchical features.[76]

What, then, did the pre-colonial caste system look like? Twentieth century Western scholarship is inconsistent about the ordering of the caste hierarchy. A.M. Hocart, perhaps the preeminent British scholar on caste in the early part of the century, places *Kshatriyas*, the warrior caste, as the "first caste" because "kings…properly come from that caste."[77] On the other hand, Louis Dumont posits that caste represented a "socio-religious hierarchy" rather than a political one, and therefore that the "priestly" Brahmins were at the top of the order irrespective of material wealth or power[78] (this is the view that has prevailed among most scholars, though Tanabe gives a nod to Hocart when he notes that kingly authority became predominant by the eighteenth century).

This dispute over the ordering of the caste hierarchy seems to stem from a fundamental misunderstanding of the nature of the system on the part of Western scholars. It is true that Brahmins and Kshatriyas of various stripes constituted the vast majority of land proprietors. It is also true that kings were more or less exclusively

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[76] Clements, 128.

[77] Hocart, 34. At the same time, Hocart tacitly acknowledges the fluid nature of the system when he notes that "kings not of *kshatriya* descent sooner or later forge themselves a *kshatriya* pedigree."

[78] Dumont, 1970.

drawn from the ranks of Kshatriyas. This is, of course, because the king was an

embodiment of the state and the presumed monopoly on physical force that came with it.

Power, however, should not be equated with prestige. Brahmins were often poor and

lacking in political influence, but they were widely respected. In fact, ascetic nomads of

all four Varna were accorded the same level of respect commanded by Brahmins.

Dumont suggests that this is because of the role of "purity" as a virtue: those groups that

abstained from eating meat or other foods were regarded as more pure than those that

indulged. Consistent with his premise that caste represents a "socio-religious order,"

Dumont views purity as the guiding principle behind this organization.[79]

Quigley disputes this notion, arguing that Brahmin priests, as vessels for "the

forces of decay and destruction," may be regarded as even more impure than the

Untouchables.[80] Contrary to those (like Dumont), who argue that Brahmins derived their

status and legitimacy from priestly activity, Heesterman notes that the ideal Brahmin, in

fact, is not a priest but a transcendent figure, divorced from the social world.[81]

Examining the eighteenth century Khudra kingdom in what is now the state of

Odisha (located about five hundred miles south of Patna), Akio Tanabe describes what he

refers to as a "system of entitlements" in which "the work of each part was done for the

whole" and "roles and positions in a complementary socio-political whole… [were] open

to *both* achievement *and* hereditary succession."[82] Certain trades were reproduced

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[79] Dumont, 56. "Superiority and superior purity are identical: it is in this sense that,
ideologically, distinction of purity is the foundation of status."
[80] Quigley, 54.
[81] Heesterman, 1995.
[82] Tanabe, 353-354.

through the hereditary *jati* system, but various positions, including those of "foot soldiers, accountants and even chiefs" could be attained even by "the peasant and pastoralist population." Tanabe disputes the notion that the pre-colonial caste system was rigidly hierarchical, and contends that the social system of pre-British Odisha was "neither one of Brahmanical hierarchy nor royal centrality." While Khudra institutions cannot be taken to directly represent the sociopolitical order in pre-colonial Bihar, their geographic proximity suggests that their norms would bear some similarities.

It should be noted here that the "caste system," as it has come to be known, is far more complex than the cut-and-dry hierarchy of varnas that has come to be known to many scholars. Brahmins, for example, included a wide range of priests, ascetics, scholars, mystics, doctors and others, all of whom belonged to different "castes" and whose respective levels of prestige varied greatly.

It is important to distinguish between two dimensions of the caste system: *jati* and *varna*. *Jati* represented the multiplicity of geographically delimited but overlapping caste communities throughout India, each of which was associated with one or more social function. *Varna* refers to the system of four social classes rooted in Hindu mythology. Brahmins, the scholarly class, are said to have been made from the god Brahma's head; *kshatriyas*, rulers and warriors, were made from his arms; *vaishyas*, the agriculturalists and merchants, from his thighs; and *shudras*, the servants, from his feet. Before the late nineteenth century, many *jati* in effect straddled two or more of the four *varnas.* For example, a caste whose trade was in forging weapons may have also served as warriors, making it difficult to classify them as either *kshatriyas* or *vaishyas*.

In his study of nearby Uttar Pradesh, S.C. Gupta writes that "Even the classes possessing the rights of ownership, occupancy and cultivation of land were not in all cases and always united by bonds of kinship, caste or even religion. There were different groups amongst them consisting of persons belonging to different castes, tracing their lineage from different ancestors, and professing different religious faiths."[83] …

The roiling debate over the nature and meaning of caste demonstrates the difficulty of translating this complex amalgamation of different systems into an objectively comprehensible framework. This would prove problematic for the colonial project, whose architects were deeply invested in the principles of the European Enlightenment, including scientific classification and bureaucratic rationality, and depended heavily on these principles to make sense of the world.

Dumont suggested that the Western failure to comprehend caste was rooted in the "individualistic mentality" of the West.   The liberal, post-Enlightenment Western mindset could only view caste as an expression of feudalistic nobility with the particular strands in the hierarchy isolated from one another and with power concentrated at the top. Contrary to this understanding, Dumont writes, "To adopt a value is to introduce hierarchy, and a certain consensus of values, a certain hierarchy of ideas, things, and people, is indispensible to social life….No doubt, in the majority of cases, hierarchy will be identified in some way with power, but there is no necessity for this, as the case of India will show."[84]

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[83] S.C. Gupta, 1963.
[84] Dumont, 1970. Quoted in Dirks, 2001: 4.

Colonization: The Conquest

The British East India Company—hereafter referred to as the East India Company or the EIC—received its royal charter in 1601. The period from this point until the end of the Sepoy Mutiny (known in India as the First War of Independence) in 1858 saw a slow but steady increase of British influence in India. Over the course of the seventeenth century, the EIC established a number of trading ports along India's coastline, and in 1634, the Mughal emperor granted the Company trading rights in the province of Bengal.

Two British officials figured most prominently in the establishment of EIC dominance in Bengal: Robert Clive (1725-1774) and Warren Hastings (1732-1818). Clive, a former member of parliament and a lieutenant colonel in the British army, was serving as the deputy governor of a fort in present-day Tamil Nadu when he received word that Siraj ud-Daulah, the Nawab of Bengal, had attacked and conquered the British outpost in Calcutta. Along with Admiral Charles Watson, Clive was dispatched to retake Calcutta and eradicate the threat posed by the Nawab. Facing superior numbers, Clive and EIC officials conspired with Mir Jafar, the Nawab's disaffected army chief, to overthrow Siraj-ud-Daulah. After the battle, Mir Jafar became the new Nawab, and the British began to cement political, economic and military control over Bengal. This process was expedited after the EIC defeated Mughal forces at Buxar in 1764, and Mughal Emperor Shah Alam II signed the Treaty of Allahbad, granting the EIC the right to collect land revenues.[85]

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[85] Rajeshwari Prasad, 1970.

It is important to recount this history because it reveals the paradoxical nature of the British conquest of Bihar (and India as a whole): British colonialism in India came into being gradually. For most of the eighteenth century, the pre-British Nawab-oriented institutional framework remained officially in place. At the same time, conquest by the EIC was violent, tumultuous, and deeply devastating to the legitimacy of these institutions. By the 1760s, it was clear that the pre-colonial administrative framework had been hijacked and that Bengal was firmly under the thumb of the EIC.

Treaties between the East India Company, the Mughal Emperor (by now little more than a vestigial relic), and the Nawab of Awadh in the 1760s established three divisions of the directly ruled portion of Company-controlled India: the Madras, Bombay and Bengal Presidencies. At its peak, the Bengal Presidency covered a wide swath of northern British India, from the Pashtun regions on the Afghan border to the Bramaputra valley and present-day Bangladesh. In addition to Bihar, it included the territory of the modern Indian states of Punjab, Uttar Pradesh, Jharkhand, Odisha (formerly known as Orissa) and West Bengal, as well as small parts of modern Madhya Pradesh and Maharashtra. Because of continuing conflict with the Marathas and other hostile rulers in southern and western India, Bengal was by far the most consolidated British presidency for much of the late eighteenth century. Thus, the British policy vision for India was only thoroughly applied in Bengal before the early nineteenth century.

At the time of the Battle of Buxar, a young Resident Minister named Warren Hastings was becoming increasingly frustrated with the EIC administration's conduct, particularly with regard to various instances of fraud and corruption among British merchants. In addition, Hastings felt that the administration behaved dishonorably in

their strongarming of the Nawabs. Greatly influenced by Enlightenment thought, Hastings believed that principles of fairness and natural rights should inform colonial policy in India.

In 1773, Hastings was appointed the first Governor-General of Bengal. The new post represented one of the first outright admissions that the EIC was the effective ruling authority in the country. Hastings approached his new position ambitiously. An admirer of Hindu scripture and philosophy, the new governor-general believed that British administration of India ought to be informed by local norms and beliefs. In other words, he sought to pioneer a mode of colonial rule that would be relatively free of structural violence.

Though high-minded in his aims, Hastings' legacy as governor-general proved to be mixed. Seeking to preserve what they believed to be the existing social order, the colonial administration empowered Brahmin scholars to write laws and solidified what had previously been a relatively fluid caste system, and a dichotomous division between Hindus and Muslims (the boundaries between which had begun to blur by that point[86]). By thus placing groups of people into fixed categories of caste and religion, the administration created a legacy of division and conflict that would plague India well into the post-independence era. This is a key point because it demonstrates how the project of bureaucratic rationality can be deeply violent under certain circumstances, particularly when this project is implemented based on a misinterpretation of identity categories and the nature of the boundaries between them.

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[86] See Ganieri, 2011.

In addition, when Hastings first took office as governor-general, the EIC was suffering from a shortfall of revenue. He elected to resolve this issue by establishing a company monopoly on the salt and opium trades. Predictably, the opium monopoly soon led to the growth of a black market opium smuggling route. Cultivators would illegally sell their opium to European interlopers in Patna, who would then smuggle the illicit goods to the port at Calcutta. Company profits did not appreciably increase during this time.[87]

In short, seeking to preserve the indigenous social order, the Hastings administration policy instead tore it asunder; seeking to preserve company profits in an honest manner, it spawned illicit markets and stoked corruption. Though the two men who contributed most to the founding of British Bengal brought vastly different outlooks and ideologies to the colonial project, both ultimately served to perpetuate the structural violence inherent in the project itself.

The Permanent Settlement and Its Legacy

Colonial disruption via rational-legalism did not stop there. The most vivid manifestation of the structural violence in British India's colonial legacy may well be the transformation of property relations in the Bengal region. Hastings was replaced by Lord Charles Cornwallis in 1786. Cornwallis was faced with a shortage of trained supervisors for the revenue-collecting zamindars in Bengal. He dealt with this problem by fashioning the Permanent Settlement of 1793—an agreement with the zamindars that gave them effective ownership of the land they held and fixed their land tax burdens in

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[87] R. Prasad, 1970.

perpetuity at a relatively high, inflexible rate. Cornwallis and his colleagues were confident that the Permanent Settlement would "ensure the right of private property in land."[88] Various EIC administrators had sought to formulate such a policy since Plassey. As Ranajit Guha points out, the consensus among Europeans in the seventeenth and eighteenth centuries was that all land in Mughal India belonged to the emperor.[89]

The Permanent Settlement radically altered the foundations of agrarian society in Bengal. The hard and fast rules of property relations came to supplant the old informal networks, and the reciprocal element of the relationship between zamindar and cultivator was destroyed—and with it, the core of legitimacy underlying the institution. The zamindars became proprietors, with absolute ownership of the land, while the cultivators were reduced to mere tenants. At the same time, the Settlement stripped the zamindar of all political agency, making him into a mere functionary of the modern, Weberian state. According to Pouchepadass' account:

> …[By] granting [zamindars] all the attributes of landownership, [the Settlement] turned them into absolute masters of their tenants, without specifying in the same way the duties they had towards them. This silence of the written law (as opposed to custom) gave a sort of paradoxical legitimacy to their oppressive behavior (even though common sense disapproved of it).[90]

It might be asked how we can conceive of property relations in Bihar as a failure of legitimacy if, as Pouchepadass appears to note, the Permanent Settlement successfully legitimated the order it created. The two terms we must keep in mind here are "paradoxical legitimacy" and "common sense." In the first chapter, we made the case for

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[88] Guha, 1981 [1963]: 2.
[89] Ibid, 101.
[90] Pouchepadass, 275.

a "layered" conception of Gramscian hegemony. This concept is illustrated in the

"paradoxical legitimacy" enjoyed by the *zamindars* in their new status as land "owners."

On one level, the shift in official property relations allowed the *zamindars* to claim a

newfound superiority over their cultivator tenants. But below this surface lurked a

persistent defiance, a rejection of the new order as lacking in dharmic foundations. In

removing both the political agency and accountability of the *zamindars*, the EIC

transformed them from legitimate or semi-legitimate rulers into corrupt functionaries of

the colonial state.

After the Settlement, many *zamindars* continued to extract customary tributes in

addition to the rent they charged the cultivators. Under the new regime, such exactions

were illegal. But the EIC had little interest in punishing the *zamindars*, who were

valuable allies. The British believed that these practices would spontaneously disappear

as Bengal modernized.[91] Whereas earlier, these additional fees were counterbalanced by

acts of benevolence and customary systems of reciprocity on the part of the *zamindars*,[92]

the passage of ultimate political authority to the British removed the incentive for the

maintenance of these systems. Meanwhile, threats of peasant insurrection (which had

previously curbed *zamindar* tendencies toward tyranny and excess) would now be met

with the power of the modern state, exercising its monopoly on legitimate force. In other

words, the *zamindars* took advantage of the elements of the new order that bolstered their

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[91] See *Report on the Administration of Bengal 1872-73*.
[92] For example, Pouchepadass points to the system of *gilandazi*, by which the *zamindars* of several Bihar districts were expected to "establish and maintain canals, wells, tanks and embankments" in exchange for the rents they received (Pouchepadass, 293). Nineteenth century accounts of rural Bihar make note of abandoned embankments, overrun irrigation canals, and other discarded fruits of such labor (*Notes on the Bengal Rent Bill 1881:* 32-33, 102).

power and weakened their accountability, while undermining (when possible) those that sought to curtail their economic assets.

In the first chapter, we took note of Dussel's conception of the fetishization of power. For Dussel, when political power is severed from its source (the governed), it becomes corrupted. This is what happened to the zamindars under the Permanent Settlement. Alienated from their political role and from the possibility of fulfilling *dharma*, they began to treat their offices as funnels for profit. This was a clear instance of legitimation failure on the part of the EIC.

As effective landlords, those zamindars that were able to remain fiscally solvent under the new arrangement formed a newly empowered elite class (often at the expense of the cultivators who were now both economically and politically destitute). Incidentally, however, the inflexibility of their tax burden (which did not account for poor crop seasons, among other things) pushed many zamindars into arrears, allowing the Company to auction their land. The Company's policy of auctioning off the land of indebted zamindars led to the commercialization of land in the region, which created a new class of landlords consisting largely of East India Company bureaucrats who used their positions to obtain significant wealth, and who "had little attachment to their land."[93] Investments and improvements in the land and infrastructure went largely neglected. When the British attempted to institute reform to the landholding system in the early twentieth century, the zamindar class dug in its heels and resisted change. This

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[93] Cohn, 1960: 430.

contributed to the continuing corruption and institutional weakness that have plagued the state since independence.

<div align="center">*Caste Codification under Colonialism*</div>

We have already discussed in some detail how the cementing and codifying of the caste system occurred, beginning with the governorship of Warren Hastings. This process was expedited after India became a crown colony. The new imperial administration believed that it was necessary to collect as much information as possible about the caste and religious divisions that they believed were the key to understanding their new subjects. In typical high-modernist fashion, the British sought to streamline and simplify an extraordinarily complex and multifaceted tapestry of social and familial groups and functions into a straightforward hierarchy that would be decipherable to a rational-legal bureaucracy.

While some colonial policies regarding caste were implemented throughout India, the element of stratification was strongest and most violent in the Bengal Presidency. In 1857, Indian soldiers rebelled against the EIC, sparking a rebellion against British rule through much of northern India, including in Bihar. The Bengal Presidency's indigenous army—unlike those of the Madras and Bombay Presidencies—was recruited almost exclusively from the landholding upper castes, whose members were afforded special customary privileges within the army. When reform-oriented EIC administrations in the 1840s sought to remove these privileges, the ensuing resentment of these upper-caste sepoys proved to be one of the leading causes of the rebellion. The First War of

Independence ended in defeat for the rebels several months later, the EIC was dissolved, and British India became officially a colony of the crown.

In the first census of India conducted from 1871 to 1872, the British administration set out to classify, for administrative purposes, each caste into one of the four varnas or as "Outcastes or Aboriginies."[94] Whereas before, some of the *jati* performed different tasks (soldiers and bow-makers, for example) which fit under different *varna*, each *jati* was now categorized as belonging to one of the four classes. In many cases, it was arbitrarily decided which of the group's varied functions was deemed predominant. In his 1872 *Report on the Census of Bengal*, H. Beverly wrote that without precise numerical information, "the basis is wanting on which to found accurate opinions on…the growth and rate of increase of the population, sufficiency of food supplies, the incidence of local and imperial taxes, the organization of adequate judicial and police arrangements, the spread of education and public health measures."[95]

Bernard Cohn perhaps best describes the mechanism by which the nature of caste was transformed: "In the conceptual scheme which the British created to understand and to act in India…they reduced vastly complex codes and their associated meanings to a few metonyms…India was redefined by the British to be a place of rules and orders; once the British had defined to their own satisfaction what they construed as Indian rules and customs, then the Indians had to conform to these constructions."[96] In short, the British

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[94] Cohn, 1987: 243.
[95] H. Beverly, *Report on the Census of Bengal 1872*, 1.
[96] Cohn, 1996: 162.

first misinterpreted existing social relations in India, and then imposed on Indian society their misconstrued version of reality.

As with the transformed role of the zamindars under the Permanent Settlement, the hardening and stratification of caste boundaries under the Bengal Presidency altered existing social systems and eroded organic foundations of reciprocity and balance that had afforded legitimacy to these systems. It is important to keep in mind that this sort of violent colonial imposition of perceived caste differentiation took place throughout directly ruled India—not just in Bihar or the Bengal Presidency. Why, then, do we focus so much energy on the caste story in a chapter about Bihar? First of all, as we have noted, British-authored caste stratification was more pervasive and more violent in the Bengal Presidency than anywhere else in India. This was in part because Bengal was the first region of India to become dominated by the British, and the hard lessons of exacerbating caste divisions seem to some extent to have been learned by Colonel Thomas Munro and the other founding leaders of the Bombay and Madras Presidencies. In addition, the Permanent Settlement of Bengal compounded the hierarchized interpretation of caste by establishing the high-caste *zamindars* as unaccountable landlords.

Thus, direct British rule in Bihar left a deeply violent legacy, contrary to what Mahoney and Lange predicted about direct rule by liberal colonial powers. In defense of this theory, one might argue that what we call direct rule in Bihar is actually closer to the indirect rule of British colonies in Africa, since it involved the creation of an unaccountable and corrupt class of indigenous elites at the expense of the majority of the population. The problem with this line of reasoning is that Bihar experienced a longer

and more extensive period of colonial involvement than most of India and has had the worst developmental outcome of any state in the country. By contrast, as we will see in Chapter 5, Kerala experienced far less colonial involvement and has had a much better developmental outcome.

Amartya Sen, among others, has documented the rich tradition of discourse and argumentativeness in ancient Indian culture.[97] But the introduction of Western-style rules of governance—and, in particular, of the concept of parliamentary democracy—shaped the Indian independence movement as well as the ideals that informed the Constitution and post-independence governmental structures.

Modern Bihar: The Bureaucracy

Like much of colonial India, the structure of district administration in Bihar went through different phases. For much of the late eighteenth century, the fledgling administration functioned mainly to administer trade activity. As the East India Company consolidated its power and flexed its military muscle, especially after the Treaty of Allahbad in 1764, emphasis shifted to the collection of revenue (particularly land revenue). After India became a crown colony in 1858, the district administration—like the higher levels of colonial government—became more complex. The tax collector was now aided by a whole host of different officials, including a police officer, judiciary, medical officer, engineer and inspector of schools. While colonial India's administration was primarily focused on "(a) maintenance of law and order, and (b) collection of revenue," bureaucracy began to take on new projects after 1947. India's adoption of a

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[97] Sen, 2005.

"hybrid" economic model between capitalism and socialism meant that certain industrial sectors were wholly controlled by the state, while others were privatized but severely regulated by red tape.

G.K. Prasad's 1974 study *Bureaucracy in India* examines the nature of the administrative regime in Bihar two decades after independence. At this point, bureaucratic complexity in Bihar and in the rest of India was at its peak under what has come to be called the "license raj." The picture that Prasad paints is one of an ever-burgeoning bureaucracy that exists mainly to perpetuate itself and continue growing. Prasad argues that this is because the bureaucratic arrangement was inherited from the British raj: colonialism, he says,

> did not allow the process of industrialization to develop and…the administrative organization, which developed into a kind of steel-frame to support the colonial rule, came to function primarily as a regulative institution in India. And one may trace some of the unhappy characteristics of the present Indian bureaucracy to this distortion of the normal aims of incipient Indian Administrative structure under the British.[98]

It is somewhat tempting to look at the intricate bureaucratic structure of the Maurya Empire and at the modern regulatory regime and conclude that the latter is a direct descendant of the former. But to do so would ignore a couple of important factors. First, while Mauryan philosophy and certain aspects of ancient political culture can be said to have carried over into the modern era, the rise and fall of so many different regimes in the intervening millennia greatly complicates the picture. Secondly, whereas the Mauryan bureaucracy developed organically within the relatively homogenous

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[98] G.K. Prasad, 1974: 113.

society that was ancient Bengal, the modern bureaucracy—as mentioned earlier—is the direct successor to the British colonial bureaucracy, which was exogenously imposed on a much larger and more ethnically and culturally diverse country. Finally, it should be noted that the rule-intensive nature of Mauryan political culture appears to have extended beyond the realm of the state, binding families, groups and social networks in a complex web of informal ties. Unlike the formal bureaucratic structure of the Mauryan state, these informal networks endured through the centuries—ever evolving, to be sure, but retaining much of their complex character under a long succession of different regimes.

This reality gives some context to the following passage by G. K. Prasad: "In a society characterized by caste, joint family and kinship, the bureaucratic model fails to attain the required degree of hierarchy and impersonality and thus the model in practice is more dysfunctional than functional."[99] Prasad believes that the nuance and complexity of Indian society is wholly incompatible with the Weberian bureaucratic structure, and that corruption and inefficiency within federal and state bureaucracies (particularly that in Bihar, which is the focus of Prasad's study) is tied to this incompatibility.

Modern Bihar: The Fault Lines of Politics

The history of the present state of Bihar dates back to 1912, when a new province was carved from the Bengal Presidency, which was now a directly ruled administrative territory in British India. The province of Orissa was separated from Bihar in 1936, leaving the contours of the Bihari state as they existed for the rest of the century (The new state of Jharkhand was carved from southern Bihar in 2000).

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[99] G.K. Prasad, 115.

In the years following independence, the Bihari government passed three separate acts designed to abolish the zamindari system: the Zamindari Abolition Act of 1947, the Zamindari Abolition Act of 1948, and the Bihar Land Reforms Act of 1950. These acts legally terminated the land-holding rights of zamindars, but implementation was a much slower and more difficult task. This was in part because the state legislators and bureaucratic administrators responsible for implementing the laws were largely drawn from the zamindar class, and thus had an incentive to maintain the existing system.

The political and bureaucratic apparatus was thoroughly dominated by the landowning upper castes which controlled the majority Congress party, which in turn controlled the Bihari legislature for most of the first half-century after independence (from 1947 to 1967, again from 1972 to 1977, and finally from 1980 to 1990). This was despite the fact that these upper castes accounted for only 14 percent of the state's electorate at independence. The lower ("backward") castes do not appear to have broken from the Congress Party until 1967, when the Party lost control of the state legislature for the first time. Even after this loss, Congress continued to be the dominant force in state politics for the next quarter-century, due in large part to the Party's historical roots in the struggle for independence and its continued dominance of national politics.[100] Ironically, the domination of the upper castes in Bihari politics was a direct outcome of the streamlining and codification of the caste system under the colonial administration. As we discussed earlier, the British had drawn deep lines between the varnas for bureaucratic purposes and empowered members of the upper castes in a misguided effort to keep

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[100] The Congress Party held an absolute majority in the national Lok Sabha for all but three of the first forty years after the chamber's inception.

society intact and manageable. Now these fissures had become the fault lines for interest group politics, and the empowered groups used their position to advance their interests.

Meanwhile, large swaths of the population—particularly the rural poor—were marginalized and left with no viable avenue by which to address their grievances in the political sphere. The Naxalite Maoist insurgency sprung from the pervasive belief on the part of lower caste cultivators and dalits in eastern India that the country's parliamentary democracy was incapable of truly representing their needs and interests. The failure of the government of Bihar to undo the legacy of the Permanent Settlement was at the core of this frustration.

Corruption in Bihar bred widespread dissatisfaction with the government. In the 1970's, Jayaprakash Narayan, an avowed Gandhian and veteran of the independence struggle, spearheaded a peaceful protest movement against the Bihar government. Narayan was quite clear in defining the corruption of the political establishment as violence: "it is not the so-called Naxalites who have fathered their violence but those who have persistently defied and defeated the laws for the past so many years—be they politicians, administrators, landlords, or moneylenders."[101]

Bihar has seen a number of state elections in which the legitimacy of the outcomes was dubious at best. Clements notes the turbulent nature of Bihari electoral politics in the 1970s: "Politicians began to commonly employ armed thugs to 'capture' voting booths, frightening away opposition voters and allowing multiple votes from

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[101] Quoted in Avinash Kumar, 2009: 9.

supporters."[102] Though the normative value of democracy was certainly present in Bihar, the coexistence of Westminster-style parliamentary institutions with a starkly stratified social order produced a peculiar brand of politics.

Upper caste supremacy in Bihari politics effectively ended in 1990, when Lalu Prasad Yadav led the lower caste-dominated Janata Dal party to a sweeping victory over Congress (echoing a similar national election result a year earlier). The following decade saw a drastic increase in clientelism, corruption, mismanagement and economic turmoil. Caste-based clientelism in particular grew more rampant, with Janata Dal ministers and other politicians distributing government jobs to their caste constituencies. Lalu built a cult of personality around his dominance of state politics, feeding on lower caste and Dalit resentment of the upper castes. He often gave orders on a whim, and showed little interest in learning the intricacies of government.

The increase in corruption after the ascendance of the lower castes can be attributed to a further estrangement of elected officialdom from the norms of liberal democratic politics in Bihar. Many of the upper caste politicians who dominated the Congress Party had come from prosperous families with western educational pedigrees— often degrees from Oxford or Cambridge. To some extent, they embodied the culture of Western rational-legalism. The newly emergent lower caste leaders entered these institutions with a different perspective. Having experienced violent oppression under the Congress-led state government, they interpreted and wielded the political arm of the state in a similar fashion.

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[102] Clements, 132.

While in some respects, the emergence of Lalu Prasad Yadhav and the Janata Dal party represented a seizure of power by the lower castes, the 1990 election did not significantly alter the feudal structure that had been created by the Permanent Settlement of 1793.

As Avinash Kumar notes, "upper strata of backward castes (whom we call the upper backward castes or the dominant castes), to which Lalu Yadav belonged, had replaced the upper caste feudal lords as the ruling class in the state and in the process employed equally oppressive tactics against the most underprivileged but numerically the largest class of poor peasants and agricultural laborers."[103] Thus, while it appears that lower castes have won political representation, it is actually the middle castes which have become politically dominant. This reality has further marginalized the "lower backward" castes by creating an illusion of genuine representation. The deep violence of this situation is a direct outcome of the Permanent Settlement, in conjunction with the legacy of colonial stratification and oversimplification of caste relations in the region.

Colonial stratification had oversimplified caste structure in Bihar's cultural narrative. This enabled Lalu to act as a representative of lower castes even as he mobilized his state against the more marginalized members of these same "caste" groups in addition to harijans and adivasis. Despite fiery rhetoric about land reform, Lalu's government never took action on this front because it was not in the interest of his power base.

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[103] Kumar, 9.

We have already discussed how the pre-eminence of the forward castes in the early decades after independence was a legacy of the stark stratification scheme employed by the colonial administration. Now, in some but not all respects, that order was inverted. Lalu's administration came to be associated with the phrase "bhurabal hatao" ("Eliminate the upper castes"[104]—this was a play on Indira Gandhi's slogan "Gharibi hatao" or "Eliminate poverty).

Lalu, a member of the "backward" Yadav herding caste, pursued policies enhancing opportunities for lower caste members and dalits. He endorsed employment quotas for members of "Other Backward Classes" (OBCs), sparking protests among upper-caste students. He dispensed patronage to other Yadavs, favoring them for key government positions. He traveled via helicopter to the lower-caste areas of remote villages and often made a spectacle of demanding that a road or a streetlight be fixed immediately, without bothering to think about where the money would come from.

Despite Lalu's efforts on behalf of the lower castes, democratic constraints meant that he could not reshape the state's social and political order by fiat. For one thing, the upper echelons of the state bureaucracy continued to be dominated by high-caste officials through Lalu's tenure.[105] As a result, tensions mounted between the bureaucracy and Lalu's lower-caste dominated government, crippling already weak institutions.

With its broken civil society and lack of an institutionalized democratic tradition, Bihar was fertile ground for Lalu's brand of neopatrimonialism and personalistic politics.

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[104] "Bhu-ra-ba-l" is an acronym for the four main upper castes in Bihar: Bhuminars, Rajputs, Brahmins, and Lals.
[105] Wistoe, 2011: 78.

Yet, if it seems only natural that Lalu would be undone by a corruption scandal, the scam that led to his resignation in 1997 was not one of his making. As mentioned earlier, the Fodder Scam involved long-standing institutional practices that had grown out of the fundamentally decadent culture of governance in Bihar. This culture in turn was forged in the crucible of colonialism.

CHAPTER 4. THE MITIGATION OF VIOLENCE THROUGH URBANIZATION
AND RURAL AGENCY IN MAHARASHTRA

Mumbai is a case study in contradiction. Posh estates and gleaming towers of
luxury apartments overlook lush tropical greenery and sparkling swimming pools in the
upscale districts of Marine Drive and Malabar Hill, while a few miles away large families
huddle together in the tattered makeshift dwellings of the massive Dhavari slum. A
thriving information technology sector flowers in the shadows of the grim, hollow husks
of the city's defunct textile mills, while ox-carts and automobiles struggle for headway in
the crowded streets below. Boasting a vibrant civil society as the largest city in the
world's most populous democracy, Mumbai is nevertheless a domain of political
intimidation and communal violence, stoked as much by the Hindu fundamentalist-
dominated municipal government as by the genuine specter of Islamic terrorism. And
middle class citizens speak indignantly of the considerable corruption that saturates the
bureaucracy from top to bottom, even as they bribe their way out of everything from
traffic tickets to taxes.

One thing about Mumbai is clear: it is the financial heart of India and the engine
of Maharashtra's economy. Yet, despite the city's enormous size, power and
preeminence, the Mumbai metropolitan area is home to less than one-fifth of the
population of Maharashtra. The state stretches deep into central India, and is speckled
with several other major cities like Pune, Aurangabad and Nagpur. With these cities and
others included, it is one of the most urban Indian states.

Even so, the majority of Maharashtra's population (about 55 percent as of the
2011 census) still lives in the largely agricultural hinterlands. Over sixty percent of the

state's workforce is employed in agriculture or related activities, and for much of the state rice paddies and sorghum fields stretch far into the distance. It is out here, amidst the rolling hills of the Western Ghats and on the vast expanse of the Deccan plateau, that Marathi culture remains distinctly prominent and undiluted by big city cosmopolitanism.

This chapter will examine the history and contemporary politics of Maharashtra with an emphasis on the state's colonial legacy. We will evaluate Maharashtra's developmental trajectory and seek to determine the causes of the state's successes and failures, with an eye toward the various aspects of the colonial legacy that have both inflicted and mitigated structural violence. We will compare this legacy to that in Bihar, and seek to determine what accounts for the different outcomes. We will tell the story of Maharashtra, beginning in the 16th century and working our way up to the present day.

It should be noted here that the history of Mumbai (known in English as Bombay until 1994) and that of the Maharashtran interior are quite different from one another. Bombay was colonized centuries before the rest of the state, and in fact, the city did not exist before the colonial era. While the Bombay Islands were being transformed into a major hub of British imperial overseas trade, the interior in some respects continued along its pre-colonial trajectory as the center of the Maratha Empire, though as we shall see, the Maratha government was not entirely free from British influence. Hence, it will be necessary to separate Bombay from the interior in the historical narrative, at least before 1818 when the Bombay Presidency took control of the interior under the auspices of the East India Company.

Maharashtra has by far the largest economy of any state in India, with a state GDP of $284 billion (USD) in fiscal year 2012. It has the sixth highest GDP per capita among Indian states and the highest GDP per capita of any large state. It ranks third in literacy (with a literacy rate of 82.9 percent in 2011) and has an HDI score of .689, higher than all but Kerala and the union territory of Delhi. The state scores 4.17 on Nicholas Charron's corruption index, which places it toward the lower end of the middle cluster of states—more corrupt than Kerala, but significantly less corrupt than Madhya Pradesh and far less corrupt than Bihar.

Like Bihar, the majority of modern Maharashtra was formerly directly administered by the British. Yet, whereas Bihar is the weakest, poorest, least educated and most corrupt of all Indian states today, Maharashtra has done relatively well on most indicators. As stated above, perhaps the central question of this chapter is: what accounts for this discrepancy? There are two major differences in the colonial legacies of these states that go a long way toward explaining the difference. The first is, to put it simply, Bombay. Maharashtra was anchored by a major urban trading port which was the focus of a great deal of colonial attention as well as economic and infrastructural investment. Bihar had no such port, and while its main city of Patna served as a divisional capital within the Bengal Presidency, the city never rivaled Bombay or Calcutta in economic importance, and infrastructural investment there was not a major priority for the Company.[106]

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[106] Digital South Asia Library.

James Mahoney might argue that the difference between the heavy colonial investment in the area around Bombay and the neglect of such projects in Bihar constitutes much of the difference between direct and indirect rule by a liberal colonial power. I maintain in this project that both regions were more directly ruled than, say, Kerala, and that the difference between colonial involvement in Bihar and Maharashtra was one of quality rather than quantity. Both the Bengal and Bombay Presidencies were subject to governance heavily informed by liberal Enlightenment principles. The main difference is that the colonial project in the city of Bombay functioned in some respects more like a settler enclave than a strictly indigenous direct rule region, while Enlightenment-inspired direct rule in rural Bihar was a disruptive and debilitating failure.

The other explanation involves differences between the administration of the Bombay and Bengal Presidencies. While the Permanent Settlement of 1793 solidified and marketized the power of zamindaris (landlord elites) in Bihar, paving the way for poverty and corruption (see previous chapter), there was no such policy in the Bombay Presidency. Rather, tax collection followed the ryotwari system—that is, taxes were collected directly from the individual land cultivators (ryots). Under this system, the social order of the rural interior was not disrupted in as violent a manner as under the *zamindari* system.

We discussed in the last chapter how the caste system was streamlined and rigidified under the British in Bihar, which exacerbated social stratification between the varnas. In Maharashtra, the situation was different. Bihar had been under Muslim rule in the centuries preceding the colonial era. Maharashtra was the heart of the Hindu-dominated Maratha Empire. Around the middle of the eighteenth century, the empire

came to be dominated by the Brahmin Peshwas (hereditary prime ministers), who began to enforce a Brahmin-dominated caste hierarchy. Powerful warrior castes were relegated to *shudra* (low varna) status, fueling resentment among these groups. But the peshwas' influence was limited within the empire, and many of the warrior chiefs of the countryside never submitted to Brahminical authority. This dynamic spawned a deep rivalry between the Brahmins and the Maratha warrior castes which would carry over through the British era and into modern times.[107] As we shall see, it also provided a framework for the politicization of the non-Brahmin castes in the colonial era and beyond. In Maharashtra, lower caste consciousness developed in tandem with Western-inspired Enlightenment sensibilities, forming a basis for contestation in democratic politics after independence.

Bombay, 1534-1900

The purpose of this project has never been to say that colonialism had only negative consequences, nor that greater colonial involvement necessarily led to more structurally violent outcomes. It is fair to say that the city of Mumbai owes its prominence in part to centuries of steady investment by the British East India Company and, after 1857, the British crown. It also owes to the British its bureaucratic and administrative apparatus, which for better or for worse changed hands rather seamlessly at independence.

If Mumbai is today both the political capital and economic engine of Maharashtra, it began as an outpost of foreign infiltration. Even as Shivaji was carving out his territory

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[107] Gordon, 1993.

in Maharashtra's hilly interior, Europeans had already established control over a small archipelago of seven islands on the western coast that would later become the city of Bombay. The Portuguese gained control of the islands in 1534 through a treaty with the Sultan of Gujarat, and established a feudal system of land control and juridical rights.[108] In 1661, King Charles II of England married the Portuguese Infanta Catharine of Braganza, and as part of the marriage treaty the king of Portugal granted the islands of Bombay to the British.[109] Seven years later, Charles borrowed fifty thousand pounds from the EIC and in return granted the islands to the Company for an annual rent of £10.

In the 1670s, Bombay Governor Gerald Aungier reached a settlement with the main Portuguese fazendars of the islands. In addition, Aungier replaced the fledgling Portuguese legal system with English common law, and issued a "declaration of rights and duties of both subjects and the East India Company." Aungier divided Bombay Island into five districts, each to be administered by an English colonial official.

Aungier also took it upon himself to transform the sparsely populated archipelago into a major port town. To this end, he imported models of indigenous governance that he had found at his previous station in Surat (a city in present-day Gujarat, which was then the headquarters of the EIC in western India). One of these was the *mahajan*, a guild of influential men within a particular occupation that cooperatively regulated the activities of that occupational group. The other was the *jati panchayat*, which "governed

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[108] Dossal, 2010: 4.
[109] Several of the islands remained in Portuguese possession until the 1730s.

the internal affairs of single castes."[110] In Surat, the mahajan and jati panchayat were

semi-autonomous and rarely subject to state intereference. Now Governor Aungier

promised the commercial classes of Surat and other cities that they would have similar

autonomy, in addition to expanded economic opportunity, if they came to the burgeoning

port town. Bombay's population began to swell as a result, and the panchayat system

soon came into effect, though they were not granted autonomy in all respects.

In 1687, the EIC transferred its official headquarters in western India from Surat

to Bombay. In 1718, Governor Charles Boone spearheaded the establishment of a new

Court of Judicature, which was to consist of nine British justices. Prior to this time, the

panchayats "of the several Tribes of the Inhabitants of the island" had retained their

authority to settle communal disputes. Now these panchayats were deemed "inferior

courts" and placed under the supervision of the new court. This shift in policy set the

stage for a similar encroachment on the prerogative of indigenous panchayats after the

EIC took control of the Maharashtran hinterland a century later.

In 1726, a Mayor's Court consisting of a mayor and nine aldermen was

established in Bombay (as well as in Madras and Calcutta, the other two urban centers of

the British presence in India). Eight of the ten members of the Court, including the

mayor, were required to be naturalized subjects of the British crown. The Court was

initially granted jurisdiction over British subjects living in Bombay, as well as over

Indian residents of the city with whom these British subjects were engaged. In 1772, the

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[110] Frank F. Conlon, "Caste, Community and Colonialism: The Elements of Population
Recruitment and Urban Rule in British Bombay, 1665-1830." *Journal of Urban History*,
Vol. 11, 181-208 (February 1985).

Court's jurisdiction was expanded to include disputes among non-British subjects in areas under Company control. The Court followed procedures of British courts and applied British common law and English statutes. However, as British officials lacked an intimate knowledge of indigenous customs, the panchayats established under Aungier remained in effect during this time. Court registers from this era include many cases that were decided by panchayat leaders.

By the middle of the eighteenth century, Bombay had become the primary port of western India and boasted a population of 70,000. Its relative proximity to the West meant that it would soon surpass Calcutta as the principal port for the entire subcontinent. Meanwhile, the EIC continued to expand its influence, gaining control over ever-more territory. In 1782, British Governor William Hornby initiated a project to join all of the islands of the archipelago together via a causeway. After the completion of the Hornby Vellard in 1784, the population of the city began to expand into the neighboring islands.

Prashant Kidambi notes that Bombay's "commercial dynamism during the nineteenth century was fueled by the sophistication of indigenous mercantile capitalism." He continues:

> Unlike Calcutta, where Europeans dominated the city's economy and commerce, Bombay's success owed a great deal to the vigor of its Indian businessmen…While capital was generally mobilized through caste and community networks, this did not preclude the emergence of a highly sophisticated system of cross-communal business arrangements…Factory-based industrialization relied upon pre-existing networks of community and kinship…Within the market for raw cotton, for instance, there was a close relationship between the Indian mills and the importers, brokers and *jethawalas*, for whom the latter acted as agents.[111]

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[111] Kidambi, 2007: 24.

This illustrates an organic capitalist orientation among Bombay's inhabitants—hardly a surprise since the city's population was largely drawn from the merchants and tradesmen of Surat and the mainland. Crucially, for our purposes here, the above passage also indicates that the initial phase of capitalist development in Bombay occurred relatively free of structural violence on the part of the colonizers. The city's economy expanded rapidly, propelled by a strong indigenous enterprising culture that recognized and legitimated the general norms of market capitalism, infusing those norms with their particular modes of social organization.

By the late nineteenth century, Bombay was a growing center of economic activity, and had begun to attract a diverse range of ethnic and linguistic groups from all over India. As the families of British military personnel and civil servants settled in Bombay, a sizable Anglo-Indian population developed. Before long, the city had become a multicultural melting pot, so cosmopolitan that it transcended its location on the Konkan coast.

It is important to point out that the much of the burgeoning population of Bombay was self-selected, comprised of business-minded outsiders who were attracted to the city and the opportunities it provided them. In this respect, the indigenous capitalist classes of Bombay formed something similar to a settler colony. As discussed in Chapter 2, settler colonies exhibited considerably less colonial structural violence than unsettled colonies because in a settler colony the culture of the population developed with the colony rather than clashing with it. We have also pointed out in response to James Mahoney that city-state colonies like Hong Kong and Singapore benefitted more from direct liberal colonialism than rural areas that were not connected to a large metropolis. For much of

the early colonial era, Bombay functioned similarly to these capital-intensive city-state colonies.

None of this is to say that nineteenth century Bombay was free of structural violence. It was during this time that the aforementioned stark divide between rich and poor began to manifest in the city. As Bombay industrialized, European and indigenous elites settled on the western strip of the island, while low-level government workers, small-time merchants, weavers and factory workers settled on the other side of the Hornby Vellard, in what became known as the "Indian town." As the textile mills and related industries expanded, pressure grew on the Indian town's housing and infrastructure.

While economic development in Bombay was relatively smooth and beneficial for the capitalist classes in the nineteenth century, the same cannot be said for the city's governance. The municipal government of Bombay went through a number of phases, beginning with the Court of Judicature and the Mayor's Court, and continuing with a series of other boards and commissions, each tasked with various administrative functions, and most of which proved to be ineffective. In 1865, less than a decade after the EIC gave way to direct crown rule, a commission was created with expanded powers of taxation and a unitary executive in the person of a Municipal Commissioner who would be appointed by the government of the Bombay Presidency for a term of three years. In 1872, a Municipal Corporation was created, consisting of 64 members. Thirty-two of these members were to be elected by the wealthy, property-owning elites of the city, eight would be appointed by the Justices of the Peace, and the Bombay Presidency would nominate the remainder. This institutional arrangement was widely decried by

Bombay's intellectual elites and educated professionals who were overwhelmingly

excluded from the franchise. In response, the Presidency passed the Municipal Act of

1888, which expanded the membership of the Corporation to 72, added members to be

elected by the University Fellows and the Chamber of Commerce, and marginally

lowered the tax-paying qualification for voting in municipal elections. Despite these

adjustments, however, the Municipal Corporation remained "a close borough of landlords

and capitalists."[112]

The stark divide between the wealthy and poor areas of the city, combined with

the utter lack of incentive on the part of the Municipal Corporation to deal with the

growing infrastructural problems of the Indian town, meant that basic urban amenities in

the poor regions of the city would be neglected for generations. As the influx of

proletarians moved into the city for work, housing in these regions became crowded and

water and sanitation systems fell into disrepair. Despite the expansion of the franchise

decades later, these problems persist to this day.

Thus, by the dawn of the twentieth century, we can see the emergence of

economic and governance patterns of structural violence in Bombay that have persisted

into the present. A colonizing class of economic beneficiaries from the city's capitalist

development was now thriving alongside a vast marginalized and exploited underclass.

Government institutions and law enforcement agencies existed primarily for the benefit

of the upper classes and routinely mistreated and abused the poor. This social

stratification often coincided with caste, as the entrepreneurial transplants often came

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[112] Massani, 1929: 363.

from upper castes while the classes that made up their servants were of lower *varna* status. Thus, caste hierarchy found particularly violent expression in the capitalist organization of the city—even as the colonial administration sought to promote the rights of lower castes. We can see the legacy of this in modern Mumbai, where an English-speaking aristocracy of professionals is served by a multitude of undereducated and undernourished servants who cook meals, mop floors and fluff pillows for their elite employers.

<div align="center">*Maratha Interior: 1674-1818*</div>

Though Maharashtra in its current form only emerged in 1960, the cultural basis for the state revolves around the Marathi language that has been the dominant tongue of this Western Indian region for over a thousand years, as well as the historical legacy of the expansive Maratha Empire which was based in the area and ruled much of India in the centuries immediately preceding British colonization. The empire was founded in 1674 by Shivaji Bhosle, a Hindu general from just outside of Pune, and quickly developed into a regional power center rivaling the then-dominant Mughals. The Marathas played a major role in the erosion of Mughal power, especially after the death of Mughal Emperor Aurangzeb in 1707.

The Maratha Empire began as a small kingdom in the Pune area, and clashed in its early years with already-established powers like the Bijapur and Golkonda sultanates of the Deccan plateau and the Mughal Empire. Although anti-colonial Hindu intellectuals of the late 19th and early 20th centuries tended to regard Shivaji as a revolutionary or a Marathi nationalist leader, most historical accounts suggest that the

early Maratha polity was not appreciably different in structure from its contemporaries.[113]

In addition to the Deccan sultanates and the Mughals, rival powers during this era

included the Gujarat sultanate and an assortment of smaller kingdoms and fiefdoms

scattered across the plateau.

Throughout its nearly one hundred and fifty-year existence, the Maratha Empire

was based less than one hundred miles from what is now the center of the megapolis of

Mumbai. Yet unlike many of their contemporaries, the Marathas did not prioritize urban

areas. As Stewart Gordon notes, "In conquest, they took the countryside first, the towns

second, and left the cities until much later."[114] Their initial capital of Raigad was little

more than a fort; and while the empire moved its official epicenter to Pune in 1730, major

surrounding cities like Aurangabad remained outside of Maratha jurisdiction through

most of the 18th century.

In Shivaji's time, the interior of Maharashtra was still very thinly populated, with

abundant open land. Settlers who brought family and others out to uncultivated land

became patils—village chiefs, and collected revenue for the royal treasury. Those who

brought in other patils and started up several villages became known as deshmukhs.

Political power in the village was divided between the patil and the *panchayat[115]* or

village council.   The patil was the most influential person in the village, and he derived

his power from both local tradition and the legal backing of the state (be it one of the

Deccan sultanates or the Maratha empire). He represented his village in negotiations

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[113] Gordon, 1993: 80.
[114] Gordon: 189.
[115] The word "panchayat" can loosely be translated as "council of five."

with the deshmukh over tax rates; offered incentives to land cultivators in order to improve agriculture; and in consultation with the *panchayat*, granted ownership rights to those looking to purchase land. He was also responsible for settling disputes between citizens of the village.

When the patil was unable to resolve a dispute within the village on his own authority, the matter was placed before the panchayat, a council of "the most intelligent and influential *kunbis*[116]in the village."[117] A rather informal institution with flexible procedural rules, the panchayat would convene in the open to hear the complaints; then they would draw up an award to be carried out by the patil. In his discussion of the panchayats of Maharashtra, Ravinder Kumar notes, "The *panchayat*'s chief advantage over formal judicial institutions lay in the identity of values between its members and the *kunbis* who brought their disputes before it. Since the *panchayat*'s decisions were inspired by values which were shared by the cultivators, they accepted its awards as equitable."[118] Membership of the panchayats was drawn from the land-cultivating class, which made it difficult for money-lenders to exploit the cultivators, but also for these lenders to collect on their debts unless they could persuade the patil to intervene on their behalf.

The term "Maratha" initially referred to Marathi-speaking soldiers in the armies of the Deccan states, particularly those related to patils and deshmukhs.[119] Many of these soldiers were of Rajput (elite Kshatriya) ancestry, but many others came from Kunbi

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[116] Kunbis were the main caste of land cultivators in Maharashtra.
[117] Ravinder Kumar, 1968: 28.
[118] Ibid.
[119] Pandit, 1979.

(land cultivating) families. Prachi Deshpande chronicles the transformation during the colonial period of the category "Maratha" from "a historical military ethos to the bounded marker of a caste group."[120] We will return to this point in due course, but suffice it to say for now that the empire of the seventeenth and eighteenth centuries took its name from this evolving group, to which its founder and his adherents belonged.

Shivaji's Bhosle clan ruled the Maratha Empire from 1674 until the death of Emperor Shahu in 1749. Shahu's son Rajaram II ascended to the throne upon his father's death but exhibited little interest in leadership and instead delegated effective rule of the empire to his Peshwa (prime minister), Balaji Bali Rao. Though the Bhosle dynasty maintained titular reign over Maratha territory, the real power in the empire was passed down through the hereditary Peshwas from that point onward.

By 1760, the Maratha Empire encompassed a vast swath of the subcontinent, including most of modern India. Like most pre-modern empires, however, the Maratha polity was rather loosely organized, and exerted little direct control over much of its territory. Particularly after de facto rule passed to the peshwa, the legitimacy of the Pune government was not universally recognized, and feudal clans of Maratha warriors maintained relative autonomy in much of the countryside. As in the hinterlands of Bihar, there was no entity that exercised a monopoly on the legitimate use of force. The modern state as we know it did not exist in this region until the early nineteenth century when the British took control, and even thereafter, it came into being in a haphazard and incomplete fashion.

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[120] Deshpande, 2004: 8.

In 1773, Raghunathrao seized power from his nephew and declared himself Peshwa. When a confederacy of Maratha warriors intervened to restore the position to its rightful heir, Raghunathrao sought help from the British East India Company. The Maratha warriors defeated Raghunathrao and his British allies in 1782. Following the war, the Marathas and the British formed an alliance that lasted twenty years.

The Peshwas of the Maratha Empire had witnessed the caste stratification carried out in the Bengal region under Warren Hastings, and seeing a way to consolidate their power, they moved to enforce a hierarchical system of caste-based domination in the Maratha countryside beginning in the closing decades of the 18th century. Historical records from this time show an increasing tendency for various castes of Brahmins to view themselves as a superior class rather than as a group that performed specific ritualized tasks. For example, Fukazawa uncovers a story from 1786 in which "untouchable" Mahars from the coastal (Konkan) region were denied the right to have their marriage officiated by Brahmin priests, and told that only untouchable priests could officiate an untouchable wedding.[121]   This stands in contrast to earlier anecdotes in which Brahmin priests performed such ceremonies.[122]

It is notable that all of the Peshwa assertions of Brahminical supremacy take place after 1782, when the first Anglo-Maratha War ended and the Maratha government entered into an alliance with the East India Company against the French and the Sultan of Mysore (located to the south in modern Karnataka). This was also a few years after Warren Hastings became governor-general of Bengal and began to empower Brahmins as

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[121] Fukazawa, 1968.
[122] Ibid.

lawmaking intermediaries. The policy of caste stratification carried out in British Bengal gave the Maratha peshwa and his Brahmin coterie cover to enforce a similarly Brahmin-dominated caste hierarchy. They saw this as their chance to weaken the Maratha warriors that threatened their power. Marathas were relegated to shudra status during this time.

The uneasy alliance between the Maratha peshwa and the East India Company lasted until 1803 when, wary of the menacing power of the still-autonomous warrior chiefs, Peshwa Baji Rao II signed the Treaty of Bassein, effectively turning the Maratha Empire into a protectorate of the EIC. Finally, in 1817, the EIC staged a massive invasion of Maratha land, deploying over one hundred thousand troops to take complete control of the territory. The surrender of the Baji Rao II to British forces in 1818 marked the dissolution of the Maratha Empire and established EIC supremacy in western India. The fact that British direct dominance in Maharashtra came later than in Bihar would prove significant because of the evolving ideology of the colonizers.

British Rule: 1818-1947

Meanwhile, the Marathas had expanded to the coast, and before long the two rising powers collided. The Company and the Marathas fought three wars between 1775 and 1818, and by the end of the third war the Marathas were obliterated and the East India Company had direct control over a majority of modern day Maharashtra (though some small, protected princely states remained in the Deccan region).

Most of modern Maharashtra and the rest of directly-administered western India became part of the Bombay Presidency, one of the three original divisions of British India (the other two being the Madras and Bengal Presidencies). The princely states of

Gujarat and the Deccan plateau retained their internal autonomy, but were soon forced to pay tribute to the British provincial administration centered in Bombay.

Like Warren Hastings in Bengal a few decades earlier, Bombay Governor Mountstuart Elphinstone sought to allow the localities of western India to retain their traditional institutions, including the patils and panchayats. But over time, seeking to maximize the inflow of revenue, the Company bureaucracy began to seek greater and greater control over the dealings of local officials. By the middle of the nineteenth century, the panchayats were all but obsolete. The All-India Congress Committee blamed the Company policy of centralization for the demise of the local governing bodies: "the inordinate greed of the East India Company caused slow but steady disintegration of these Village Panchayats…The excessive centralization of the executive and judicial powers in the hands of the Government officials deprived the village functionaries of their age long powers and influence."[123]

The mechanisms by which the presence of a world-class metropolis such as Mumbai buoys the regional economy are rather straightforward and require little explanation. The city's rapidly growing economic power buttressed the treasuries of the Bombay Presidency through tax revenue. As Bombay gained prominence, the East India Company (and, after 1857, the British crown) invested not only in infrastructure within the city but also in a robust network of roads and railways connecting smaller cities, villages, and tiny ramshackle hamlets to the bustling regional hub. This allowed these

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[123] Quoted in Mathew, 1995: 10.

hinterland communities to tap into the British Empire's growing market for food grains and raw materials.

Upon independence in 1947, the former Bombay Presidency absorbed the princely states of southern Gujarat and the Deccan to form the new Bombay State. In 1960, the state was divided along linguistic lines with the Gujarati-speaking area forming the new state of Gujarat and the Marathi-speaking area becoming Maharashtra.

The Bombay Municipal Corporation, created by the 1888 Act of the Bombay Presidency, remained largely in place after independence. The franchise had been expanded to include all adult citizens, and the vast majority of the corporators would now be chosen in general elections, but many of the other trappings of the original BMC and colonial Bombay remained in place. The Municipal Commissioner, previously appointed by the governor of the Bombay Presidency, would now be chosen by the Maharashtra state government. A longstanding culture of defiant apathy among low level municipal civil servants, forged amidst the elite supremacy of the colonial era, proved difficult to overcome after independence. Conversely, the contempt and disregard of the Mumbai's police force for its impoverished citizens can be traced to a similar callousness in the city's British-controlled law enforcement a century ago.

Revenue: The Ryotwari System

Before the arrival of the British, there were some similarities between the rural revenue collection systems of the Mughals and the Marathas. In the Maratha hinterlands of western India, the *mamlatdar* was perhaps the closest parallel to the *zamindars* of the

Mughal Empire.[124] But the colonial interpretations of these two systems were quite

different. On one hand, both the Mughal *zamindar* and the Maratha *mamlatdar* lost much

of their political agency after the British took over. But while the *zamindar* under the

Bengal Presidency gained economic power as a land proprietor, the *matladars* saw no

such gains. The *ryotwari* system instead recognized cultivators as owners of their land

and made them individually responsible for their tax burden. In addition, unlike the areas

under the Permanent Settlement, the revenue commitment of the ryots was not fixed in

perpetuity but was calculated based on an estimate of the average annual output.

That ryotwari areas of British India generally had better developmental outcomes

than their zamindari counterparts is hardly disputed. As Banerjee and Iyer note, the

variation in land tenure systems had a significant impact on the post-colonial trajectories

of the states: "Areas in India which were historically under the control of big landlords

(and consequently had much higher levels of historical land inequality) tend to have

lower levels of investment in schools, electricity and roads even as late as 1991."[125]

The reasons for this divergence, however, have been the subject of much

speculation and debate. One theory holds that the colonial government was more willing

to invest in irrigation and railroads in the ryotwari areas where taxes on land were

adjustable than in zamindari areas where the tax rates were permanently fixed.[126] While

there appears to be merit to this theory, it does not by itself explain the discrepancy

between Maharashtra and Bihar, since there was a fairly large number of both irrigation

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[124] Ravinder Kumar, 1968: 14.
[125] Banerjee and Iyer, 2008: 4.
[126] Whitcombe and Hurd, 1983. Banerjee and Iyer, 2005.

canals and railroads in the Patna region by the early 1930s.[127] A more salient theory,

discussed in some detail in the previous chapter, is that the zamindari system, as

implemented by the EIC under Cornwallis, failed to account for the indigenous

overlapping land rights enjoyed by upper and lower castes. Farms in zamindari areas

tended to be worked by sharecroppers (as opposed to owners and renters in ryotwari

areas), which led to agency problems. In contrast, the pre-existing fluid rural class

dynamic persisted in ryotwari regions, as tillers of small tracts retained control of their

land and its crop yield.

Ravinder Kumar suggests that this policy drew a wedge between cultivators,

alienating them from each other by ending their collective responsibilities and forcing

them into competition:

> The *ryotwari* system weakened the sentiment of solidarity in rural society
> through abolishing the collective responsibility which the *kunbis* had
> formally borne for the fiscal obligations of the villages…The *sowcar*
> [financier]…no longer had any dealings with the *patil* as the head of the
> village community. Instead, he dealt with each peasant individually. But
> since it was difficult for the *sowcar* to conduct business directly with the
> peasant, he preferred to work through his caste-fellows, the *vanis*
> [moneylenders] in the villages. As a result…the *vani* developed business
> relations with his caste-fellows outside the village to a far greater extent
> than ever before…All this not only strengthened the position of the *vanis*
> vis-à-vis the *kunbis* [cultivators] but it also increased the intensity of
> friction and the occasions for conflict between the two castes.[128]

As in Bihar, colonial attempts to reorganize rural society disrupted the existing

framework of political and economic relations, exacerbated social stratification between

caste groups, and led to greater social fragmentation and antagonism along caste lines.

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[127] Whitcombe and Hurd.
[128] R. Kumar: 152-153.

The establishment of courts of law throughout the Bombay Presidency enabled the *vanis* to ensnare the *ryots* into legal contracts (aided by the failure of these cultivators to understand the legal language of the contracts), which often ultimately forced them to sell off their land.[129] Thus, once again, externally imposed Western economic and legal institutions proved disruptive and violent.

The difference was that in Maharashtra, cultivators maintained a sense of agency and political clout due to the fact that they were essentially proprietors of their land. This meant that the patrimonial feudalism that took hold in the Bengal Presidency under the Permanent Settlement was far less pronounced in Maharashtra, which would bode well for caste relations in the countryside and for the strength of the panchayat system of rural local governance after independence.

Caste

The British legacy in Maharashtra regarding the caste system is more complex than that in Bihar. As we have seen, in Bihar a combination of the rigidification of the Varna system initiated by Hastings and the zamindar-empowering Permanent Settlement enacted by Cornwallis led to a starkly hierarchical social order in which power was concentrated within an elite set of high-caste landlords. In Maharashtra, the most rigid articulation of the Varna hierarchy came in the late eighteenth century, during the Peshwa era of the Maratha Empire.

We argued earlier that the caste stratification carried out by the Peshwa-dominated Maratha government was inspired by the empowering of Brahmins in British-

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[129] Ibid., 154.

controlled Bengal in the preceding decade, as well as a desire to weaken the Kshatriya competitors of the Brahmin peshwa. But after the Bombay Presidency took over the interior of Maharashtra, their approach to the matter of caste differed greatly from that of their Bengal counterparts.

As Vartak notes, "The advent of the East India Company…in western India and the distance that it enjoyed as a foreign power, initiated a process of the loosening up of the hitherto extremely tight networks of power and privilege and at least officially, there were little *[sic]* caste restrictions on employment and educational opportunities provided by the colonial government."[130]

In contrast to the Bengal Army, which drew exclusively from the upper castes, the army of the Bombay Presidency made no distinctions based on the social status of its rank and file. Writing in 1858, John Jacob noted that "in the Bombay Army the Brahmin…stands shoulder to shoulder in the ranks,—nay sleeps in the same tent—with his Purwaree [Mahar] fellow soldier and dreams not of any objection to the arrangement."[131]

The increased educational opportunities for lower castes and the historical legacy of Peshwa oppression led to the growth of a non-Brahmin ideological narrative. A historical mystique grew around the personage and reign of Shivaji Bhosle, fueled by a collective nostalgia for the days before the Peshwa era. In the writings, stories, songs and plays of nineteenth century Marathi intellectuals, Shivaji was transformed into a hero of

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[130] Vartak, 1999: 1127.
[131] *Report of the Commissioners Appointed to Inquire into the Organisation of the Indian Army*, 1858-59, para. 2871-2. Quoted in Constable, 2001: 450.

the non-Brahmin castes. This narrative of the Maratha glory days enabled the non-Brahmin castes to develop an ideology of sorts, and the basis for a civil society network just as the region was becoming acquainted with the western liberal Enlightenment ideals that had been introduced by the British.

Thus, there was considerably less violence in the institutional framework of the Bombay Presidency than in Bengal. As in Bihar, the caste system was rigidified during the colonial era with the four *varna* as an organizing principle, and census collection beginning in the 1870's served to exacerbate caste divisions. But the empowerment of the cultivator castes as taxpayers and land proprietors enabled these lower caste members to feel incorporated within the new system, gave them an outlet for political grievances, and, in the long term, mitigated the eventual emergence of caste-based strife in comparison to *zamindari* areas like Bihar.[132]

Remarkably, caste-based violence in Maharashtra was and remains relatively muted. The main caste-based antagonism in the state is between the Marathas and Brahmins. This antagonism was forged in the resentment created among the Marathas when the Brahmin Peshwas sought to relegate them to lower-caste status. These rival elite groups have largely dominated the politics of Maharashtra, though not to the same extent as the upper castes in Bihar.

Party System

While identity politics remains the driving force behind the party system in Maharashtra, ideological cleavages are more prominent than in Bihar. As in national

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[132] Banejree & Iyer, 2005.

politics, the Congress Party (along with its coalition ally the Nationalist Congress Party) occupies the center-left of the political spectrum, advocating secularism and tolerance for Muslims and other religious minorities, and pledging to combat poverty. The Bharatiya Janata Party (BJP), the other of the two dominant parties in national politics, is usually characterized as right-wing, espousing Hindu nationalism and social conservatism, as well as free market economic policies. Within the state government, the BJP's largest ally is Shiv Sena, perhaps the starkest manifestation of identity politics in contemporary Maharashtra. Founded in 1966 as a political organ for ethnic Marathis, the party evolved in the 1970s to encompass a broader Hindu nationalist agenda.

As in national politics, before the 1970s there was little opposition to the Congress party in Maharashtra. The old Maratha and Kunbi elites dominated the party leadership during this time. Beginning in the 1970s, however, members of these groups defected to Shiv Sena, perhaps because the Marathi nationalism espoused by the party fit well with the Maratha Empire nostalgia that still resonated with these groups. Shiv Sena was swept into power in the aftermath of the 1993 bomb blasts in Mumbai, and controlled the state government along with the BJP from 1995 to 1999 before losing to the Congress Party and the NCP. The Mumbai municipal government has been dominated by Shiv Sena since 1994, even as the party's power has ebbed at the state level.[133]

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[133] Shiv Sena has won fewer and fewer seats with each successive state assembly election since 1995. In 2009, for the first time in decades, Shiv Sena won fewer seats than the BJP, becoming the junior partner in the minority coalition (Shastri, Suri & Yadav, 2009).

In recent elections, dalits, adivasis and Muslims have largely supported the Congress Party, while Brahmins and other upper caste members have leaned heavily toward the BJP. Marathas have given high levels of support to both Shiv Sena and the NCP. Curiously, Other Backward Castes have leaned toward the BJP, though not as overwhelmingly as the upper castes. Although caste is a stronger predictor of voter affiliation than region or economic status, it is a promising sign that caste groups vote in a far less uniform manner than in Bihar. The breakdown of the Maratha-dominated Congress Party hegemony has yielded a competitive multiparty system in which different caste, class and ideological groups vie for power. This dynamic contrasts starkly with that in Bihar, where the upper caste-dominated Congress Party was merely supplanted by the lower caste-controlled Janata Dal atop an oppressive, clientelistic political order.

Panchayat Raj

Another key difference between the development of Bihar and Maharashtra has been the autonomy and strength of localized governing institutions, particularly in rural areas. Since its creation in 1960, Maharashtra has been a national leader in the development of the *panchayat raj* system of rural local governance. This system consists of three distinct layers of sub-state government: the *zila parishad* (ZP) at the district level, the *taluka panchayat samiti* (TPS) at the sub-district or "block" level, and the *gram panchayat* (GP) at the village level. The panchayat raj system is modeled after the pre-colonial local governments discussed earlier in this chapter, and can be seen as an attempt to re-introduce authentically Indian institutions into a governing system that is otherwise fundamentally of foreign origin.

The gram panchayat is the basic unit of local governance in the panchayati raj system. The GP is run by an elected body of *panchas* (decision-makers), which is led by the *sarpanch* (head decision-maker). The sarpanch represents the village at the panchayat samiti level. The TPS consists of all the sarpanches within the "block," as well as the local members of the state legislative assembly and Lok Sabha. Finally, the zila parishad consists of a fixed number of directly elected members as well as the chairmen of all the panchayat samitis in the district.

According to the 2011-12 Economic Survey of Maharashtra, the rural areas of the state are broken down into "33 Zilla Parishads, 351 Panchayat Samitis and 27,906 Gram Panchayats."[134] Generally speaking, the members of the gram panchayats carry out their duties as a secondary occupation. In Maharashtra, as in the precolonial incarnations of the panchayats, the majority (52.2 percent) of the elected representatives in 2004 were either land cultivators or agricultural laborers. This was in part due to the effects of the 73rd Amendment to the Indian Constitution, ratified in 1993, which required a certain number of panchayat seats nationwide to be allotted to women, dalits, and members of lower castes. But unlike those in many other states, the PRIs of Maharashtra had long been strong and highly representative institutions. While in other states the reservation of panchayat seats for "backward" classes has yielded a large number of illiterate or undereducated PRI members, only 3.4 percent of Maharashtra's gram panchayat members were illiterate in 2004, while 79.2 percent had some degree of secondary

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[134] Economic Survey of Maharashtra 2011-12, 1.

education. In contrast, 30 percent of gram panchayat members in Madhya Pradesh were illiterate, whereas only 36.5 percent had attended secondary school.[135]

Kumar notes that the high literacy rate among the panchayat members in Maharashtra reflects the fact that Maharashtra as a whole has a higher literacy rate than any of the other three states he surveyed (Madhya Pradesh, Karnataka, and West Bengal). More specifically, however, the discrepancy between the literacy rates of the upper and lower castes in Maharashtra is significantly narrower than in these states or in Bihar.[136] This is because in post-independence India, education has been more easily accessible for disadvantaged caste groups in Maharashtra than for similar groups in these other states. As we have seen, the main reasons for this include the tendency for the British administration in the Bombay Presidency to loosen the fairly rigid caste distinctions of the Peshwa era; the relative social equity borne out of the *ryotwari* system of revenue collection; the tradition of social capital that developed in Maharashtran lower caste communities in response to Peshwa-induced Brahmin dominance; and the relative prosperity that Maharashtra's hinterland communities enjoyed as a result of their access to the Bombay market.

Baviskar and Mathew stress that the education levels of the panchayat members— particularly those from the scheduled castes and OBCs—is crucial to the substantive empowerment of these members and, in symbolic terms, to their respective caste groups more broadly. Uneducated panchayat members tend to serve as puppets of the more

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[135] Girish Kumar, 1996. Unfortunately, there was no information available here for Bihar or Kerala.
[136] Baviskar and Mathew.

educated members, rubber-stamping the agenda of the dominant classes. Maharashtran panchayats, on the other hand, have a tendency to be more genuinely inclusive of the viewpoints of the lower castes than those in other states. As Baviskar notes, "By far the best example of SC rise to power is in Maharashtra…The former untouchable caste Mahar leads the SCs in that state. Their members and sarpanches, both men and women, exercise full rights in their panchayats."[137] This confers on the panchayats a degree of traditional legitimacy rooted in their pre-colonial antecedents, many of which were dominated by the Kunbi peasant cultivators. It also gives the lower classes a stake in their own governance and in the political systems of Maharashtra and India as a whole.

For its part, Bihar institutionalized panchayat raj shortly after independence, but the system soon fell into disrepair as higher-level government agencies and the state legislative assembly encroached on the power of the panchayats. In 1988, Indu Bharti wrote of "the complete usurpation of the panchayat samitis' right from the very inception of the system by powerful village elements, particularly the landed ones."[138] As we saw in Chapter 2, these powerful landed interests owe their predominance to the zamindar-oriented system of revenue collection instituted by the East India Company in the Permanent Settlement of 1793.[139] Although Bharti published his account before the adoption of the 73rd Amendment, there were few substantive changes in Bihari PRIs after the Amendment was passed. As Pankaj and Singh point out, while the reservation system enabled OBCs and scheduled castes to gain some ground in Bihari panchayats, the upper caste Brahmins, Rajputs, and Bhumihars continued to dominate the councils—even as the

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[137] Ibid,
[138] Bharti, 1989: 19.
[139] See Chapter 2.

lower castes were seizing electoral power at the state level. This indicates that the caste-based dominance of the former zamindaris and landed elites is deeply entrenched on the local level, and thus the panchayats in Bihar provide little hope for overcoming the structural violence of the colonial legacy.

Modern Maharashtra

Contemporary scholars often point to a transformation that occurred in Maharashtra beginning in the 1980s. The urbanization and industrialization of much of the interior, the commercialization of agriculture, and the steady growth of rural income levels all began to accelerate during this time.   Some have attributed these changes to the loosening of the 'license raj'—the oppressive regulatory regime of the central government—that began under Rajiv Gandhi and continued in the 1990s after a balance of payments crisis.

It is certainly true that many states in India, including Maharashtra, have seen major improvements in economic growth and per capita income in recent decades. But Maharashtra was poised to reap the benefits of these changes in national policy because of its colonial history. As Thomas B. Hansen noted in 1996, "Contemporary Maharashtra is marked by a high level of politicization, widespread political consciousness and popular assertiveness. The mass polity in Maharashtra may plausibly be seen as a product of a gradual democratic revolution over the last century."[140] This democratic revolution was made possible by the presence of a major port city and resultant massive infrastructural investments by the British, the relatively undisruptive system of tax

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[140] Hansen, 1996: 180.

collection, a healthy amount of social capital among disadvantaged groups, and the relative economic and educational advances made in rural areas, particularly since the late 1980s.

This contrast makes it clear how much Maharashtra benefitted from the lack of a landlord-based tenure system during the colonial era. The *ryotwari* revenue system implemented in the Bombay Presidency enabled cultivators to have agency over their property. In particular, the *ryotwari* system of tax collection prevented the establishment of the same kind of dominant landlord class that developed in Bihar from the *zamindari* system (see Chapter 2). As mentioned earlier, under this system the British collected taxes directly from the cultivators of the land (ryots) rather than from intermediary landlord elites (zamindars).

We should make it clear that the ryotwari system was far from perfect, and indeed, in many ways it manifested itself as structural violence, albeit to a lesser extent than the zamindari system in Bengal. The ryotwari system stemmed from Thomas Munro's utilitarian philosophy, and sought to create a level playing field for competing cultivators. In some respects, this policy isolated the kunbis and caused stratification between kunbis and money-lenders. As in Bihar, the census surveys of the Bombay Presidency led to the rigidification of the caste system. Today, upper castes are politically dominant in Maharashtra, but unlike in Bihar, lower castes organically developed avenues for redress through the panchayat raj. The marginalized groups of Maharashtra had access to the political framework during the colonial era, and were therefore more easily incorporated into it. As we saw in Bihar, on the other hand, the total upper caste dominance perpetuated first by the zamindari system and later through

Congress Party hegemony, created a legitimation problem. That state was inherently an instrument of caste-based oppression and privilege, which merely passed from one group to another when Laloo Prasad Yadav swept into power in 1990.

One of the main assertions of this project is that bureaucratic corruption inhibits economic prosperity. Yet we have pointed out here that Mumbai is both deeply corrupt and relatively prosperous. The municipal administration of the city, inherited from the colonial era, suffers from major problems of legitimation, and continues to behave in the manner of a colonial bureaucracy. On the other hand, unlike many colonial regions of India and elsewhere, there was a distinct cultural trope of Bombay that was well suited to the colonial-capitalist economic paradigm that came to dominate the port city. This was largely because the initial influx of immigrants from the mainland during the late seventeenth century was comprised primarily of merchants, tradesmen and other entrepreneurially-oriented groups. In this respect, colonial Bombay somewhat resembles the settler colonies of the British Caribbean which, as Matt Lange pointed out, have prospered in comparison to indirectly-ruled British Africa. But this does not mean that the city is free of structural violence.

Contemporary Maharashtra has a host of additional problems, many of which are common throughout India. While the reservation of specific seats in the legislature and in panchayats for women and members of lower castes has often proved an effective way of combating social stratification, the system is not entirely congruous with the Westminster parliamentary model, in which members are elected by specific districts. This constrains the choices of the electorate in the districts that have been designated as reserved. In addition, Maharashtran society suffered from the caste stratification that

grew out of the colonial desire to streamline and simplify the caste system, as did Bihar.

The difference was that Maharashtra did not have the zamindari system which

exacerbated such stratification in the Bengal Presidency. As we have noted, the Bombay

Municipal Corporation suffers from many of the same problems of legitimation that

plagued it during the colonial era. Political corruption, crumbling infrastructure, and an

ineffectual social safety net continue to plague both Mumbai and Maharashtra at large.

Yet, an economic powerhouse of a city and a relatively undisruptive colonial legacy in

both Bombay and the countryside have helped to secure Maharashtra's place as a

comparative success among the erstwhile regions of British-administered India.

CHAPTER 5. INDIGENOUS INSTITUTIONAL CONTINUITY IN KERALA'S DEMOCRATIC SUCCESS

Introduction and Historical Background

The alluvial coastal plains of rural Kerala gleam with verdant luminescence in the tropical sun as pepper fields, rice paddies and coconut groves cover the countryside. Kerala's civil society is just as fertile: the state boasts a rich tapestry of communal networks, caste organizations, women's support groups, and trade unions; many of which date back to the colonial era. While its multifarious populace has yielded a vast array of competing interests and values, T. J. Nossiter noted in 1988 that in the state as a whole, "caste and communal conflict have largely been conducted within institutionalized social, economic and political channels."[141]

This cohesiveness—precarious as it may seem—helps explain why Kerala has been a subject of fascination for so many scholars. In certain respects, singling out the state as a developmental success story is not exactly intuitive. It ranks ninth in both aggregate GDP and GDP per capita, outperformed on both counts by states like Gujarat, Maharashtra, and the neighboring Tamil Nadu. The state has no major urban hub—no Mumbai or Chennai; not even a Patna or an Ahmadabad. But in part due to its robust civil society, Kerala has the highest literacy rate in India, the lowest level of corruption according to the Charron index, the highest life expectancy for both women and men, and the highest overall score on the Human Development Index of any Indian state.

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[141] Nossiter, 1988: 45.

The modern state of Kerala encompasses a small slice of southwestern India. Forming a longitudinal swath beginning at the southern tip of the country, the state varies in terrain from fertile coastal lowlands to the Western Ghat mountain range. Because of its mountainous eastern border, Kerala largely escaped domination by both the Madhya and Gupta Empires, though much of the state was ruled by the Chera dynasty between the first and eleventh centuries A.D. After the disintegration of the Chera Empire, the region fell into a type of feudalism. *Janmis* (landlords) enjoyed certain property rights, but as elsewhere in India[142], their power was circumscribed by customary accountability to the cultivating classes. While in this and other respects[143] the region was distinctively Indian, its relative isolation fostered the development of some unique cultural traits.

By the middle of the eighteenth century, the land that comprises modern Kerala contained three polities: the Kingdom of Calicut ruled the northern region known as Malabar and the princely states of Cochin and Travancore occupied the central and southern portions, respectively. In the 1760s, Hyder Ali of the Mysore Sultanate invaded and conquered Malabar. Muslim Mysore was backed by the French, while the two remaining Hindu princely states were allied with the British East India Company. In 1792, the EIC and its Hindu allies defeated the Sultan of Mysore in the Siege of Seringapatam, ending the Third Anglo-Mysore War. The British gained control of Malabar and incorporated the region into the directly ruled Madras Presidency. This was the extent of British direct rule in Kerala; the kingdoms of Travancore and Cochin would

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[142] See Chapters 2, 3 and 4.
[143] Examples of Sanskrit literature and Vedic philosophy can be found in ancient Kerala history. See Sreedhara Menon, *A Survey of Kerala History*. Kottayam, India: C. M. S. Press, 1957.

survive as indirectly ruled, tribute-paying states until Indian independence in 1947, after which they were incorporated into the Republic of India.

The contrast between the directly-ruled Malabar on one hand and the indirectly-ruled Cochin and Travancore on the other brings the nature of colonially-imposed structural violence into vivid focus, and casts serious doubt on some recent theories regarding the developmental trajectories borne out of British colonial rule (Lange, 2009; Mahoney, 2010). This chapter does not make the claim that Kerala was free of British influence, nor that this influence played an insignificant role in the state's present condition and trajectory. Rather, I argue that (1) the indirect nature of British rule in Travancore and Cochin allowed these kingdoms to adopt Western norms and institutions on their own terms and to respond meaningfully to societal pushback against such institutions (as in the case of janmi laws); and (2) pre-existing social conditions—primarily the fairly widespread matrilineal system of inheritance and the general reverence for Brahminical education—persevered in altered forms despite colonial efforts to dislodge them. Hence, the Kerala that emerged in the mid-twentieth century carried a strong cultural legacy that might have been diluted by more heavy-handed colonial rule.

As discussed in Chapter 2, Matt Lange and James Mahoney both argue that indirect rule by a liberal colonial power like the British would have a pronounced negative impact on post-colonial developmental trajectory. Kerala stands in contrast to this prediction, and in fact, there is considerable evidence that much of the basic foundation for the state's unique success would not have been possible under a more direct form of colonialism.

Patrick Heller and other scholars have pointed to the robustness of Kerala's civil society as an explanation for the state's democratic success.[144] Heller notes that "the birth of a vibrant and effective democracy in Kerala must be located in its political history of conflict and social mobilization, the interplay of these dynamics with the process of state building, and the resulting transformation of the social structure."[145] This is undoubtedly true, as we will see in the ensuing pages. But Heller does not fully explore *why* strong civil society institutions emerged in Kerala—in contrast to, say, Bihar. Prerna Singh points to a strong role of a unified Malayalee identity across ethnic, religious and caste lines in ensuring widespread access to public goods—again, through vibrant associational networks. But again, her story of the origins of such a strong civil society is not quite complete.[146] To understand the roots of associational engagement in Kerala, we need to delve deeper into the region's history.

For most of the eighteenth century, the Malabar coast was perhaps the most prosperous region in southern India. After the region was conquered by the EIC, things began to change drastically. Initially, the British focused on pacifying the local population, but shortly thereafter EIC investment in the region declined. Once incorporated into the Madras Presidency, Malabar was marginalized. Colonial investment in Malabar dried up substantially as funds were directed to the port city of Madras, and the local economy languished as a result. In addition, as we shall see,

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[144] For example, see Dick Kooiman, *Communalism and Princely States: Travancore, Baroda and Hyderabad in the 1930s*. New Delhi: Manohar Publishers and Distributors, 2002.
[145] Patrick Heller, "Degrees of Democracy: Some Comparative Lessons from India," *World Politics*, Vol. 52, No. 4 (Jul. 2000), 502.
[146] Singh, 2010. We will return to Singh's argument later in this chapter.

agrarian relations were skewed by a colonial administration that failed to understand the nuances of the traditional *janmi* system of land ownership.

Travancore was both the most populous and geographically the largest of the three polities that comprised modern Kerala from the eighteenth century to the end of the British raj in 1947. It was also the third most populous of India's 562 princely states. The social and political history of this Hindu kingdom and its constituent stretch of land near the southern tip of the subcontinent is deeply complex. On one hand, kinship and property inheritance were organized along matrilineal lines—a tradition that predated the founding of the Travancore kingdom by Martanda Varma in 1729. While men largely dominated the public sphere, K. Saradamoni (1999) notes that the matrilineal tradition provided women with a measure of autonomy and control[147]; and while the system would be eroded over the ensuing centuries, one can make a strong case that the cultural vestiges of matriliny contributed substantially to Kerala's strong civil society over the course of the twentieth century. On the other hand, certain cultural practices in Travancore were deeply divisive and undemocratic. Visiting Travancore in 1892, Swami Vivekananda described the country as a "madhouse of caste." Whereas it was common in much of India to regard non-varna social groups as "untouchables," in Travancore this ostracism was extended to sight. It was considered taboo for a non-varna individual to be seen by a Brahmin.

At the outset, we should reiterate that the early years of the Travancore kingdom were marked by deep social inequity that permeated all aspects of intergroup social

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[147] Saradamoni, 1999: 29.

interaction—including, of course, education. But the first cracks in Brahmin educational exclusivity arguably began to appear as early as the sixteenth century, and may have had nothing to do with European influence. In fact, since historical records of Kerala society before the sixteenth century are rather spotty, it seems at least possible that prior developments related to regional war and colonization had caused an increased rigidification of Brahmin aristocracy in Kerala—as elsewhere in India (see other chapters).[148] It is not difficult to envision a scenario in which threats from Muslim invaders and European tradesmen fostered a reactionary puritanism among Brahmin elites that eventually extended to target indigenous lower castes. Of course, without historical records this is purely speculation.

The life of poet Thunjath Ramanujan Ezhuthachan (c. 1495—1575) may be instructive here. Ezhuthachan is regarded as the "founder" of the Malayalam language. Before the sixteenth century, Kerala was home to a hodgepodge of mutually unintelligible dialects and two distinct writing systems. Ezhuthachan, a member of the Nair caste from the feudal principality of Vettathunadu, wrote poetry in a distinct lexicographic style that quickly became immensely popular throughout the region. This history is worth relating here because it seems rather improbable that a Nair could have become a renowned and accomplished poet in a caste society as hierarchically rigid as the one Colonel Munro would find three hundred years later.

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[148] We do not make the claim that this was the case in Kerala—this is pure speculation. Others have suggested that the Ezhavas of Kerala had been Buddhists who were relegated to untouchable status after their temples were destroyed by the dominant Brahmins.

It was Martanda Varma who established Travancore as a cohesive state in southern India. A ruthless but pragmatic leader, Varma ascended to the throne of a much smaller, feudal kingdom called Venad in 1729, and quickly proceeded to consolidate a monopoly on force. To this end, he entered into alliances with neighboring royal families such as the Nayaks of Madurai, as well as the British East India Company. With the help of these allies, Varma eliminated the feudal barons of his kingdom and established a centralized monarchy. A shrewd military commander, he conquered neighboring kingdoms such as Attingal and Quilon in the ensuing decades. By 1750, the kingdom of Travancore stretched to the boundaries of Cochin, with whom Varma established an alliance in 1757.[149]

Varma established a layered system of administration in Travancore. An individual *pravitri* (village) would be administered by a *pravarthikar* (village officer) on behalf of the state. A group of villages comprised the *mandapathum vathukkal* (district), governed by a *karyakar* ("a prototype of the modern Tahsildar" or district revenue officer, according to Sreedhara's survey of Kerala history[150]). Varma conducted a survey of the land in his kingdom from 1751 to 1754 and established a fixed, relatively low rate of taxation.

We recount this history here because it illustrates that Travancore adopted many characteristics of a modern state (and underwent a process of state formation similar to that which characterized much of Europe) before the British had extended their dominion to southern India. This would be crucial for the later endurance of the state and its

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[149] Sreedhara, 1967.
[150] Sreedhara: 282.

institutions (both formal and informal). Over the next two hundred years, the government of Travancore responded to pressure from the ever-present nearby British administration, as well as to changing societal interests and demands. In the early nineteenth century, some of the most rigid caste restrictions were relaxed, slavery was abolished, and educational opportunities were expanded and promoted. But there were some profound differences between the administration of the indigenously controlled but British-influenced Travancore and the British-ruled District of Malabar to its north. One of the foremost differences involved the handling of agrarian relations and landlordship.

The Janmi System—A Comparative Case of Landlord Dynamics

The new British rulers rigidified Malabar's system of landlordship, much as they did in the Bengal Presidency around the same time. Whereas the rights of the *janmi* ('landlord') had traditionally been circumscribed by custom in a system of mutual reciprocity with the cultivators (which afforded the cultivators a measure of power despite their social disadvantage), EIC administration transformed the *janmi* into the equivalent of an English landlord with absolute ownership of his property, backed by British legal procedure and force. The new policies also empowered a class of "middle man" *kanomdars* who parasitically collected rent from the cultivators. As Nossiter notes, "Landlords became absentee; and peasants were quickly reduced to the status of tenants at will—the landlord's will—often on one year leases. After paying land revenue and a variety of quasi-feudal dues, the cultivator was left with no more than a third of his net proceeds."[151] As in Bihar, the rupture of traditional roles of landholding and cultivation

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[151] Nossiter: 44.

and the marketization of land fostered deep legitimacy problems. Unlike in Bihar and Madhya Pradesh, cultural reverence for the value of education and citizenship would eventually help forge, through civic development, a release valve for the pressures of discontent (especially after Malabar was folded into the new state of Kerala in 1956); but for the time being festering resentment and a tendency toward rebellion characterized the cultivating classes of EIC-administered Malabar.

Large feudal landlords (janmis) dominated British Malabar, and land ownership was quite heavily concentrated. This vast wealth disparity, in combination with the breakdown of social order, created a powder keg of revolutionary foment. Before the 1930s, the Congress Party organization in Malabar was mostly a venue for settling disputes between landlords and tenant farmers. When the Depression struck, Malabar's cash crop economy reeled, and many poor peasants lost their tenuous grip on their land tenancies. Scholars have pointed out that this combination of economic turmoil and social upheaval revolutionized a generation of lower-caste Hindus in northern Malabar.[152]

In the wake of Travancore's expansion, landed *janmis* who had been loyal to now-defeated rulers began to fear discrimination under the new king, and began to temporarily entrust their land to Brahmins and spiritual leaders whose land was not taxed. *Janmis* also began to raise rents and evict tenants, whereas previously longstanding custom had prevented such misuse of power. In part as a means of combating these practices, the king issued a royal edict in 1829 stating that in suits for eviction,

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[152] Jeffrey, 1978.

[courts] maintain the established usage in the country, i.e., that the tenant payed (sic) the janmi his

usual, ordinary and extra ordinary dues and that the janmi received the same and allowed the

tenant to remain in possession and enjoyment of the property.[153]

Varghese (1970) has noted the stark contrast between the protections granted to the

cultivating class in Travancore and the exploitative system of landlordship that

dominated Malabar. Over the course of the next few decades, Travancore developed

many of the trappings of a modern state, modeled in some ways after the British but with

an indigenous flavor more sensitive to local culture than that imposed by the EIC and the

British crown in directly ruled regions. These new measures included the Pandarapattam

Proclamation of 1865, which formally altered the nature of land ownership and tenure,

and which guaranteed certain rights to the cultivating classes. While the rigidification of

the *janmi* system fostered deep social resentment among the lower classes in Malabar,

Travancore's system of landownership moved in the opposite direction during the

colonial era. In addition, land distribution in Travancore was far more equitable than in

Malabar, distributed among thousands of small-holders from the upper castes and

Christian communities.[154]

Some scholars have asserted that the liberal reforms instituted in Travancore

during the nineteenth century were the product of British influence, if not outright

pressure from the kingdom's tribute-collecting patrons.[155] There is certainly a degree of

truth to this. The establishment of codified law and British-style courts, in particular,

clearly bear the stamp of indirect colonial rule. The abolition of slavery and the reform

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[153] Quoted in Saradamoni, 1999.

[154] Nossiter, 1988.

[155] Singh, 2010; Osella & Osella, 2000.

of Travancore's particularly degrading caste system may also stem from the diffusion of Western Enlightenment ideals. Yet, the relatively autonomous Travancore made democratic progress in ways that nearby British Malabar would not until decades later, when a united Kerala governed by the Communist Party extended health and educational expenditures across the state[156] and implemented far-reaching land reform.[157]

While colonial influence helped to erode the caste system in Travancore, the differences in the trajectories of landlord systems in the two region highlights the importance of indigenous control in the ultimate social successes of Travancore and, a century later, of independent Kerala.

The Enduring Legacy of Matriliny

Matriliny was practiced by a wide range of communities in the kingdom of Travancore, including upper and lower caste Hindus as well as Christians and Muslims. These communities coexisted peacefully alongside patrilineal peoples, and there is no historical evidence to suggest that any group faced discrimination or persecution on account of customs of inheritance. The matrilineal practice, known as *marumakkathayam* in Malayalam, generally did not foster female dominance or even parity in many aspects of the public sphere, but it did at the very least afford women a degree of respectability and agency.

In such a system, a family would live together in a tharavad, oriented around a mother and consisting of her brothers (older and younger), her younger sisters, her sons

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[156] Singh, 2010.
[157] Heller, 2000.

and daughters, and her daughters' children. The oldest male member of the household

(often the elder brother of the woman) would typically be deemed the *karanavar*—the

head of the household, and would be responsible for managing the family's estate.[158]

Nevertheless, property inheritance allowed women of matrilineal families to have a

permanent place of birthright regardless of where they settled after marriage.

Additionally, the reality that property was passed through women had profound

consequences for gender relations not only in these communities but in Travancore as a

whole. Because there was considerable interaction between matrilineal and patrilineal

communities, the notion of female agency and power was fairly accepted throughout

Travancore society.[159]

Unlike in other parts of India, a female birth in a *marumakkathayam* family

unequivocally evoked pride and celebration, as it symbolized the continuation of the

family line. Thus, while their counterparts elsewhere in India suffered (and still suffer)

from neglect, malnutrition and low self-esteem, Travancore tended to produce far more

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[158] Saradamoni, 62.

[159] Kathleen Gough chronicled domestic arrangements indicative of gender equity in the Nair *taravads* of Cochin, for example: "…a woman might have six or eight husbands of her own or a higher subcaste, and a man, any number of Nayar wives of his own or a lower subcaste. Residence was duo local: spouses lived separately in their natal homes and a husband visited his wife in her home at night" (Kathleen Gough, "Cults of the Dead among the Nayar," in Milton Singer, ed., *Traditional India: Structures and Change.* Austin: University of Texas Press, 1959: 161). In addition, William Alexander points out that "From early times the gender equity found in Kerala appears to have grown out of the attitudes and beliefs of the indigenous Malayalee population" (William Alexander, "Normal Kerala within Abnormal India: Reflections on Gender and Sustainability," in Govindan Parayil, ed., *Kerala: The Developmental Experience.* London: Zed Books, Ltd., 2000: 154). As noted in subsequent pages, today the gender gap in education, literacy and health measures is far smaller in Kerala than in the rest of India, which is a legacy of these longstanding institutions and the inability of the British to dislodge or dismantle them.

confident, independent-minded women. Conflicting norms about gender roles may have

caused significant social strife even in the nineteenth century. Saradamoni notes that

Janaki Amma, the second wife of Malayalam playwright C.V. Raman Pillai, famously

bristled at being treated as a servant by her famed husband, and nearly left him as a

result.[160]

Colonel Munro, the British resident and diwan of the early nineteenth century,

saw matriliny as one of the "social evils" that plagued Travancore society, and seemed to

equate taravads with brothels. He argued that "immorality" in Kerala could be ascribed

to "the perverted system of their domestic relations…[in which] the natural relationship

and reciprocal love of parents and children are interfered with and perverted by

[matrilineal relations]…and the love and care and discipline of the father are

systematically absent."[161]

Pressure from the British led to many modernizing reforms in Travancore during

the late nineteenth and early twentieth centuries.[162] The Travancore Legislative Council

was established in 1888 and thereafter a number of new laws were put into effect: slavery

was abolished, and educational opportunities were provided for lower castes. At the

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[160] Saradamoni, 9-10.
[161] Munro in Yesudas, 1977: 368.
[162] Again, the purpose here is not to argue that all British influence was bad; nor that indirectly ruled princely states were free of British or Western influence during the colonial era. Rather, the purpose is to show that in indirect rule allowed kingdoms like Travancore to implement reform on their own terms, with greater sensitivity to the needs and desires of their populations. Many of the more positive Western norms were blended into Kerala's political and cultural framework, while those deemed less desirable were subverted, rejected, or only partially adopted (as was the case with the abolition of matriliny). This contrasts with directly ruled regions where Western institutions were rigidly and superficially imposed on top of existing social structures, leading to far more pronounced structural violence.

same time, a growing English-educated intellectual class began to see matrilineal

tradition as just another archaic and obsolete vestige that needed to be swept away.

In response to this burgeoning demand for change, Travancore passed the Will

Act of 1899 and the Nayar Regulation Act of 1912, which allowed first half—and then

all—of a man's self-acquired property to be inherited by his wife and children rather than

his sister's family. These acts served to severely undermine matrilineal relations in

Travancore. The breakdown of the matrilineal system led to significant social upheaval,

but gender relations in Travancore would maintain an egalitarian thread unseen in more

exclusively patrilineal societies elsewhere in India.

Today, as the state has become more culturally integrated into the postcolonial

Indian Republic, matrilineal traditions have ebbed in many Kerala communities. While

the autonomy of the Travancore and Cochin kingdoms allowed matriliny to persist into

the twentieth century, independence brought the colonial legacy to every corner of India,

including the former princely states. Nevertheless, the state as a whole has proven

resistant to some of the most brutal manifestations of gender bias. According to the 2011

census, Kerala boasted 1,084 females for every 1,000 males—the highest ratio of any

Indian state or territory, and only one of two that had a female majority (the other was

Puducherry, a tiny former French enclave surrounded by Tamil Nadu).[163] This is largely

because the practice of female feticide, common throughout much of India, has been

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[163] India as a whole has a ratio of 940 women for every 1,000 men. Even more economically prosperous states like Gujarat and Maharashtra have rather pitiful ratios (918 and 925 women for every 1,000 men, respectively). Census of India, 2011.

largely absent in Kerala, where the legacy of matriliny has endured in the modern social status of women.

The practice of dowry—the gift of cash or goods from the family of the bride to that of the bridegroom at the time of a wedding—has been outlawed throughout India since 1961, but remains common in many parts of the country. The practice places a significant financial burden on the families of girls and women, and is the principal cause of sex-selective abortion and infanticide. Even for many couples that rule out these options, the birth of a daughter often brings disappointment and despair whereas the birth of a son is a cause for celebration. This is not the case in Kerala, where deeply ingrained cultural norms of relative gender equity have disseminated through familial norms.

As mentioned in a previous chapter, Amartya Sen has noted the importance of the status of women as a factor in ensuring the health and development of a society as a whole. For one thing, higher social status for women has a direct impact on both fertility rates and child mortality rates. Families that recognize the agency of women allow mothers to have greater influence in family decisions, while higher levels of female education enable mothers to make informed decisions about the health and well-being of their children. In addition to the obvious impact on child mortality rates, society as a whole is strengthened when children grow up with a healthy diet in a nurturing household. There is much evidence indicating that the quality of life and education of children has a profound impact on their material success and psychological well-being later in life, and a society of healthy, well-adjusted individuals is generally stronger and more democratically oriented than a society of individuals who lack these advantages.

Thus, gender parity can significantly mitigate the effects of structural violence, as it clearly has done in Kerala.

Kerala has benefitted tremendously from its enduring legacy of female empowerment. This legacy has so far withstood the steady erosion and gradual demise of the matrilineal system of inheritance which was its initial basis. Nevertheless, there are some alarming trends. Saradamoni (1999) has pointed out that, in certain respects, the status of women in Kerala has declined since independence.

Literacy, Education and Civil Society

Kerala's extraordinary politicization and thriving associational life are at least partially explained by two characteristics of the region's pre-colonial history: the matrilineal tradition and a strong social norm stressing the importance of education which dates back to ancient times.[164] In the following section, we will discuss the latter of these two factors and the import that the longstanding educational tradition carries for contemporary Kerala.

At the time of the 2011 census, Kerala boasted an adult literacy rate of 94 percent. Since its inception, the state has ranked first in literacy of all states in India. Kerala's remarkable performance in this regard predates Indian independence. At the turn of the twentieth century, the princely states of Cochin and Travancore ranked first and second in

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[164] Singh correctly notes that educational development was not broad-based in Kerala until the late 19th century. But Singh is overly dismissive of the role of Travancore's traditional indigenous schools in the educational success of both the princely state and post-independence Kerala. Her analysis is confined to "Western" style schools, even though, as we will soon see, these schools played a relatively limited role in the initial spread of literacy and resultant growth of civil society.

literacy among all native states and British provinces. Notably, the proportion of literate adults in these two states was approximately twice that in the directly ruled Madras Presidency. Moreover, available information seems to suggest that the Madras district of Malabar lagged far behind its southern princely state neighbors. According to the 1881 census, the proportion of youths under educational instruction in the district (10.7 percent) was above average for the Presidency but not exceptional and far below that in the city of Madras itself (26 percent).

In eighteenth century Travancore, there were two types of higher educational institutions: the *vedapatasalais* and the *sabhamattas*. The *vedapatasalais* were dedicated to instruction in the Vedas—the ancient Sanskrit texts central to Hinduism, while the *sabhamattas* instructed students in more general knowledge of art, history, literature and politics. Both the *vedapatasalais* and the *sabhamattas* were the exclusive domain of the higher castes—especially the Brahmins. However, there was also a large number of more basic educational institutions, the most prominent of which were the *pallikudams* and the *kudipallikudams*.   These were the centers for primary education in medieval Kerala, and unlike the vedapatasalais and sabhamattas, they were open to many of the lower castes and communities. Instruction in these schools included basic skills of reading, writing and arithmetic, as well as "medicine, ethics, literature and music" in some cases.[165]

The origins of these primary schools can be traced to the spread of Buddhism and Jainism to Kerala during Chera rule, sometime around the sixth century. Buddhist and

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[165] Tharakan, 1984a: 1914-1915.

Jain monks set up *pallis* or centers of non-Vedic religious instruction, which continued to flourish long after these religious groups faded in Kerala. As N. Vedamani Manuel pointed out in 1972, these schools would coexist with government-run, British-style schools well into the post-independence era: "the fact that these schools have survived nearly a century of competition with the organized, grant-receiving schools and that many parents send their children to both types of schools is an indication of the roots they had in tradition."[166] It should be noted, however, that there does not appear to be any indication that *dalits* ("untouchables") were permitted to attend any of the institutions described above.

Despite the resilience of these educational institutions, there was a stark divide in both educational attainment and basic literacy rates between Brahmins and the lower castes through the nineteenth century. The strongest and most highly regarded schools were those dedicated to the advanced study of the Brahmins. These schools were given extensive support by royal government, whereas the upkeep of the primary schools was generally left to local communities. Undiluted by Mughal invasion, Kerala in the eighteenth century was a bastion of Hindu orthodoxy, a society that regarded Brahminical study with intense reverence.

Education was, in large part, the basis of the social distinctions attributed to caste. As Brahmins dominated the social order, Brahminical education seems to have occupied a sacred space in the consciousness of communities, and the vedapatasalais and sabhamattas enjoyed tremendous institutional legitimacy and reverence, which enabled

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[166] Manuel, 1972: 32.

them to endure the upheavals of the colonial era. Perhaps to a greater extent than elsewhere in India, education in Travancore and Cochin was equated with social status.

Gowri Parvati Bayi, the young queen regent of Travancore, issued a royal rescript in 1817, declaring that the government would now support primary education in the *pallikudams* and *kudipallikudams* in addition to the advanced learning institutes of the upper classes. We should note here that the issuance of the Royal Rescript may have been influenced by Colonel Munro, the British representative in Travancore during that time, and a chief counselor to the kingdom. Colonel Munro facilitated the establishment of new government-run schools with English instruction.

Yet over the course of the nineteenth century, as traditional schools elsewhere in India crumbled and collapsed in the wake of the new, "modern" education system, the indigenous schools of Travancore remained strong. The 1891 census indicated that 1,300 indigenous schools existed in the kingdom, with a total enrollment of 50,000 students—a robust level, and twice that recorded nearly thirty years earlier. Robin Jeffrey notes that one of the chief reasons for the strong performance of Kerala in literacy is the willingness of princely rulers in Travancore and Cochin to spend on vernacular education, especially after the middle of the nineteenth century. As noted earlier, the vernacular schools that peppered the kingdoms of southern Kerala never disappeared, as they did elsewhere in India. Whereas the British prioritized English language education in the directly ruled regions, Travancore in particular worked to promote primary education in Malayalam.

It seems, then, that the indigenous schools thrived alongside the burgeoning modern system of education in Travancore. These new schools served primarily to

educate those indigenous inhabitants who aspired to learn English and join the Western-style bureaucratic apparatus. Studying the shifting nature of education in Travancore during this period, Michael Tharakan (1984b) noted:

> Yet we do not come across any evidence showing a strong flow of students into the government schools or, for that matter, into the missionary schools during the early nineteenth century…Moreover the government, still a traditional Hindu monarchy, though under the tutelage of the British, was tolerant towards the traditional system of education. As a result, we do not see the evidence of the growth of a 'modern' sector in any way harming the continued existence of the indigenous schools.[167]

Social changes that swept Travancore in the nineteenth and early twentieth centuries broke open the exclusive bubble of the Brahmins and enabled other caste communities to access the normative framework that had long tied education to the divine. As the kingdom began to invest more in both vernacular and English education for the lower castes, education was transformed from a luxury of the sanctified elite into a measure of status to be striven for.

As P.R.G. Nair notes, "The traditional and indigenous system which had been catering from very early times to the educational needs of children of the upper strata was not interrupted in Travancore and Cochin to the end of the nineteenth century…"[168] This meant that

This robust network of indigenous schools for non-Brahmins, coupled with the rise of Western-style schools, fostered the growth of small clusters of educated

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[167] Tharakan, 1984b: 1959.
[168] P.R.G. Nair, "Education and Socio-Economic Change in Kerala, 1793-1947," *Social Scientist*, Vol. 4, No. 8 (March 1976), 30. In contrast, "The indigenous system of education seems to have been virtually destroyed in Malabar as elsewhere in British India by the social, economic and educational policies pursued by the British" (Nair, 31).

professionals among the lower castes toward the end of the nineteenth century. Within a few decades, these emerging groups developed a strong social consciousness, initially oriented around particular caste and class identities. Over time, as Prerna Singh points out, these various communal articulations came together "under an overarching Malayali identity,"[169] which ultimately spread from Travancore to Cochin and British Malabar.

Singh also notes that during the early and mid-twentieth century, this Malayali identity adopted the notion of a politically unified Kerala as its central aim: "the campaign for the consolidation of all Malayalam-speaking regions into a single state of Kerala, which began around the 1920s, played a key role in transmitting Malayali subnationalism to the masses."[170] "Equal rights for all" was a central rallying point of this movement, and a primary rationale was the notion that directly ruled Malabar had been neglected by the British government in the Madras Presidency. Notably, Malabar consistently had far higher rates of illiteracy and infant mortality than did the princely states of Travancore and Cochin. This may be attributable to the significant differences in the social welfare policies of the princely states and the British raj. For example, observing Travancore education policy, British resident officers were mystified about "why primary education…should now be made free."[171]

Part of the explanation for the discrepancy between the literacy rates of the princely states and Malabar lies in the demographic makeup of the regions. Travancore and Cochin had relatively few Muslims (who were less likely to be literate than Hindus

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[169] Singh, 2010: 284.
[170] Ibid.
[171] Ibid., 291, fn. 8.

or Christians) and a sizable population of Syrian Christians (who had higher literacy rates). Conversely, Malabar had far fewer Christians and a larger Muslim population. But this demographic gap does not tell the whole story. At least part of this discrepancy stems from the fact that Malabar's traditional vernacular educational institutions withered away without state financing. While the colonial administration actively promoted the enrollment of children in English-language schools, these new schools often failed to gain the status and legitimacy of their traditional Malayalam counterparts.

As access to education in Travancore expanded, members of the lower castes became increasingly politicized. The Ezhavas, a caste of coconut tree cultivators, were the first of the lower castes to organize. In 1903, the SNDP yogam (Sri Narayana Dharma Paripalana) was founded by a small group of wealthy Travancore Ezhavas. Named for the famed Ezhava sadhu and social reformer Narayana Guru, this new organization sought to advance the welfare, education and political interests of the Ezhava caste. Narayana Guru insisted that social welfare and education were deeply intertwined, and stressed that in order to improve their social status, the Ezhavas had to command the intellectual respect of the upper castes. The Nair Service Society (NSS) was formed in 1914, with similar goals for the Nairs. Both of these organizations attracted wide membership in the early decades of the twentieth century. In their early years, neither the SNDP nor the NSS took much of a stance on political issues outside the advancement of their respective caste groups.

This began to change in the 1930s when the Great Depression devastated the agrarian economy, which comprised the livelihoods of many members of these lower

castes. The burgeoning class consciousness would take different forms in British

Malabar and in the princely states.

As mentioned earlier, land ownership was fairly widely dispersed in Travancore

and Cochin, and few of the smallholders proved susceptible to militancy. But there was

also a large Ezhava working class concentrated around Alleppy (modern day Alappuzha)

that worked in the coir industry—which supplied fabrics for lower-income Americans

and Europeans. It was to these proletarian Ezhavas that the SNDP reached out in the

early twentieth century, drawing them into a caste-based social consciousness.

Given Travancore's undemocratic nature, political activity during this time

consisted of vying for the attention of the *dewan* and the maharajah. The Travancore

Legislative Council was formed in 1888, but its members were unelected until 1905, and

even after that voting rights were restricted to university graduates and those who paid at

least Rs. 50 annually in land revenue. During the early 1930s, high-caste Hindus

maintained a monopoly on government service jobs and had exclusive control of the

Legislative Council. Members of the Christian, Ezhava and Muslim communities joined

together to form the Joint Political Congress in 1932 in order to advocate for

representation (which was eventually granted, with some reluctance). As Amartya Sen

points out, developments such as this would be crucial in ensuring communal harmony

between Hindus and Muslims for nearly a century afterwards. In its vestigial bigoted

orthodoxy, Travancore continued to deny lower caste Hindus access to temples.

Capitalizing on its swelling numbers, the SNDP formally threatened to convert en masse

to Christianity. In 1935, Ramaswamy advised the maharajah to lift the temple restriction,

and he assented.

Whereas until the 1930s the SNDP had preached a liberal, secular doctrine of "self-help," the Depression's effects on the coir industry swept elements of the organization into radicalism, causing a schism between the more moderate members and this newly militant faction. Before long the organization began to lose membership to the emerging Communists, who espoused a message that spoke more directly to the economic conditions of the majority of Ezhavas. Gradually, caste-consciousness morphed into class-consciousness, and the target of Ezhava ire shifted from the higher-caste Nairs to the economically privileged.

Meanwhile at the national level, the Congress Socialist Party (CSP) emerged as a faction of the Indian National Congress (the organization at the forefront of the movement for independence—and the forerunner of the modern political party), and attracted much interest in Kerala, especially in Malabar where landlord privilege was far more pronounced.

Communism in British Malabar situated itself within the movement for Indian independence. In Travancore and Cochin, it formed a faction of the "Movement for Responsible Government." Whereas in Malabar the central issue for the Communists involved the extreme concentration of land and the stark privileges of the janmi class, the more diffused nature of land ownership in Travancore meant that the Communist agenda there was more oriented around notions of communitarian democracy and social egalitarianism in the face of upper caste privilege. Social activism was tied to both formal and informal education. The emerging educated segments of the lower castes founded associations dedicated to the dissemination of knowledge.

As plans for Indian independence were finalized, the legendary statesman Vallabhbhai Patel made a promise to Lord Mountbatten, the last British viceroy of India, that the 565 princely states would assent to the sovereignty of the new Indian republic. Only six states questioned the legitimacy of the new regime; the first of these was Travancore. The *dewan*, Sir C.P. Ramaswamy Aiyar, maintained that Travancore would become an independent state upon the departure of the British. He held a series of press conferences in the summer of 1947, defying the clarion call of pan-Indian nationalism and imploring residents to take heed of the two hundred-year-long history of their kingdom, of the antiquity of the ruling dynasty, and of the pride of their achievements as a people in education and well-being. He met with Lord Mountbatten in late July and railed against Gandhi, Nehru and the Indian National Congress. On 27 July 1947, Sir C.P. Ramaswamy Aiyar was attacked and stabbed by a member of the Kerala Socialist Party. Three days later, he advised the maharaja to accede to the Indian Union.

Conclusion

We cannot know for certain how an independent Kingdom of Travancore would have fared. If the *dewan* had a great deal of confidence in the ability of his state to thrive, this was in no small part because of the advantages that we have discussed here. Already boasting extraordinary rates of education and literacy, relative interreligious harmony, and a healthy agricultural and mineral export economy, Travancore seemed poised to do quite well on its own—if India would let it. It is debatable whether even the *dewan* himself could have anticipated the ease with which communal grievances would be settled within the established framework of political deliberation.

Shortly after independence, the state of Travancore-Cochin was combined with the Malabar section of the Madras state to form the modern state of Kerala. In the state's first elections, a Communist-led government was swept into power—the first time a Communist government had been democratically elected anywhere in the world. The CPI had mobilized the large landless masses of Malabar along with the lower-caste communities of southern Kerala who continued to suffer residual social indignities.

Malabar has benefitted from being combined with the former kingdoms of Travancore and Cochin in the new state of Kerala; meanwhile, in some ways Kerala as a whole has perhaps been held back by its incorporation into the Republic of India. The indigenous institutions of the Travancore and Cochin kingdoms were disintegrated and replaced with the political and bureaucratic apparatus of the new republic. In the decades since independence, the old Malayalam schools have mostly faded away, as have matrilineal practices. As the roots of its present success fade into memory, it remains to be seen whether Kerala can maintain its strong performance on social indicators in the long term.

CHAPTER 6. FRAGMENTATION, FAILURE AND POSTCOLONIAL CONFLICT IN

MADHYA PRADESH

Introduction

The purpose of this final case study is to demonstrate how the Republic of India became an instrument of structural violence within the context of communities that do not fit neatly into modern state systems. As we have noted, independence from the United Kingdom did not entail the dissolution of British legal, political or bureaucratic frameworks, but merely their transfer into Indian hands. In addition, it meant that the more than 500 formerly autonomous princely states were dissolved and folded into the Republic. Hence, for these princely states, the moment of independence was ironically the moment when the colonial apparatus, long lurking behind the scenes, finally took over completely.

Madhya Pradesh, the subject of this chapter, embodies the last remaining quadrant of our typology: it experienced a relatively low level of British involvement in the colonial era and has had a rather poor post-independence record in corruption, development and state strength. Scholars such as Matt Lange and James Mahoney would likely suggest that a causal relationship exists here: that the lack of direct involvement by a liberal capitalist colonial regime led to a failure to develop strong bureaucratic institutions and norms during the colonial era, and that the present developmental lag in the state can be attributed to this failure. A closer examination of Madhya Pradesh, however, suggests that reality is far more complex. As we saw with the case of Kerala, greater autonomy for local rulers under colonialism could yield a less structurally violent

colonial legacy and a better developmental outcome. Hence, the problem is not that

Madhya Pradesh was indirectly ruled. Rather, it is that in contrast to Kerala, the political

culture of the princely states and tribal communities of Madhya Pradesh at the time of

independence were incompatible with the development goals of the modern nation-state.

As a result, some of the conflicts normally associated with colonialism came to bear on

Madhya Pradesh after independence as formerly autonomous communities were merged

into the new republic.

The following chapter will trace the historical legacy of the relationship between

some of the princely states of pre-colonial and colonial Madhya Pradesh, their British

benefactors in the colonial era, and the two largest tribal groups in the region—the Bhils

and the Gond. We will discuss the social and political mores and institutions of these

groups, and how they differ from Western norms of society and governance. Then we

will examine how the princely states of Madhya Pradesh were dismantled, and how their

territory was fused into the new republic along with the tribal lands. We will see how in

subsequent decades the tribal way of life has repeatedly come into conflict with the

national drive for modernization and development, and how the national narrative of

religious sectarianism took root where different religious groups once coexisted

harmoniously. Both the capitalist developmental imperative and the modern

manifestation of religious fundamentalism can be traced to the colonial legacy and the

structural violence it embodies.

Writing in 1996, Rahul noted that "Madhya Pradesh is not a natural linguistic

state unlike bordering Gujarat, Maharashtra or Orissa. It was constituted…from the

leftovers in central India after the surrounding states had had their pickings. As such it is

a mistake to treat it as a unit for psephological analysis just because it has been artificially made into one."[172] Of course, this claim may be a bit dramatic. Despite its fractured identity, Madhya Pradesh is an officially cohesive political entity, and thus as much a unit for psephological analysis as any other state (and we treat it as such in this chapter). Nevertheless, this quote reflects the reality that fifty years after independence, the people of Madhya Pradesh had not formed a unified subnational identity.

In 1950, the modern state of Madhya Pradesh was cobbled together from a sprawling hodge-podge of princely states and subdivisions of the formerly British-administered Central Provinces (CP). Six years later, Marathi-speaking portions of the new state were ceded to Bombay State (and later Maharashtra), and in 2000 the southeastern (former CP) portion broke away to form the new state of Chhattisgarh. With the exception of these two territorial parings, the boundaries of Madhya Pradesh have remained constant—encircling a swath of population that shares only a loose cultural and linguistic affinity.   Most of the state speaks some form of Hindi, but many of the dialects are mutually indecipherable. In addition, the western and northern fringes of the state host a smattering of Gujarati and Punjabi-speakers, while Gondi (the native language of the Gond tribal people) and Marathi can be heard along the southern border. Standard Hindi is taught in schools, so most adults have at least a basic understanding of the lingua franca in addition to their local languages or dialects.

In addition to a cluster of the British-administered Central Provinces, the present contours of Madhya Pradesh contain a large swath of what was once the Central India

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[172] Rahul, 1996.

Agency, an assortment of tribute-paying princely states in north-central India. This included the Gwalior residency in the northern part of the state (containing the rather large state of Gwalior, among others), Bhopal (the largest princely state in India) in the south, and Indore in the west. During the colonial era, some of these states were ruled by Hindu maharajahs while others were the dominion of Muslim Nawabs. Tribal societies such as the Bhils and Gond were scattered across the hinterlands of these states, and were largely autonomous.

Unlike Mumbai in Maharashtra, the urban anchors of Madhya Pradesh pre-date the colonial era. Indore, Gwalior and Bhopal all served as headquarters for princely states before and during the British raj. Jabalpur served as the seat for a series of short-lived dynasties in central India before being taken over by the Marathas. The British conquered the city when the Maratha Empire collapsed in 1818, and made it the capital of the Saugar and Nerbudda Territories province, which was folded into the Central Provinces in 1861. After Saugar and Nerbudda became part of the Central Provinces, the British maintained a presence in the city. Thus, British influence within the territory that is now Madhya Pradesh was most strongly felt in Jabalpur.[173]

The distribution of the British presence in Madhya Pradesh contrasts with James Mahoney's prediction about the relationship between "liberal" colonial regimes and the level of "pre-colonial complexity." Mahoney argues that liberal colonizers like Britain tended to govern "less complex" societies more extensively than they did "more complex" societies. The adivasi communities of the region that is now southwestern

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[173] Bakshi & Ralhan, 2007.

Madhya Pradesh probably fit Mahoney's definition of "less complex," yet these communities experienced minimal interference by the British.

Historical Background

The ancient and medieval history of Madhya Pradesh, like that of India as a whole, is characterized by the rise and fall of various kingdoms, empires and sultanates. Maurya and Gupta rule were strongly felt here before the White Hun invasion in the fourth century C.E. For centuries afterwards, the region was split into various small jurisdictions, most notably the Tomara Rajput kingdom of Gwalior and the Delhi and Malwa sultanates in the 13th and 14th centuries. Mughal Emperor Akbar brought the area under Mughal rule in the 16th century. However, the kingdoms of Gondwana and Mahakoshal retained their autonomy in most matters while pledging fealty to Mughal rule. Populated by the Gond tribal people of what is now southwestern Madhya Pradesh, these kingdoms survived until the 18th century, when the weakening Mughal empire relinquished the territory to the Marathas. These states came under the control of the Maratha Peshwa from the mid-18th century until the conclusion of the Third Anglo-Maratha War in 1818, when the Maratha Empire collapsed and the British East India Company established dominance in central India. A southern swath of the area became part of the directly ruled Central Provinces, while the rest of the state consisted of tribute-paying princely states.

Princely States

The Central India Agency (hereafter referred to as "the Agency") was created in 1854, superseding a cluster of smaller provinces and jurisdictions across the majority of

present-day Madhya Pradesh. As before, the territory was indirectly colonized, and consisted of one hundred and forty-eight self-governing princely states. Eleven of these states had bilateral treaties with the British government and had the highest level of autonomy from the colonial administration. These "treaty states" included the three largest states of Bhopal, Gwalior and Indore. Thirty-one additional states in Bundelkhand and Badalkhand (now in northeastern Madhya Pradesh) held *sanads* or deeds which granted their rulers possession of the states in return for their written allegiance to the British. The remaining smaller states were called "guaranteed states" and were under the protection and authority of larger states.

Bhopal. Bhopal was geographically the second largest princely state in India, after Hyderabad to its south. From a contemporary standpoint, princely Bhopal appears as an oddity. At the dawn of the twentieth century, over seventy percent of the state's approximately 700,000 inhabitants identified as Hindu, twelve percent as Muslim, and most of the remaining population were Gond and Bhil tribals who were classified as "animist" in census reports[174]. Yet despite its overwhelming Hindu majority, the state was ruled peacefully by the Muslim Begum dynasty. In addition, several of the state's rulers were women, including the deft political reformer Jahan Begum (r. 1901-1926). Different religious groups—Hindus, Muslims and adivasi "animists" lived harmoniously in pre-independence Bhopal. The Nawabs of Bhopal recognized the special status of these tribal communities and issued *jagirs* (feudal land grants) to their leaders.

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[174] However, Muslims made up a majority of residents in the capital city of Bhopal.

The case might be made that the harmony between these different ethnic and religious groups during the colonial era is a vestige of an earlier time when such harmony was more common elsewhere in India.

The state of Bhopal was founded in 1715 by Dost Mohammed Khan, a soldier in the Mughal army who wrested control of the region from Rajputs and Gond tribal leaders. Throughout the eighteenth century, Bhopal resisted Maratha incursions, and during the Anglo-Maratha wars Khan's descendants entered into a treaty with the British East India Company. After the death of the Maratha Empire and establishment of British supremacy in the region, Bhopal became part of the Central India Agency. Although influenced by British norms, the state retained its autonomy. Whenever they perceived a power vacuum, colonial officials of the Agency sought to undermine the state's autonomy and establish control, but they were repeatedly rebuffed by the ruling Khan and Begum dynasties.

By the early twentieth century, the Bhopal administration consisted of departments responsible for revenue, the judiciary, education, forests, public works, and defense (though the last of these largely delegated its duties to the Agency). In 1922, a partially elected legislative and executive council was established, with seats to be filled by specific constituencies including landowners, tenants, traders and city residents. Tribal communities were not represented in government, but neither were they subject to taxes or law enforcement from the Nawab in the city of Bhopal.[175]

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[175] Khan, 2000.

Gwalior. Unlike Bhopal, the state of Gwalior was formed as an affiliate of the Maratha Empire in the early eighteenth century. Ruled by a dynasty of Maratha kunbis, the state became a leading power in central north India within a few decades. In the opening years of the nineteenth century, the British used military intimidation to extract treaties and whittle away at Gwalior's boundaries, leaving only a fraction of the state's former territory intact. The maharaja formally acceded to British dominance in 1817, and the state later became part of the Central India Agency.

In certain respects, Gwalior was more sophisticated and cosmopolitan than neighboring Bhopal. The state established Western-style schools and colleges early in the nineteenth century (Bhopal set up similar institutions several decades later), though many of these schools were poorly attended due to prejudice against "new methods" of education.[176] In other respects—for instance, the position of women in society, Gwalior was far more oppressive than its Muslim-ruled neighbor to the south.

Like Bhopal, the state of Gwalior largely left its tribal population to its own devices. As of the 1901 census, there was a population of approximately 222,000 Gwalior inhabitants who identified with an "animistic" religion (as tribal religions were usually described for official purposes), comprising about 7.5 percent of the state's overall population. This proportion was significantly lower than the "animist" population reported in the Central India Agency as a whole (11.5 percent).[177]

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[176] Lambert-Hurley: 41. The problem of poor attendance of the Western schools was worse in Bhopal.
[177] Digital South Asia Library.

Tribal Societies and Governance

Madhya Pradesh is distinctive for its large presence of adivasis—ethnically homogenous groups of tribal people who live in relative geographic and social isolation in traditional agrarian societies. Recognized tribal groups comprise more than twenty percent of the state's overall inhabitants according to the 2011 census, and despite their cloistered nature, these groups have made themselves a force to be reckoned with in state politics.

Defining "tribal" communities has proven to be tricky business. The 1931 census, conducted under British rule, classified as "tribals" only the members of these groups that were not affiliated with a major religion (Hinduism, Islam, Christianity, etc.). In 1948, the new Indian government expanded the definition of "Adivasis" to include all members of tribal ethnic groups, regardless of religious affiliation.

After independence, the framers of the new republic's constitution were mindful of the social and economic obstacles facing tribal communities in the new country. In order to facilitate the democratic empowerment and economic development of these communities and their inhabitants, a regimen of quota systems was put in place. Seats in the national and statewide legislatures were reserved for "scheduled tribes." But this quota system proved problematic as assimilated ethnic tribal members took control of the reserved seats, leaving the unassimilated adivasis marginalized.

The adivasi population of Madhya Pradesh draws out some of the contradictions of modern India. In the post-independence era, India has often found itself torn between Gandhian asceticism and modernist developmental dreams; between liberal tolerance for

plurality and a need for national cohesion. Tribal groups are scattered throughout the country,[178] but they constitute more than one-fifth of Madhya Pradesh's population—more than in any other state; and their very presence forms a fault line of India's ongoing struggle to discover and assert its identity as a nation.

Madhya Pradesh is home to more than 12 million adivasi inhabitants. The largest tribes are the Bhil and Gond, each of which comprises just over thirty-five percent of the overall tribal population in the state. Because their experience is, for our purposes, fairly representative of the adivasi experience in modern Madhya Pradesh,[179] the following section will first briefly chronicle the history of the Bhil people before moving into a discussion of their contemporary culture, their interactions with local, state and national government, and the difficulties they pose for state legitimacy.

The mountainous Jhabua district on the state's western border has historically been home to the highest concentration of Bhil and Bhilila adivasis (Bhilala are descended from marriages between Bhil and Rajputs). Details about the early history of the Bhil in this area are rather murky, but legend suggests that they ruled the area before it was conquered by the Rajputs in the 5th century C.E. For centuries afterwards, relations between Bhil and Rajputs were rather cordial and intermarriage was common. During the Mughal era, the Hindu Rajputs became more reactionary and a narrative of disdain for the Bhil began to develop. Bhil regularly began to face beatings, torture and

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[178] In total, there are more than five hundred recognized Scheduled Tribes in India, making up approximately 8 percent of the nation's total population.
[179] The experiences of the Gond and Bhumia adivasi communities in many ways paralleled those of the Bhil. See Stephen Fuchs, *The Gond and Bhumia of Eastern Mandla*. Bombay: Asia Publishing House, 1960.

mutilation at the hands of the Rajput rulers. Ostracized by the Rajputs, many Bhil turned

to banditry and freebooting. Anarchist sensibilities began to develop among the tribal

communities, and institutions embodying political and economic domination came to be

viewed with deep suspicion.[180]

In the early seventeenth century, a military commander named Keshodas won the

favor of the Mughal emperor in the conquest of Bengal, and was rewarded with the

Jhabua kingdom. Keshodas' descendants maintained rule over Jhabua until

independence in 1947, but for much of this time the state was effectively little more than

a feudal confederation, and the Bhils of the region maintained their own social and

political institutions within their communities. After the EIC conquest, Jhabua was part

of the Central India Agency.

In the 1940s, the missionary Rev. Leonhard Jungblut took note of a number of

longstanding Bhil proverbs suggesting a general distrust of the rich and powerful. One

proverb proclaims: "Dhan kare dhingana, mal kare masti" (Riches create pride,

possessions over-boldness). Another states: "Dhapyo rowe dhan no; bukhyo rowe lazno"

(The satiated cries after his wealth, the hungry out of shame).[181] These proverbs suggest

a cultural aversion to capitalism, likely galvanized over centuries of economic

exploitation from various wealthy elites and dominant groups.

More recent accounts of the Bhil appear to confirm the prevalence of these

values.[182] The social norms of the Bhil communities differ greatly from the puritanical

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[180] S.K. Das, 2008.
[181] Jungblut, 1945.
[182] Das, 2008.

mores that define much of modern Hindu society. For example, marriage is not

considered a sacrament, and either party can dissolve it if they so desire. In a seeming

paradox, despite the Bhil's general aversion to conventional notions of land ownership,

women are treated as property in certain respects. When a wife commits adultery, her

husband will usually resolve the matter by simply seeking monetary compensation from

her lover.

In addition to the Bhil of the Jhabua district and other princely states, there was a

significant population of Bhil in the northern Central Provinces. After conquering the

region in 1818, the British faced a significant challenge in pacifying the local Bhil, who

regarded their pompous new colonial overlords in mocking contempt. The British

simultaneously employed both coercive and conciliatory measures. The more

pugnacious tribal leaders were arrested, beaten and sometimes hanged. Meanwhile the

combatants who surrendered were pardoned, and land and money were provided as

incentives for the Bhil to settle down.

Reports from the close of the nineteenth century suggest that these strategies were

successful, but it is not entirely clear how credible these accounts are.[183] Bhil popular

culture in the 1880s paid special reverence to a bandit named Tantia Bhil (c. 1844-1890),

who was known for robbing British officials and indigenous elites and distributing his

plunder amongst the tribals. Today, many Bhil regard Tantia as a freedom fighter who

stood up to British imperialism.[184]

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[183] *Gazetteer of the Bombay Presidency*, 1880.
[184] Gupta & Beniwal, 2007.

Perhaps augmenting their distrust of outside political institutions, the Bhil have a strong history of communitarian governance, rooted in the ancient structure of traditional panchayats. The Bhil village is led by the *tadvi* (village headman), a hereditary office whose bearer is responsible for settling disputes, meting out punishments for criminal offenses, and acting as an intermediary between the village and government. Punishments may range from fines in cash or food to temporary excommunication. The *badwa* or witch doctor, believed to have mystical powers, serves as the custodian of the village's theological and mythological traditions. In many respects, the role of the *badwa* overlaps with that of the *pujaro* (priest), who serves as an intermediary between the village and the gods.

India's nationwide panchayat system, discussed in earlier chapters, has been designed to foster social capital and democratically empower rural villagers at a local level. In many areas this scheme has been quite successful, but within the context of the tribal communities of Madhya Pradesh, the panchayat raj has often served to legitimate the authoritarian power of the sarpanches (leaders) who control the agenda and proceedings of the gram panchayat meetings.[185] In many cases, the sarpanch will set an agenda that is too esoteric for the average *adivasi* to understand. Meanwhile, debates are often dominated by the sarpanch and his cronies, while other Bhils tend to be intimidated to the point where they are reluctant to speak. The vision of decentralization was that it would grant autonomy and agency to marginalized rural communities, but some have argued that decentralization has actually led to further marginalization of the tribal

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[185] See S. K. Das, 2008: 218.

communities in Madhya Pradesh.[186] As D.H. Sah points out, "…the political economy of decentralization has engendered a nexus between the political elites, the bureaucracy, and the contractor for furthering their own interests…The community only participate by registering their presence in the Gram Sabha but it does not participate in decision-making."[187]

The most prominent difference between the democratic strength of indirectly ruled Kerala and indirectly ruled Madhya Pradesh is in the cultural perceptions of education among the relatively disadvantaged groups. In the previous chapter, we noted the longstanding tradition of reverence for education in pre-British Travancore and the surrounding area. We showed how the narrative of veneration for Brahminical study made knowledge into a universal indicator of status in post-independence Kerala, creating a broad incentive for knowledge acquisition, educational attainment and democratic empowerment. Tribal Madhya Pradesh presents a very different picture. While there are some ancient Bhil proverbs espousing the value of wisdom (for example, "*Anzan ne indarun*" or "To the ignorant, darkness"), there is a far more pervasive narrative that derides the snobbery and pride of the wealthy (For example, *"Pade patoriyawali; nam pare lilaryawali"*: The lady in expensive clothing breaks wind, and the woman in rags gets blamed).[188] While education may carry implications of status, it is also associated with pomposity and excess. In a survey conducted in the 1970s, 36 percent of Bhil parents said they did not want their children to receive any education. An additional 30 percent only wanted their children to attend primary school. While this

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[186] Sah and Bhatt, 2004.
[187] D. H. Sah, 2007: 193.
[188] Quoted in Jungblut, 56.

proportion has almost certainly changed in the last forty years, the continued

exceptionally low rates of literacy among adivasis suggests that this cultural aversion to

education has not disappeared. As of the 2001 census, only 46 percent of scheduled tribe

children between the ages of 5 and 14 were reported as attending school. Among the

Bhil, the proportion was 36.3.[189] Barely one third of all Bhil over the age of 15 were

literate, and less than ten percent had completed secondary school.

Even within the economically deprived context of rural India, the designated

"Remote Tribal Areas" (RTAs) such as southwestern Madhya Pradesh stand out as

particularly destitute. On average, about half of the residents of tribal southwestern

Madhya Pradesh live in poverty, though this proportion fluctuates greatly with the

fortunes of the crop seasons and agricultural prices. All in all, only 23 percent of

residents manage to remain above the poverty line at all times.

The Bhil of western Madhya Pradesh are systematically subject to exploitation by

predatory moneylenders, who settled into their villages in the nineteenth century from

neighboring Gujarat and Rajasthan. Colonial rule brought capital to the coastal cities of

western India, enriching classes of indigenous entrepreneurs who took advantage of their

newfound wealth to offer high-interest loans to the often short-sighted small-time

cultivators and laborers of the inland tribal communities. Today many Bhil are deeply

indebted to predatory moneylenders.[190]

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[189] By contrast, the same census data showed that 79.3 percent of children between ages 5
and 14 nationwide attended school. 63 percent of the Madhya Pradesh population over
the age of 15 were literate, just below the national average of 64 percent. Census of
India, 2001.
[190] Das, 32.

The Gond, too, suffered from structural violence in the form of the encroaching

values of Western capitalism and property relations. Because they share many cultural

tropes with the Bhils, the problems plaguing Gond society are quite similar to those we

have just discussed. For the Gond of Madhya Pradesh, land was communally owned and

cultivated, and cultivators enjoyed freedom to move from one piece of land to another

when they chose. As Stephen Fuchs wrote, "A Gond…acquired the right to the yield of a

field by cultivating it; and when he left a field to clear another jungle plot in shifting

cultivation, the abandoned field did not remain his private property, but fell back into the

joint possession of the whole group."[191] The Bengal Land Revenue Settlement Act of

1868 drastically altered property relations in the Central Provinces and the Bombay

Presidency, subjecting the buying, selling and use of land to the laws and regulations of

the (then British) Government of India. Because most of the Gond had no written titles

to the land they cultivated, they essentially lost all their landed property when the Act

went into effect.[192] The Gond in the princely states were not affected by this law, since

those states were not subject to the laws of the British administration. For these Gond,

the period of displacement came after independence, when the laws of the Indian

government came into effect in the now-dissolved states.

Toward the end of their reign in India, British officials had taken note of the

corrosive effects of colonial influence on tribal communities, their institutions and their

customs. In his report on the Census of 1931, J. H. Hutton wrote, "Far from being of

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[191] Fuchs, 177.

[192] The Central Provinces were placed under a landlord-based revenue collection system similar to that in the Bengal Presidency after the Permanent Settlement of 1793 (see Chapter 3 for more details on this system). See Banerjee and Iyer, 2005: 1194.

immediate benefit to the primitive tribes, the establishment of British rule in India did

most of them much more harm than good…It may be said that the early days of British

administration did very great detriment to the economic positions of tribes through

ignorance and neglect of their rights and customs."[193]

The colonial administration was perceived as deeply illegitimate within the

context of adivasi communities in Madhya Pradesh—perhaps a great deal more so than

within most mainstream Indian societies.[194] This illegitimacy stemmed from deep

cultural differences between the traditional tribal societies on one hand and the post-

Enlightenment industrial capitalist British on the other. During this time, of course,

Britain was in the throes of an early high modernism, based on growing confidence in the

power of science.

One manifestation of this ideology was scientific forestry. Prior to the arrival of

the EIC, many adivasis had relied greatly on the resources of central India's vastly

diverse forests. Acres of mango, jackfruit, tamarind and bamboo trees were leveled and

replaced with more profitable teak, pine and eucalyptus. The disturbance of the

ecosystem caused both drying and flooding of rivers, as well as deteriorating water

quality, soil erosion, and reduced crop yields for cultivators. Stripped of their livelihood,

many adivasis were forced to settle in villages in the plains where they often became

domestic servants to caste Hindus.

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[193] J.H. Hutton, *Census of India* (1931).

[194] Evidence of this perception can be seen in the intensity of the 1930 uprising among *adivasis* of the Central Provinces, which were under direct British jurisdiction. While this uprising took place in the context of M. K. Gandhi's *satyagraha* movement, the adivasi revolt took on a path of its own, turning violent at times.

This pattern continued after independence and spread to the former princely state regions of Madhya Pradesh. During the period of structural adjustment in the 1990s, the Forest Department placed restrictions on tribal access to forest produce and granted private contractors the rights to these goods. This led to widespread unrest among the affected adivasis, many of whom joined the Naxalite Maoist insurgents.

Writing in the late 1970s, S.L. Doshi noted that the politics of India's adivasi communities operate differently from politics at the national, state and village levels. In the latter, institutions such as parliaments, parties and elections serve as the fulcrum of politics, subject to limited, controlled popular input at regularly scheduled intervals. In the tribal communities, on the other hand, political power and responsibility are more diffused: "The politics in the internal organization of the tribes vis-à-vis the encapsulating society, is bound up with actions that on the surface seem to be non-political, but actually have wider consequences in terms of power relations. The power-centers of a tribal society, therefore, are not located only in formal political institutions. They are spread over the whole social system."[195]

Further evidence of the informality of social organization among adivasis can be seen in Stephen Fuchs' study of the Gond and Bhumia. Fuchs writes that among both of these groups, "The village or caste council makes strenuous efforts to settle old quarrels within the village without recourse to the courts of law. Though the village elders

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[195] Doshi, 1978: 1.

exercise no authorized civil or criminal powers, peace and good order in the village depend to a large extent on their administration and arbitration."[196]

In other words, the divide between the political community and civil society aspects of life in these tribal communities is not nearly as cut and dry as in traditional Western liberal democratic societies. Before Indian independence, the centralized authority of rational-legal bureaucratic institutions was almost entirely absent in Bhil society. Today, these institutions have progressively encroached on these communities and their way of life.

Independence and Incorporation

When the British left, most states in the Central India Agency joined the Indian Union with little to no resistance. The princely state of Bhopal, the second largest in pre-independence India, was one of a handful of states to resist accession into either India or Pakistan in the late 1940s. Though the majority of the state's population was Hindu, it was ruled by a Muslim Nawab named Hamidullah Khan who maintained close ties with Muhammad Ali Jinnah and was deeply distrustful of the Indian National Congress. When the British began planning to leave India, Hamidullah expressed alarm, lamenting to an associate of the British viceroy that such a move would be "one of the greatest, if not the greatest, tragedies that has ever befallen mankind."[197] In the months leading up to the date of independence, Viceroy Mountbatten implored Hamidullah to acede to India, but to no avail. After Indian independence was officially granted on August 15, 1947,

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[196] Fuchs, 195.
[197] Ramachandra Guha, 2007: 46-47.

Hamidullah asserted that Bhopal was now an autonomous nation. In December 1948, the Indian government moved against the Nawab, invading the state and arresting several of his associates. Hamidullah finally signed the agreement of accession on April 30, 1949, nearly two years after Indian independence.

Sovereignty over Bhopal's territory was officially transferred to India on June 1, 1949. As in other princely states, the royal family retained its official titles but surrendered all meaningful authority. Abida Sultan, the princess and heir to the Bhopal throne, fled to Pakistan. Upon accession, Bhopal became a "Part C" state of the new Indian union. This status was reserved for those former princely states whose accession to the Indian union had been particularly turbulent. Although the state elected its own legislature and chief minister, legislative acts were subject to the approval of a chief commissioner, appointed by the President of India, and of the national parliament. In 1956, the "Part C" states were abolished and Bhopal State was merged into the newly re-drawn state of Madhya Pradesh.

Post-Independence Politics

In stark contrast to Kerala, gender relations in Madhya Pradesh are quite abysmal. The state has India's highest rate of sex-selective abortion and infanticide. Women—and especially women in adivasi communities—are often neglected in education, which makes child rearing far more difficult.[198] As we discussed in a previous chapter, this has adverse effects on overall child health and mortality, as well as on quality of life in general (and according to the 2001 census, Madhya Pradesh had the second worst child

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[198] Sen, 1999.

mortality rate of any Indian state[199]). This is particularly disappointing given the fact that

the large and influential Bhopal state was governed by a dynasty of strong women, some

of whom actively promoted women's health and education for girls. In an earlier chapter,

we discussed how the matrilineal tradition in Travancore allowed women in post-

independence Kerala to claim autonomy and power in both the private and public

spheres. There are three major reasons why a similar narrative has not taken hold in the

Bhopal region or in Madhya Pradesh at large.

First and foremost, matrilineal succession in Bhopal did not begin until 1819, and

was limited to the royal family (whereas matrilineal tradition was an ancient practice for

many communities throughout Kerala). Thus, the tradition in Bhopal did not take deep

root in familial narratives or practices across society. Nevertheless, the Begums of

Bhopal had sought to change this, and had moderate success in advancing the rights of

women in the capital city with the establishment of schools and medical centers for

women. Secondly, the population of Bhopal State as a whole was quite culturally

heterogeneous, as we have seen. The people of the countryside generally were rather

culturally distinct from residents of the capital. The tribal communities, of course, were

effectively separate from the rest of the state, both culturally and politically. Thus,

matrilineal succession among the Begums had little social impact in the hinterlands.

Finally, the demographics of Bhopal city changed substantially after independence and

partition. Many progressive-minded Muslims fled Bhopal once the state had acceded to

the Indian union. Like a large number of Muslims elsewhere in India who feared

religious discrimination, they emigrated to the newly created Pakistan, which had been

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[199] Census of India, 2001.

carved from the Muslim-majority provinces and states of British India. This meant that the proportion of Muslims living in Bhopal decreased drastically. A city that had a large Muslim majority a century ago is barely a quarter Muslim today. Whatever remnants of the progressive Begum tradition remained seems to have dissipated along with Bhopal state and its ruling Muslim family. Like other parts of central India, Madhya Pradesh (including Bhopal) has seen a fairly large amount of communal violence in the decades since independence. The number of deaths from communal riots was the fifth highest of all Indian states from 1950 to 1995 (though the top four, Gujarat, Maharashtra, Bihar and Uttar Pradesh all had more than double the number of deaths in M.P.).[200] This offers a sad contrast to the peaceful coexistence of Hindus and Muslims in the princely state of Bhopal.

The exodus of Muslims from Bhopal can largely be traced to the partition of the subcontinent into India and Pakistan, another product of the colonial legacy. The modern zealotry that permeates many Hindu and Muslim communities today has its roots in narratives formulated under colonial rule. Ashis Nandy noted that Hindu and Muslim fundamentalists embody a worldview that was only made possible by the secularization of political morality. In an instance of layered hegemony (see Chapter 1), religious and ethnic identities retain their particularities while losing their moral foundations. As Nandy writes, "Instead of making religious use of politics, [modern politicians] make political use of religion, turning it into an instrument of political mobilization within a psephocratic model…in which elections and elected 'kings' dominate the system."[201]

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[200] Census of 2001.
[201] Nandy, 2003: 41.

Madhya Pradesh has the third worst rating on Charron's corruption index, at 5.84 (only Bihar and Kashmir fare worse). Corruption is particularly acute in the regions populated by tribal communities.

The key difference between the politically vibrant democratic culture of Kerala and the ignorance and factionalism in Madhya Pradesh lies in the dominant perceptions of education. Readers may recall from the previous chapter that education is widely viewed in Kerala as an aspect of holiness. As we have seen, there is little of this sentiment in Madhya Pradesh, particularly among adivasi communities.

In sum, the structural violence of the colonial legacy in Madhya Pradesh is complex. Unlike most other states in India, Madhya Pradesh suffers from a lack of cohesion. Unlike the post-colonial nation-states of Africa, for instance, the sub-national states of India were not frozen in their jurisdictional contours. While initial state boundaries were largely derivative of British India's provincial and princely state divisions, the Republic of India was able to adjust these boundaries over time, bringing them more in line with the cultural and linguistic affinities of their respective populations. Madhya Pradesh, however, remains an arbitrary amalgamation of various linguistic, cultural and religious groups—the leftovers remaining once surrounding states had been given their shares. As we have discussed, this is a legacy of both the boundaries drawn by the British and the subsequent decision by independent India to keep the central Indian grouping together as a sub-national state, with some territorial changes. Consequently, Madhya Pradesh has experienced more tension than other states among a diverse range of cultural groups. The tension between the scheduled tribes on one hand and the national and state governments on the other remains an unresolved issue after nearly seventy years

of disputes over forest resources in the post-independence era (which is largely a continuation of similar disputes in the colonial era). Different cultural meanings of property ownership and the difficulty of balancing the desire for economic growth and state revenue with respect for adivasi traditions and livelihoods have complicated the state's developmental trajectory.

The accession of the princely states of Madhya Pradesh into the new Indian union was initially quite challenging, particularly in the case of Bhopal, which had been a bastion of interreligious harmony and progressive developments in women's rights. After independence and the incorporation of the princely states into the Republic of India, much of the erstwhile social progress on women's issues in Bhopal appears to have been lost, as has the interreligious peace. Relations between Hindus and Muslims are now just as volatile as most of northern India.

We have now examined two states in India that were dominated by semi-autonomous princely states in the colonial era. Kerala has thrived in social and democratic development, while Madhya Pradesh has floundered. Why did some of the more progressive pre-colonial norms and traditions enable Kerala to succeed while similar traditions were buried in Madhya Pradesh? The key to the difference between the outcomes of these cases appears to be in the social perception of education. Wisdom was seen as key to the holiness of the Brahmins in pre-colonial Travancore, and when educational opportunities were expanded to the broader population, it allowed members of the lower castes to feel that they were accessing something sacred. Enthusiastic civic participation cemented in a strong demand for greater opportunities, and the government responded accordingly. In contrast, the most disadvantaged communities of Madhya

Pradesh take pride in being disassociated from the state, and creating a basis for

enthusiasm for Westernized education and civic participation within the context of the

bureaucratic-parliamentary state has proven exceedingly difficult. Within this context,

the Republic of India manifests as an instrument of oppression for these communities.
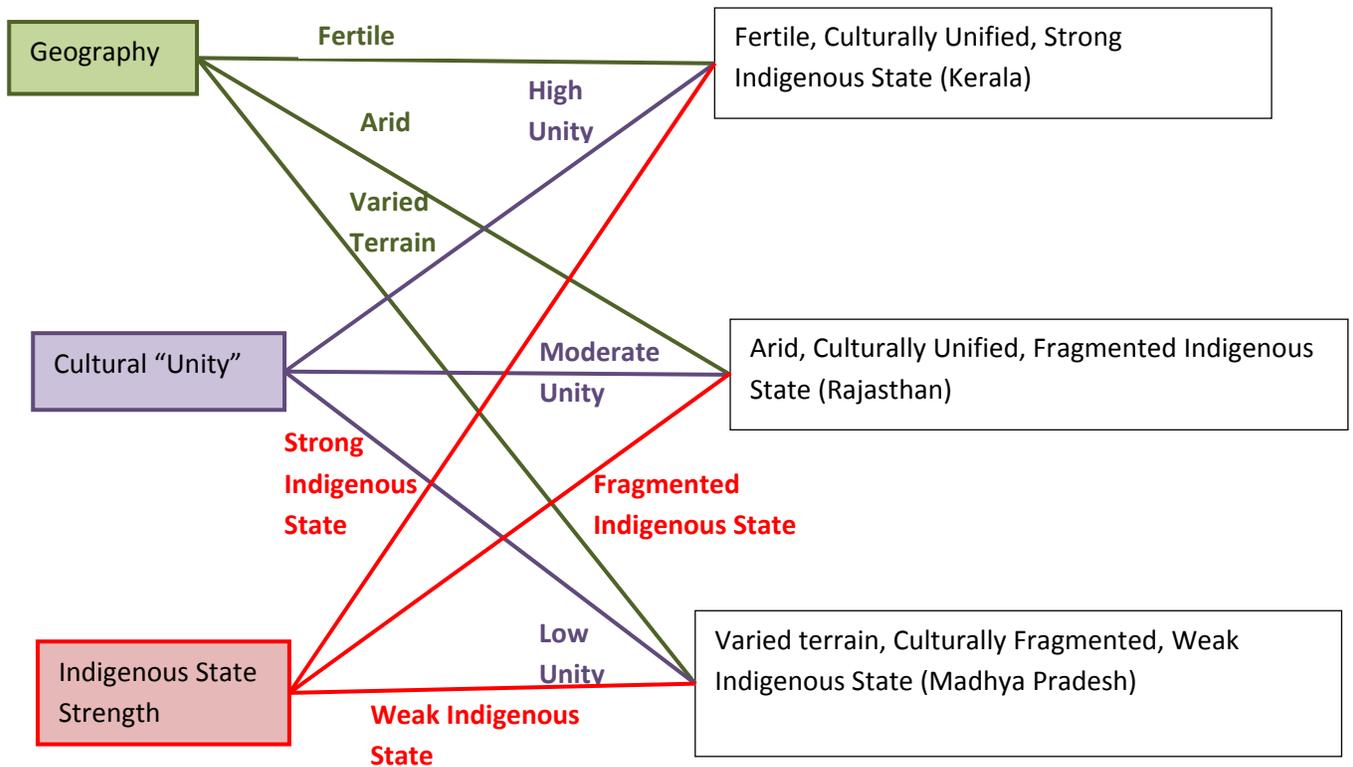
Figure 1.Outcomes of Direct Rule
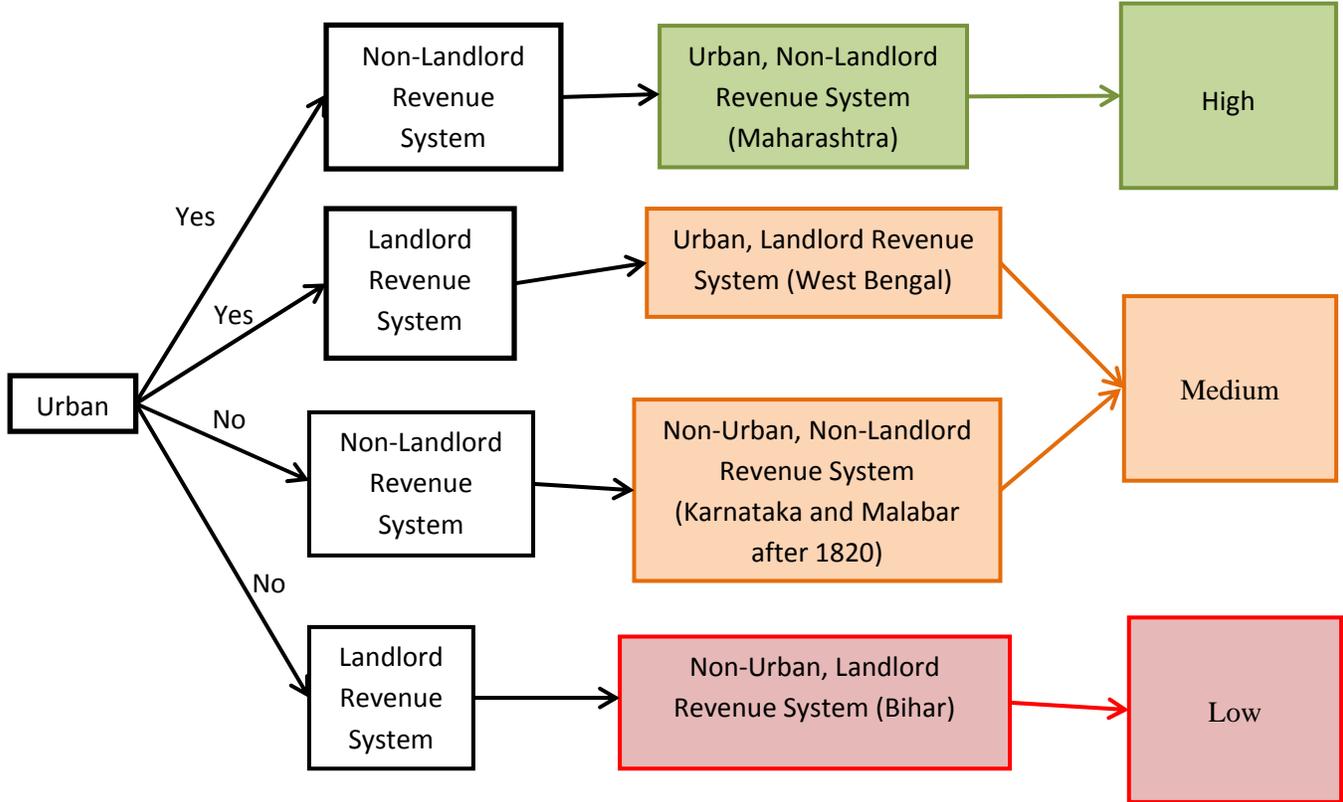
Figure 2. Outcomes of Indirect Rule

Concluding Remarks on the Empirics of the Post-Colonial Legacy

Based on the evidence in the four preceding chapters, we can draw a number of conclusions about the relationship between the nature of the colonial legacy and postcolonial structural violence in Indian states. The first chart above depicts the relationship between direct rule and postcolonial outcomes. For directly ruled regions, establishment of a large urban core plays a major role in determining post-colonial developmental outcomes. The urban core cities of Bombay and Calcutta boosted the colonial and postcolonial development of Maharashtra and West Bengal, respectively.

Bihar and Karnataka were anchored by smaller cities, which did not contribute as much to development. Meanwhile, the *zamindari* system of revenue collection inhibited both social and economic development across the Bengal Presidency (which included both Bihar and West Bengal).[202] The legacy of this system remains despite land reforms enacted in both states. The *ryotwari* system of revenue collection in the Bombay Presidency (and the Madras Presidency beginning in the early nineteenth century) led to greater rural social and economic development in Maharashtra and Karnataka. Thus, the combination of a colonial era *zamindari* system of revenue collection with the lack of a major urban hub yielded the worst possible developmental outcome in Bihar, while the urban core of Bombay and the *ryotwari* system both contributed to Maharashtra's relative developmental success. In West Bengal and the directly ruled portion of Karnataka, a favorable factor in one of these variables was more or less offset by an unfavorable factor in the other.

Additionally, the incidence of direct rule altered the effects of other variables. Banerjee and Iyer have pointed out that within directly ruled territories, the British had a greater tendency to establish *zamindari* systems in more fertile regions. Because of the negative effects of the *zamindari* system, the more fertile direct-rule parts of India have had a worse developmental outcome than the less fertile direct-rule territories, which

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[202] Lakshmi Iyer (2010) shows that the type of revenue collection system only has an effect on developmental outcome in directly ruled provinces and *not* in indirectly ruled native states. This seems to reinforce our theory that the British implementation of the zamindari system in their direct jurisdictions was structurally violent compared with how it functioned under indigenous rulers. See Lakshmi Iyer, "Direct Versus Indirect Rule in India: Long-Term Consequences." *The Review of Economics and Statistics*, Vol. 42, No. 4 (Nov. 2010).

were more likely to be under *ryotwari* systems.[203] For indirectly ruled regions on the

other hand, more fertile territories like Kerala have tended to do better than more arid

territories like Rajasthan. Other important factors for the development of states with

indirect rule legacies include linguistic homogeneity, a cultural element of "we-ness,"[204]

and the presence or legacy of a stable, bureaucratic indigenous state with the ability and

willingness to invest in education and health care. For direct-rule cases, this last variable

is less relevant, since the indigenous states that existed in those regions were dismantled.

It should be noted that for much of the last decade, there has been some talk of a

reversal of Bihar's fortunes. Nitish Kumar, who served as chief minister of the state from

2005 to 2014, brought a considerable amount of energy to the position and cast himself as

an agent of reform. In his early years, Kumar succeeded in enacting a developmental

agenda in the state. But he has so far been unable to overcome the strength of the caste-

based fault lines in Bihari politics.

Land reform, long an elusive goal for Bihari populists, remains difficult to

accomplish. In 2006, Nitish Kumar appointed a commission to study and recommend

strategies for dealing with the inequity in land distribution. The commission

recommended allotting between two-thirds and one acre to each of the 160,000

households that comprised the most destitute tier of landless laborers. Under pressure

from political allies, Kumar announced that his government would not carry out the

recommendations of the commission. The failure of the Bihar government to deal with

land reform and put an end to the neopatrimonial feudal arrangement of its countryside

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[203] Banerjee and Iyer, 2008.
[204] Prerna Singh, 2010.

has deeply compromised the government's legitimacy and has stoked the flames of the Naxalite Maoist insurgency.

It may be tempting to place Bihar and Madhya Pradesh in the same category of relative bureaucratic and de failures within India. But the nature of their specific problems owes much to the nature of the colonial legacy in each state. Bihar's postcolonial trajectory has yielded a neopatrimonial arrangement in which elites empowered by the British have used bureaucratic and electoral politics to maintain their status. As mentioned earlier, "middle caste" politicians have protected these elites even as they mobilized the lower castes against them electorally. On the other hand, in Madhya Pradesh, an older, more traditional patrimonial arrangement has held sway in the tribal communities which were autonomous during the colonial era and which have not been fully incorporated into the republican framework.

Indirectly ruled Kerala escaped such a fate in large part because of the progressive tendencies of Travancore's ruling dynasty, which dedicated substantial resources to education (particularly traditional vernacular education, which was decimated elsewhere), and because of the region's unusual matrilineal traditions, which were sustained in both Travancore and Cochin despite disapproval in Madras. On a more basic level, Kerala's success after colonialism can be traced to the fact that Travancore and Cochin were relatively strong, stable bureaucratic states. Thus, the transition to independent India was less disruptive for most of Kerala than for the tribal hinterlands of Madhya Pradesh, whose populations still struggle today against the encroaching dominance of capitalist development and the Indian nation-state.

In order to determine which variables are most important to the success of indirectly ruled parts of India, we need to briefly examine some of the other major cases of indirect rule. Rajasthan was known as the Rajputana Agency during the colonial era, and was a collection of many small princely states which paid tribute to the colonial government. While Rajasthan escaped the more violent aspects of colonial rule, the state has remained quite poor and underdeveloped largely because of its landlocked location and arid climate. On the other hand, the princely states of Gujarat benefitted from a considerable amount of maritime trade because of its coastal location.

Conversely, directly ruled West Bengal suffered from the same Permanent Settlement legacy as Bihar. The major difference between these two states is that West Bengal is anchored by Kolkata, the second largest city in India and a major center of economic activity. Colonial economic and infrastructural investment mitigated the negative effects of the Permanent Settlement. At the same time, urbanization fostered greater civic engagement among the lower classes and enabled the poor to channel their grievances into electoral power. This enabled the Communist Party to gain power in the state.

British direct rule in India brought about the chief problems that Mahoney and Lange associate with liberal indirect colonial rule: the empowerment of unaccountable indigenous elites at the expense of the general population. This was especially true in areas covered under the Permanent Settlement, as we saw in Chapter 2. Mahoney tacitly acknowledges this issue when he suggests that direct rule in India was really more akin to indirect rule because throughout India "in 1881…there was only one colonial official for every 267,300 people! Obviously, the colonial state never extended down to the

community level."[205] As we have seen, this is not true. Despite the large ratio of Indian

people to colonial officials, the changes brought about by colonial rule had a substantial

impact on many communities. The colonial legal system and the sudden presence of a

powerful entity which bolstered the power of the zamindars created the conditions for a

quasi-feudal, neopatrimonial system, the legacy of which would haunt much of India

centuries later. Even in direct-rule provinces under the *ryotwari* system, direct rule was

quite disruptive. But at least in these cases, cultivators had some political agency, which

would lead to a healthier class dynamic in the postcolonial era. Moreover, the more

autonomous state of Travancore gradually evolved to adopt liberal reforms, including

funding education for lower castes. But they adopted these reforms on their own terms,

with greater sensitivity to the culture of their population.

Both Mahoney and Lange insist that direct rule by liberal colonizers yielded better

developmental outcomes than did indirect rule. But a closer analysis of their findings, in

tandem with the historical narratives gathered in this project, reveals that the key to the

direct rule success they speak of was not direct rule itself but the presence of a significant

indigenous population before, during and after the colonial era. In his abbreviated survey

of the different types of British rule, Mahoney distinguishes between "direct" colonies

and "settler" colonies (Lange, in his much more extensive study of British rule, does not).

Whereas "settler colonies" were inhabited by a large number of colonists, "direct

colonies" were mostly comprised of non-colonist populations. But even the "directly

ruled" colonies of which Mahoney speaks are either states that were populated

overwhelmingly with imported slaves (the West Indies and Mauritius) or capital-

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[205] Mahoney, 240.

intensive city colonies built nearly from scratch (Hong Kong and Singapore). As mentioned in Chapter 2, in neither of these cases was there a substantial indigenous population with which the colonizers had to contend. Bihar and Maharashtra are cases of British direct rule containing substantial indigenous populations, where the colonizing power had to navigate existing institutions in the process of establishing their own dominance.

We have now examined four sub-national states in India, but we have not spoken much about the country's developmental trajectory on a national level. In recent decades, India's economic growth rate has been quite impressive, and all four of the states we have examined have benefitted materially from this growth. Poverty rates have declined, literacy has risen, and the HDI scores of all four states—and of India as a whole—have improved considerably.

There is certainly reason to be optimistic about India's future. But it would be a mistake to assume that India can sustain the same sort of development experienced in the United States and Europe. Already, the country is home to some of the most polluted cities in the world (including New Delhi, which tops the list). Further growth of the middle class is likely to make this problem worse and overwhelm India's infrastructure, which is already under tremendous strain. This is why we need to qualify the positive assessment of the British legacy in urban India. While heavy colonial investment in Bombay and other major urban areas was beneficial for economic development, the growing urban populations of these metropolitan centers are beginning to experience decreasing quality of life because of overcrowding and pollution.

The structural violence of post-colonial India has much to do with a shift in the nature of politics which took place during and after colonial rule. For directly ruled regions, this shift took place during the colonial era. The Permanent Settlement of Bengal radically transformed the relationships between the *zamindars* and the *ryots* in the Bihar region. The role of the zamindar with respect to the ryot was stripped of its political nature and converted into an institution of private property ownership. Even in *ryotwari* areas where the *ryots* were essentially made into land ownership, individual cultivators were isolated from their collective responsibility for the land as the Western notion of proprietorship took hold. Of course, eventually all of India would adopt the institution of Westernized private property. Most princely states made this transition on their own during the colonial era (often under pressure from the British), and the remaining states followed when they were folded into independent India. Thus, the argument might be made that the direct-rule institution of the *ryotwari* revenue system was not appreciably more violent than the establishment of private property under indirect rule. However, indigenous governments like the ruling dynasty of Travancore often tended to be more sensitive to the grievances of their populations than were British colonial officials in Madras and Bombay. The rulers of these states maintained some or most of their political agency, and in the case of Travancore, the population was able to hold these rulers accountable. In contrast, the subtle, nuanced framework of political authority in the rural villages of directly ruled territories were overrun by the colonizers. This official depoliticization of existing informal institutions is one of the most profoundly negative aspects of direct rule in British India, and one of the foremost instances of colonial structural violence.

Of course, it is difficult to imagine what India would have been like today if it had never been colonized. Jonardon Ganeri's *Lost Age of Reason* describes a burgeoning Enlightenment in pre-colonial India, which had begun to develop by the late seventeenth century. Ganeri describes the beginnings of dialogue in scholarship between Hindus and Muslims of various traditions. This began with the translation by Mughal scholars and courtesans of Vedic scriptures into Persian. Dara Shukoh, then crown prince of the Mughal Empire, wrote in 1656 that "there existed between Hinduism and Islam a pre-existing affinity, even an identity"[206] and in order to discover the truths within, he assembled a number of pandits to translate the *Upanishads* into Persian.

In the colonial era, this nascent movement came to a halt. Nandy has noted that under British influence, Hindu scholarship began to take on distinctively "Western" features. For instance, in the late nineteenth century Bankimchandra Chatterjee wrote an essay on Krishna depicting the incarnation of the Hindu god Vishnu as a "Westernized 'hard' god...who would not humiliate his devotees in front of progressive Westerners."[207] Hinduism was increasingly interpreted as a cohesive, unitary and exclusionary religious identity. Colonialism reinforced the division between Hindus and Muslims in addition to the stratification of the caste system. The deepening of these divisions created a framework for sectarian clientelism and communal violence.

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[206] Ganeri, 2011: 23.
[207] Nandy, 1983: 23.

Toward a New Theory of Structural Violence

The poor, oppressed and marginalized communities of the postcolonial world are not to blame for their circumstances; nor are they merely "unfortunate." They are the victims of violence. To witness the ongoing and systematic regeneration of poverty, deprivation and marginalization is to witness a violent process—and the harm being done to these people should spark the same level of outrage as acts of physical violence.

In a recent book called *Red Tape*, Akhil Gupta explores the relationship between bureaucracy, structural violence and poverty in India. Obviously his work is paralleled in many respects by this project. Like this work, Gupta's book dedicates a significant amount of attention to the issue of corruption, which he deems "arbitrary" in its outcomes. In other words, the variance in the personalities, temperaments and circumstances of individual bureaucratic agents means that some poor people have their needs met by the system while others do not. This is undoubtedly true, and I concur with Gupta that the poor citizens who fall through the cracks of the bureaucracy in such cases are victims of structural violence.

However, I have some issues with Gupta's approach. First, I disagree with his willingness to accept Galtung's conception of structural violence without any qualifications. He argues that because structural violence occurs without a specific perpetrator, it is rooted in outcomes, not processes. This explains why he seems relatively unconcerned with the historical origins of the violence he so painstakingly chronicles in his rich and highly informative text. The role of the British in establishing much of India's administrative framework is mentioned only sporadically and in passing.

Thus, for Gupta, corruption is fundamentally "arbitrary" because at a micro level its outcomes appear as random happenstance. I believe the present work demonstrates that on a larger scale, the variation in the intensity of corruption in India has much to do with the nature of the relationship between specific regions and their historical interaction with the British colonial regime. Corruption and other forms of structural violence in India are not arbitrary but path-dependent. This is what makes them structural: they reproduce and reinforce themselves in patterns. This is important because the legacy of empire is a living, evolving creature that continues to work its tentacles further and deeper into the life-worlds of communities across India. Gaining a deeper understanding of this process will be crucial to the preservation of these communities and their various identity formations.

Perhaps more alarmingly, Gupta interprets the existence of structural violence to mean that "whenever outcomes are unequal, violence is present."[208] We have expounded upon the problems with such sweeping statements in Chapter 1. Later he backtracks a bit and says that natural disasters and other non-man-made tragedies do not count as violence. The difference between poverty and natural disasters is that the former is created by "deliberate actions of social agents."[209]

Gupta also argues that the concept of structural violence is directly opposed to Veena Das' argument that "violence represents a violation of the everyday sociality of life-worlds."[210] Another way to say this is that violence is based on normative context.

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[208] Gupta, 20.
[209] Ibid., 21.
[210] Ibid.

In the first chapter of this project, I sought to show that structural violence as a concept can and must be reconciled with this idea of violence as violation, through the intermediary concept of layered hegemony (see page 26 above). As discussed earlier, I think this new, more rigorous iteration of structural violence is necessary in order for it to have true empirical value. In contrast, in Gupta's book the concept of structural violence seems a bit muddled. In his discussion of corruption, Gupta writes:

> Corruption discriminates against all those who do not have the monetary resources to obtain goods and services that are supposed to be provided free or at subsidized prices but that in fact command a market price. *It becomes a form of structural violence by placing a value on goods that should be available free from the states and thereby denying some of the poorest people the means to sustain life.*[211]

Interestingly, Gupta implies here an understanding of structural violence that rests upon a layered conception of Gramscian hegemony. In this case, the rational-legal consensus that the poor should have access to these goods and services is in conflict with the extortive practices of corrupt state actors. Gupta's use of structural violence in his project would benefit from a deeper critical analysis of the concept, its constituent elements, and its ramifications.

Another important question we should address here is to what extent the findings in this project can be useful outside of India. As noted a few pages earlier, it qualifies the dichotomy of "direct" and "indirect" rule in colonial legacies. A distinction needs to be made not only between "settler" and "direct" colonies but also between "direct" colonies with mostly imported (not just colonial settler) populations (Jamaica and Mauritius are prominent examples) and those with largely indigenous populations (the directly ruled

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[211] Ibid., 76. Emphasis added.

portions of India, as well as some countries in formerly British Africa). This is important because an examination of India suggests that the relative developmental success of most British direct rule cases is *not* because they were directly ruled as such, but because during and after the colonial era, these cases lacked large, indigenous populations and institutions. This made it far easier for the colonists to impose their vision on these countries. This distinction also brings to light the importance of the concept of structural violence. In directly ruled colonies with settled or imported populations, liberal colonial administrations could forge their own political culture in addition to the institutions they built. On the other hand, when colonists encountered substantial, pre-settled indigenous populations with their own social and political frameworks (and chose not to simply wipe them out by brute force), they had to both interpret and interact with these frameworks. Structural violence occurred to the extent that the resulting overlap of indigenous and externally imposed institutions was disruptive to the existing political ecosystem—for example, when colonial regimes in Africa imposed a bifurcated legal regime consisting of European civil law on one hand, and their distorted vision of traditional customary law on the other.

Describing what he deems indirect rule in British African colonies, Mahoney states, "Under the mode of indirect rule thereby introduced, traditional leaders maintained political and legal power over their subjects, while reporting to and paying taxes to the colonial administration."[212] As we have seen, however, the relationship between these "traditional leaders" and their "subjects" was fundamentally altered under indirect rule. In British African colonies, as in much of directly ruled India, organic avenues of

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[212] Mahoney, 237.

reciprocity were stripped away. In both British Africa and the Bengal Presidency of

India, existing institutions were interpreted as autocratic by the colonizers—and in the

course of British involvement, came to reflect this perception regardless of whether or not

it had been accurate in the first place. While Mahoney and Lange seem to place all of

British Africa under the category of "indirect" rule, Michael Hecter argues that many

colonies such as Nigeria and Kenya actually employed a mixture of direct and indirect

colonization.[213]

In many ways, the indirectly ruled British colonies of sub-Saharan Africa are

most analogous to the indirectly ruled parts of Madhya Pradesh, which are ethnically,

culturally and linguistically fragmented and have a large tribal population. This contrasts

starkly with the indirectly ruled kingdoms of Kerala. Like the kingdom of Travancore,

the Muslim-ruled princely state of Bhopal was progressive and peaceful. Unlike

Travancore, Bhopal experienced a mass exodus during the time of partition, and many of

the civic-minded Muslims of the state left for Pakistan. As a result, progressive,

democratic culture was eroded.

Finally, a word should be said about the fact that cultural assimilation and

homogenization led to the success of many modern nation-states, including most of

Europe. Eugen Weber, for example, has pointed to the multitude of ancient cultures and

vernacular languages that existed in rural France before the late nineteenth century.[214]

During the Third Republic the expansion of roads and railways, the spread of universal

education, and the institution of compulsory military service led to the disappearance of

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[213] Hecter, 2000.
[214] E. Weber, 1976.

these cultures and the assimilation of the rural peasantry into the French nation-state. In

other words, the French imperial conquest of its own countryside was complete. One

might argue that the problem with India is simply that the conquest of the universalizing

nation-state ideology is incomplete. Perhaps an ideal outcome for India would be a

country where "Hindu," "Muslim," "adivasi," and other identifiers are mere obsolete

vestiges with little cultural significance other than a mark on a census form; where Hindi

and English are spoken universally and other languages are the purview of esoteric study.

Perhaps this would also be an India free of communal violence or hatred or exploitation

of identity in the political arena, and perhaps the country would be far happier as a whole.

This may be the case, but at the present time the multitude of cultures, languages and

religious interpretations mean a great deal to a very large number of people. India's

struggle to reconcile its self-identity with these competing visions is a violent one, and

probably will be for some time.

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