

## Narratives of Rights: Codifying People and Land in Early Nineteenth-Century Nilgiris<sup>1</sup>

GUNNEL CEDERLÖF

*Dept of History and Dept of Cultural Anthropology and Ethnology  
Trädgårdsgatan 18  
753 09 Uppsala, Sweden  
Email: [gunnel.cederlof@antro.uu.se](mailto:gunnel.cederlof@antro.uu.se)*

### ABSTRACT

This article has two aims. Firstly, it analyses how multi-faceted narratives of south Indian people as communities and their rights in land and resources were established in early European reports from the Nilgiris. These narratives were gradually accommodated in increasingly racial interpretations of Indian society from the 1860s onwards. These became established in the state-produced historiographies at the turn of the century, and have even been repeated by social scientists up to the present day. Secondly, it focuses upon how ethnologically-derived categories influenced the codification of people in the Nilgiris, and how this process interacted with the legal codification of peoples' access to land and natural resources.

### KEY WORDS

India, colonialism – India, forest, anthropology – history, legal rights – nineteenth century – India, indigenous people – history

When officers of the British East India Company first entered the Nilgiri hills to establish settlements in the Western Ghats, they found themselves in the midst of disputes over rights in forest lands. Their major counterparts were local rulers of smaller political entities in Malabar on the western side of the mountain range and the disputes centred on the control and ownership of the forests and their highly valued timber. However, the Company's administrators did not represent one single colonial force. Different and strong interests created divisions in the legal debates where the government of the Bombay presidency argued for its sovereign rule in land and resources, in contrast to the Madras government,

which joined the local rulers in support of the prevalent *janmi* system of landholding as a birthright. In London, the Company's highest board, the Court of Directors, wanted a distinction between public and private land, while the Conservator of Forests strove to balance competing interests differently in different regions.<sup>2</sup>

It was during these intensive disputes that British officers also ventured into the malaria-infested forests on the eastern side of the hills and reached the Nilgiri plateau in 1819, where they soon began to mark out land for themselves. However, the Nilgiri landscape did not possess dense teak-forests and was not under princely rule. The British counterparts in this region were cattle herders and shifting cultivators who exercised authority over large grazing lands and *shola* forests and who utilised the resources. But also in the Nilgiris, where the Company appeared to have faced comparatively weaker competitors for land, land-settlement legislation took a remarkably long time. This article will explore how the perceptions of the landscape and of who were the people that lived in the hills, the motivations and interests behind the establishment of European presence and ownership, together with the interests in overlordship of the territory created deep divides in the colonial administration and came to have a decisive influence on the settlement of rights in nature. In the process, the local population lost control of their livelihood. However, complete marginalisation was not a foregone conclusion of colonial conquest. Local agency and capacity to influence local politics worked to alter and delay the process to a significant degree. During different periods of the disputes, the local population also found support among different sections of the colonial administration. The legal process, which to a large extent was shaped in the course of disputes and by which land authority was redefined, became another arena for resistance. Even in a limited region such as the Nilgiris, the situation displays a complexity that so often remains hidden when the colonial conquest is described in the singular.

As in Malabar, the question of rights immediately became disputed. And in a similar way, there were not clear-cut divisions between the colonial power and the local population. In the Nilgiris, the district and local administrators, who were also claiming landholdings in the region, argued in support of absolute property rights in land for the community of cattle herders, the Toda. When these claims reached the revenue board in Madras, their validity was questioned and, in the end, vigorously opposed as they conflicted with the government's ambition to establish sovereign rule over both Indian and European populations. In the process of establishing rights in legal codes, ethnological surveys became a key instrument. People were defined both in terms of belonging to communities and as living from certain trades. As such, they were perceived to utilise nature in different ways and could therefore be assigned certain, different rights. However, whether people's relation to nature would include social and political relationships and claims to authority, or if it was to be restricted to an economic need of certain resources was a question of dispute. In the course of conflicts

which reached a peak in the 1830s, the establishment of rights centred to a large extent on legal terminology. And, quite significantly, one of the first terms to be questioned was 'right' which soon began to be exchanged for 'privilege'.

In similar processes in other parts of the world, the generalisations of complex, local social systems into the all-embracing concept 'customary law' were at times egregious. Peter Pels and Oscar Salemink speak of the 'synecdoches of ethnography' that were created in French and Dutch colonies in the process of fixing legal practices in texts, classificatory terminology and codes. 'What needs to be stressed ... is the fact that all legal relationships in modern colonialism presupposed a specific relationship between colonisers and colonised that was mediated by textualisation and codification.' In effect, they go on to explain, regularities of social practice became fixed and thereby 'reinvented' at the same time as colonial relationships became more rigid. In this process, ethnographical descriptions were determined.<sup>3</sup>

This historical period of early European interventions in the Indian forest tracts is still mostly described in terms of the first inroads of imperialism, capitalism or colonial state power, as if these were the first steps of linear development which led to the peak of Empire in the late nineteenth century.<sup>4</sup> However, founding historical studies of the early part of the century on such generalisations runs an obvious risk of exaggerating the role of a centralised, colonial state that acted consciously to secure its interests. In a similar way, the meta-narrative of 'Empire' risks been imposed on historiographies for a period when the British dominions on the subcontinent was under East India Company administration. At this time, both a consolidated, colonial state and the British Empire were yet to come.

Further, the image of a dichotomy between the exploitative colonial dominant and the exploited Indian subordinate needs nuances and an exploration into the multiplicity of interactions that cut across these boundaries. As is evident in the Nilgiris, government policy faced resistance not only from local populations but also from local colonial officials. As K. Sivaramakrishnan rightly points out, frameworks that locate Europe as the single metropolis and grant it an astonishing capacity to disrupt and colonise peripheral societies and ecologies appear overstated when one looks at 'colonial India' in its local contexts.<sup>5</sup>

A striking feature of the European settlement in the Nilgiris, which contrasts with the historiographies of later periods in east, north and northeast Indian forest tracts, is the lack of physical violence. These hill ranges were claimed as part of the territories that were ceded by the Mysore state after the fall of Tipu Sultan in 1799. When the British settled and established civil and military administrations in the Nilgiris twenty years later, the battle over land and resources became one of legal terminology and not armed struggle. In the inclusion of the Nilgiris in the process of establishing British governance in the region, there are no reports of an armed pacification of people or of large-scale, organised resistance among the local population, as was the case further north on the continent.<sup>6</sup>

At first appearance, there seems also to be a significantly less value-loaded terminology for the people that the Europeans encountered in this region. They were ‘natives’ and ‘inhabitants’ and mostly referred to by their community-names with the polite Tamil suffix (–ar) attached and a spelling that makes pronunciation possible for English speaking persons; Todawar, Badagar or Burgher<sup>7</sup>, Kothewar, Coorumber, etc. Within only a few years from the first encounters, the surveys brought forward information about social relationships between the different local communities and of them as subjects to the former Mysore state. Beyond the purpose of establishing general information on the population in the hills, documentation was essential in order to establish what rights could be assigned to them. However, interestingly, a few decades after the establishment of the first European administration, the terminology changed to become more rigid and with negative connotations attached. From having been referred to as ‘inhabitants’ and ‘natives’, they were more and more referred to as ‘communities’, ‘tribes’ and ‘barbarians’ the further one gets into the nineteenth century. This happened in the period when the government of Madras began to assume a firmer grip over the territory and to challenge the Company’s local and district administrations. In this way, the perceptions of land and people are closely intertwined in the colonial documentation. Likewise, the information that was gathered about the people has been marked by the purpose for which it was established; after the first years of mostly small-scale land grabbing, this was to establish property relations and the colonial government as the sovereign ruler.

So in searching for terminology that would disclose how people’s relation to nature was defined in terms of their rights to land and resources at the time of the first British interventions, one finds ideas and perceptions about the local people – their livelihoods, their relationship to land and to government – interpreted and structured in accordance with the interests of the officers in the region. Terms such as ‘sovereignty’, ‘proprietorship’, ‘usufruct’ and ‘occupancy’, reveal not only the technical relationship between man or people and land, but also how the Madras government perceived and wanted to perceive its relationship to its subjects. It reveals further how the government wanted to organise land use and production, and how it aimed at physically controlling people by restraining their access to nature as well as their mobility. However, at that point in time the colonial administration was not capable of exercising the powers needed to achieve such large-scale aims, and there were tensions and conflicts within the administration.<sup>8</sup>

As I started to gather documentation on the nineteenth-century developments in the Nilgiris and to go through texts relating to this particular history in various academic works, I soon realised that there was a story that was told over and over again. The same phrases and formulations kept recurring – sometimes without references and sometimes with contradictory references. There seemed to be an official story about the nineteenth century that was only occasionally questioned.

Many of the works that I have in mind are the result of anthropological fieldwork carried out in the Nilgiris in the twentieth century. In a sense, in these texts, history is made to function as a background, a kind of scenery in which contemporary events or the fieldwork itself takes place. However this scenery tends to look the same whoever is acting in front of it. It turned out that the story of the Nilgiris as it unfolded in the literature bore a strong resemblance to the Imperial Gazetteers and Manuals for the Nilgiri district that were produced in the decades around 1900. In many cases, these works have provided both the selection of documents and their interpretation for surprisingly uncritical readers. In fact, the Gazetteers and Manuals were never meant to become general history books but were produced to meet the needs of the colonial administration. They were, so to speak, a shortcut to information for administrators in order to make their administration work more efficiently. In this way, they were public historiographies.

To be able to control the public historiography would in a sense be to control the public memory; the memory that contributes to structuring and ordering the ideological context in which decisions regarding citizens or subjects are made. The term 'public memory' does not carry much conceptual value and can scarcely be extended beyond the metaphorical. However, to think in terms of a 'public memory' may give an idea of the sphere in which the state-produced historiographies can be said to have had their primary influence. Hence, the term can be contrasted with collective memory or shared memory, since a historiography that was once sanctioned by government is hardly ever shared by all subjects as experience. However, over time, as the reach of publications such as Gazetteers is wide, and government decisions in the present often rest on an explanation of the past, the historiography they contain tends to add to a reconstruction of an imagined past that is beyond the living memory of people. This is a well-known methodological problem in anthropology and oral history. To the informant, the historiographical representations may have come to be perceived as reality. Many researchers on fieldtrips have come to realise that the person they are listening to has adopted a certain narrative and adjusted her or his memories about a distant past to representations in general history books, in ideologically motivated narratives or to selections (rather than collections) in museums. In that sense, the narrative begins to map and restructure the imagined past. This narrative is, however, not without importance or in every sense false. In the first instance, it provides a wealth of information about the present in which the story is being told. This situation may partly explain the fate of histories of the Nilgiris when they become a Nilgiri story. In the process, the public historiography becomes both internalised and, at the same time, altered in order to make sense for people in the present. In consequence, the discrepancies between the generalised texts in the Gazetteers, such as the one for the Nilgiri district, and the specific and quite different texts in the early reports from the region tend to disappear as history is narrated over time.

This situation contains more than a mere problem of source criticism. It points to the problematic that Dipesh Chakrabarty discusses thoroughly as the 'imaginary Europe' and what Ajay Skaria term 'hyperreal Europe'.<sup>9</sup> This is described as the notion of a Europe born of European, post-Enlightenment thought and realised as the standard and yardstick against which all other histories are to be measured. Irrespective of all post-modern, post-structural and post-colonial studies of hybrid identities in a globalised world, this hyperreal, reified category of Europe is claimed to have a global, hegemonic hold on the academic production of history. This question dwells within a general problematic of how history can be produced about colonised regions and marginalised peoples that is free from a meta-narrative, founded in European modernity, which structures the experiences and interpretations of the non-European pasts.

Chakrabarty criticises the ways in which historicism, here understood as *historismus* or as history composed of individual units and unique wholes developing over time in a certain direction, has come to dominate the notion of what is 'history'. This 'history' is located in Enlightenment rationalism, where only 'Europe' is knowable and the place from where modernity originates. This hyperreal idea of 'Europe' is made universal by both modern imperialism and (third world) nationalism. Consequently, Indian history is defined in terms of 'absence'; of India 'lacking' development, 'failing' to fulfil (social revolution, democracy, etc.), 'inadequately' ridding colonial legacies. When Indian history is measured against evolutionary theories from the nineteenth century onwards, it tends to read un-achievement, according to Chakrabarty.<sup>10</sup>

In his 1999 study, Skaria moves along these lines as he searches for means to reach knowledge about the past in the forested regions of western India. Here, he finds it hard to locate written sources about the local population that can be claimed to represent their voices. The written documentation has mostly been produced by outsiders and particularly by those who came to suppress the region as servants of the colonial Empire.<sup>11</sup> Thereby, he claims that they represent an 'imposed modernity' characterised by subordination. In the search for representations of indigenous, historical experiences and memory, Skaria argues that different means and methods need to be applied which reach beyond the colonial historiographies and the heavy weight of the post-Enlightenment, European knowledge-systems within which they have been produced. He touches on Ashis Nandy's thesis about a 'Europe' that does not acknowledge the past as it is experienced and explained by people and societies untouched by the European Enlightenment. Such non-European historiographies, it is claimed, are seen as a-historical, as lacking history. 'Traditional India not only lacks the Enlightenment's concept of history; it is doubtful that it finds objective, hard history a reliable, ethical, or reasonable way of constructing the past', according to Nandy. The alternative that he presents is a search for myths and legends where oral traditions preserve histories of a different nature. This is a history of diversity located in the worldview of the 'victims' who have been deprived of having a past.<sup>12</sup>

Skaria is inspired by Nandy's thought and points to the many weaknesses of the written documentation and to history (understood as being equal to western and modern civilisation). Borrowing from Chakrabarty's terminology, he searches for narratives of the past that challenge and provincialise the hyperreal Europe, which in his view is history. These pasts are basically oral. Writing is supplementary to speech as history is to memory; hence, 'only speech and memory are original'. However, speech and memory cannot be accommodated within the European discipline of history, according to Skaria. As writing transforms speech, history not only transforms memory but even displaces it. In the oral pasts, a discourse of lack will be replaced by a discourse of plenty. Where there seemed, at first, to be a lack of voices, myths and legends will bring forth a multitude of representations of the past that will make up 'hybrid histories'.<sup>13</sup> In Skaria's and Nandy's arguments, although different, the contrast and distance between ruler and ruled, between the European and its negation – the non-European – could not become greater. Beyond oppression and exploitation lies a denial of the subaltern's or the subject's past as perceived by themselves. In the production of 'hybrid' pasts, there is a claim to proceed beyond the limits of the hyperreal Europe. But it remains a bit unclear whether the authors want to remain in communication with the discipline of history or displace it altogether.

These are interesting methodological attempts to bring out the many voices hidden or submerged by a dominant, state historiography, yet there are risks connected with such perspectives and methodologies. By dichotomising and contrasting the notions of Europe and the non-European worlds and knowledge systems, the yardstick against which the non-European is contrasted will still remain Europe – Europe as the different giant. And this yardstick is a reified image, a construct of what is termed European, post-Enlightenment science. Even when contrasting an analysis with such a construct, with the ambition of opening it up for a multitude of voices, the risk is imminent that many societal complexities of both the 'Indian' or the 'indigenous' as well as the 'European' will continue to be hidden as they transgress these meta-boundaries. Particularly the term 'European' becomes normatively loaded with meaning where the assumed reach and the singularity of the so-called post-Enlightenment, European sciences become exaggerated.

The same critique applies to the 'European science's' assumed development in isolation from non-European knowledge systems, while the many historiographies of pre-colonial India remain unacknowledged. The problem of the silenced, indigenous voices is not merely an issue of Europe *vs.* (in this case) India. People in forest and hill tracts faced the same lack of representation with regard to any state that claimed lordship over the territory in which they lived. The Mysore State, for example, with a bureaucracy that produced a wealth of historiographies, cannot be said to represent the people living in the Nilgiris any more than the European colonial state could. However, it may be difficult to claim that a post-Enlightenment meta-narrative of 'Europe' structured these historical works. European orientalism and long-lived legacies of evolutionary

theories have certainly had an imprint on analyses in academic, professional history whether it is produced in Europe or elsewhere. This article has the ambition of partly dealing with this issue. But the bottom line reads 'power'.<sup>14</sup>

The role of history for the public memory was something the colonial officers realised, and historiography became important in the administration of the occupied territories. At a later stage of the colonial enterprise, when the major Gazetteers and Manuals were being published, historiography was clearly part of supreme governance and Imperial rule. However, in the early decades of territorial conquest, British supreme rule was not an unquestioned agenda even at the heart of colonial power. A major issue in the Nilgiri Hills during the 1820s and '30s was to establish whether there existed legitimate claims to proprietorship that should be acknowledged by the government. For most of the administrators, their ambition was to establish the government as the main property holder and therefore they hoped not to determine any legitimate property claims, though these had to be investigated. When the early administrators needed information about what property relations had existed prior to their own administration, the only way to get hold of this was by establishing the history of the particular region. Their tools of interpretation were the knowledge they had gained in other parts of India and, to some extent, also in Europe. However, when the purpose for their collection of data was to prepare for land-revenue collection and to establish government ownership of land, the wider historiographical context was set beforehand. In this context, the general, narrative structure was fixed to notions of property and sovereignty. And this context did not easily allow for interpretations that included situations where, as in the Nilgiris for example, a community's status was acknowledged by annual gifts, or oral agreements allowed pastoralism to co-exist with shifting cultivation.

This problematic reaches yet another dimension when texts of this kind have become the major or perhaps even the only source of information in today's academic works without any solid critical treatment of their contents. My exercise in tracing Nilgiri history then turned into tracing the history of historiographies. The problem I came across when I found this 'Nilgiri story' being repeatedly told in academic studies was one of narratives and narrative structures that had been firmly established in the late nineteenth century and had continued to multiply from one text to the other.

This analytical problem is far from new. The debates on colonial and orientalist discourses in nineteenth-century historiography are long-standing. Since the early 1980s, the subject has been carefully treated from various perspectives by, for example, Bernard Cohn, David Arnold, Edward Said, Ronald Inden and John MacKenzie<sup>15</sup>, and I shall not go further into those debates here. However, when the authors of several Nilgiri studies turn their attention away from rituals, social systems and genealogies, and instead focus on relationships between colonial rulers and subjects and issues of property, it is as if the

debate about how European colonisers gathered and represented knowledge about their subjects and about themselves has never touched this region. Moving from the anthropological fields of participatory observation and oral material to the archival fields of old, written material appears to be a very long step.

So, what was the Nilgiri story? In brief, this is how it goes:

After the Nilgiris were ceded as part of the Mysore territories in 1799, it was 20 years before a British officer made any real attempt to survey and settle in the hills. John Sullivan, the collector of Coimbatore district (of which the Nilgiris became part) and the great pioneer, was one of the first British officers to enter the plateau when he made his short visit in 1819. Three years later he bought quite extensive lands from the Toda pastoralist community and settled in that part of the hills where the hill station or town of Ootacamund immediately began to develop. Since the Nilgiris possessed a very healthy climate and the surrounding forests contained much valuable timber, especially teak, more and more Europeans moved into the hills. A military cantonment was established in Ootacamund and the town soon became the *de facto* capital of Madras Presidency during part of the year, since the Governor and the administration moved there during the hot season.

This in-migration of Europeans put pressure on the land, and the government in Madras realised that it needed to work out rules for land transactions to prevent complete chaos from breaking out in the hills. The overall principle of the government was to establish sovereignty in land. But John Sullivan was running the district largely according to his own and Toda interests, and had, against the principles of the Madras government, begun to argue for Toda absolute proprietary rights. He stated that they were the people who had lived longest in the hills and therefore held hereditary rights in the land on the plateau. In 1828, the government solved the issue by deciding that land could be bought and sold under government supervision at the same rate that Sullivan had used when he bought his lands from the Todas in 1819. The government's argument was that sovereign rule outweighed the Toda claims.

After 1830, Sullivan had left his office as collector and the government could begin to establish their principles without objections from a subordinate officer. As Senior Member of Council from 1835, Sullivan regained some influence and brought the Toda case on to the agenda again and, in 1843, the Court of Directors, the highest board of the British East India Company, finally decided about the Toda rights to land and resources. This decision was in line with the position of the government of Madras, though the Court was deeply concerned about securing the Toda land from interference.

Here, the story is generally brought to a kind of natural stop before it takes off to deal with the developments that resulted in the Rules for the preservation of jungles (1859), which had far-reaching consequences for shifting cultivation.<sup>16</sup> It is a story almost completely without any deep-reaching conflicts. The fact that

it takes time to decide about Toda rights is generally ascribed to the government's concerns that the natives should be properly respected and to the only person causing irritation: John Sullivan. In some narratives, it appears to be the history of John Sullivan rather than the history of the Nilgiris or of the Toda. There are occasionally some paragraphs about the problematic surrounding the transfer of Toda land in Ootacamund on which the cantonment had been built, but where the Toda refused to accept the transfer. However, the Toda are generally claimed to be under the (badly informed) influence of the district administrators and, in the end, the collector of Malabar succeeded in securing an agreement with them. The other local communities play only subordinate roles. Not until the Rules of 1859 are brought into the story will the Badaga agriculturist community (the majority community) appear more in the centre of events.

While details may vary, these are basically the key dates and key events in the settlement of British administration and revenue collection in the Nilgiris. Only when primary documentation is brought into the picture will the many and contradictory voices of the period reappear, bringing out a more complex understanding of the early European expansion into the marginal but resource-rich Indian forest tracts. With the ambition of retracing these narratives, this article shows how the government selectively adopted statements from the early ethnological and revenue reports in the process of establishing sovereign rule. In the process, such narratives further passed through increasingly racial interpretations about people and into the Imperial historiographies produced at the turn of the last century. At that point, the historical narratives had moulded into an almost singular shape, in which even in late twentieth-century social science some statements have remained unquestioned.

#### TODA 'ABORIGINAL RIGHTS' UNDER EARLY COLONIAL RULE

Some of the peoples living in the Indian subcontinent's forest tracts have appeared more often than others in the ethnographical literature. They were also well-known to a wide audience of administrators at an early stage of the British colonial conquest. One of these peoples was the Toda. Ever since the first government surveys of the Nilgiris in the early nineteenth century, this fairly small group of pastoralists has continued to fascinate European ethnographers and anthropologists. Their 'origin' has remained obscure and open to speculation, descriptions of their rites and marriage systems filled many reports and their assumed socially elevated position and tall physical stature led to conclusions about ancestral rights that were required to be respected. Other communities in the Nilgiris – the Badaga, the Kota, the Kurumba and others – did not receive the same attention initially and most of them were looked upon as any other 'hill tribe' in the colonial administration's vocabulary. That the Toda were considered distinctly different is clearly displayed in early reports.

In the late nineteenth and early twentieth centuries, many of these reports were important sources of information for the administrative officers and subsequently ended up in the summary texts of the Gazetteers and Manuals. Later, when twentieth-century studies sketched the histories of the Nilgiris, they came to depend heavily on the observations and judgements made by the early administrators. Surprisingly often these authors have chosen to depend on the generalisations made by the officers of the British Empire when it was at its peak of power at the turn of the nineteenth century. This is an issue I shall deal with later in the article.

To look at the last two decades' historiographies of the Nilgiris under Company rule means, primarily, to look into studies made by anthropologists rather than by historians. The ethnographies are detailed and extensive and even though most studies deal with the twentieth century, when the authors themselves have been able to carry out fieldwork, background chapters narrate and sometimes problematise nineteenth-century texts. Anthropologists have also come to favour different communities. Paul Hockings has mostly concentrated on the Badagas, Anthony Walker on the Todas, David G. Mandelbaum on the Kothas. However, looking at the last 180 years of ethnographical works about the people in the Nilgiris, the Toda are incontestably by far the most often represented in the texts. While studies about the Toda in the 1980s began with a polite excuse for adding one more study to the existing pile, Anthony Walker begins his 1998 collection of essays on the community by referring to all the excuses already made in earlier studies. In particular his article on 'the Western romance with the Toda' displays how (among others) the professional anthropologists have fallen in love with this people as their 'favourite' in the Nilgiris.<sup>17</sup>

This situation itself discloses a kind of ethnographical trap which studies of places like the Nilgiris may fall into. The ethnographical documentation is so overwhelming that an enquiry into rights in nature becomes labelled as yet another 'Toda study'. At the turn of the last century there was already a sense of surfeit of such studies. When W.H.R. Rivers published his classic ethnographical work about this community in 1906, which was so comprehensive that latter-day colleagues in the discipline have complained about his love of details, older scholars were sure that they already had all the information they could expect to get about the Toda.<sup>18</sup> It seems that the profound fascination with the Toda as a community of cattle herders has multi-layered significations. On the one hand, the British officers who entered the Nilgiri plateau in the 1810s and '20s were in search of a place for material benefits, such as estate lands and hunting grounds; on the other hand they sought for a place of recreation and rehabilitation. John Sullivan, the first European to build a house in the hills, had suffered ill-health for years and had spent time in Mauritius to recuperate. He argued forcefully for the establishment of a sanatorium in the Nilgiris. His descriptions in letters to Colonel Thomas Munro of 'the finest country I ever saw', which

resembled Switzerland more than any other part of Europe, and where one could get honey 'better than any you ever ate in Scotland', placed the Nilgiris as the end of his search. In this magnificent landscape, the masculine, athletic, ancient Toda herders, 'as conscious of liberty as the mountain deer, or any true-born Briton' to quote a visitor to the hills in 1829, were as if in organic unity with nature. The early European visitors found evidence of Toda superiority wherever they looked, from their 'Roman noses' to the Toda authority over land 'as far as the eye could reach'.<sup>19</sup>

Simultaneously, the Toda legal rights in nature were elaborated in detail and Sullivan argued for proprietary rights. His immediate impression was that the Toda were in possession of the entire plateau, even though they themselves never referred to the notion of property. Throughout the following decades when rights in land and resources were negotiated and established, only two of the local communities were seriously considered to have such rights. These were the Toda and, later, the Badaga. Consequently, any study of rights in nature as they were negotiated with the British administration will put the Toda in the forefront. The subsequent, long-term, academic fascination with this small group of people is interesting as a phenomenon in itself and I find the temptation irresistible as a historian to 'revisit' these texts – to borrow from the title of a comprehensive anthropological anthology of the Nilgiris.<sup>20</sup>

The studies in which the authors reconstruct a situation of the early nineteenth century share the ambition of establishing true or, rather, accurate statements about the past. The authors want to know 'what happened'. However, at times one may wonder whether it is possible to get beyond the many layers of interpretations. Occasionally, the late twentieth-century studies refer to Grigg's *Manual* of 1880 and Francis' gazetteers of 1908. These are comprehensive and general historiographies which include various themes, but they are not the original sources of information. Both Grigg and Francis narrate from the government reports of the 1810s, '20s and '30s. In these reports, a district collector may relate what his subordinate officers, often on their first visits to the hills, had reported back to the collectorate's office from their missions. The subordinate officers could, in turn, relate what the Indian interpreters who had accompanied them from the plains had explained of what the Badaga agriculturist standing in front of them, when asked, had just said about the Toda community. One may certainly wonder if there is anything left of actual events taking place in the past in such texts; if 'the opaqueness of the world figured in historical documents is, if anything, increased by the production of historical narratives' as formulated by Hayden White.<sup>21</sup>

Since the Nilgiri Hills in general and the Toda community in particular have been the focus of various studies for 180-odd years, both the development of scientific methodological tools and the different ideological discourses in which the studies were made and the interests behind them clearly mark the texts. During the nineteenth century, most studies were made by servants of, first, the British East India Company and, later, the British Crown. Consequently, with

different emphasis the studies focus on the preconditions for extracting revenue, for promoting efficient land use – preferably through small-farmers’ cultivation or larger-scale plantations – and for exercising supreme, government control. As was the general trend of this period, the surveyors were often members of the Indian Medical Service and of the scientific and botanical establishment in Britain. Both establishments gained increasing influence on government policies over the century.<sup>22</sup>

However, the historical documentation that is now stacked in archives has sometimes led to daring conclusions. Studies of the Nilgiri region often make reference to ‘the missing two-hundred years’. By this is meant the two centuries between 1603 and 1812 when no European eye-witness reports of the Nilgiris were written – at least no reliable ones. There were reports written in 1800 but they were dismissed in 1819 as mere falsifications.<sup>23</sup> None of the two reports that have come to mark the beginning and the end of the ‘dark period’ is particularly extensive. In the year marking the beginning of the period, 1603, an Italian Jesuit priest, Father Fenicio, entered the hills in search of a Christian community descended from St Thomas and living among the Malabar mountains. His short visit resulted in a detailed letter to the Vice Provincial of Calicut which describes his journey and visit to a Toda *mund*.<sup>24</sup> In 1812 when reports were again being written, the assistant revenue-surveyor William Keys wrote a brief report of the physical and geographical conditions of the Nilgiris as well as some notes about the people living there.<sup>25</sup> During the two hundred year in between these two visits, writes Anthony Walker, ‘our window on the community [the Toda] closes’.<sup>26</sup>

The notion itself is noteworthy that there in fact existed 200 years of missing information, as is the way in which this is reinforced in the academic literature. It is even more noteworthy that only reports of European origin are considered when this statement is made. Occasionally, this lack of information is taken as a proof that nothing in particular changed in the life and livelihoods of the people in the Nilgiris during this time period. The descriptions made in 1603 and 1812 look just too similar, and counter arguments to this assumed continuity have not been made. It might also be claimed that such assumptions suffer from the ‘ethnographical trap’, where local population is analysed in terms of communities and their contextualisation in local or regional society is lacking. If we focus, for example, on transactions in kind at the local level, certain remarks indicate fundamental changes during the seventeenth and eighteenth centuries. Several authors have concluded that the Badaga community arrived from the north in the late sixteenth century, which would be just before Father Fenicio’s visit to the Nilgiris. It is argued that as a consequence of the Badagas moving into the Nilgiris and taking up cultivation of land under Toda authority, the regionally typical socio-economic system of mutual and hierarchical relationships between the local communities developed. If this assumption is correct, there was a radical transformation of local society in the Nilgiris after 1600 and the situation was far from one of unchanged continuity until 1800.<sup>27</sup>

At times, ethnographic descriptions are emphasised to the extent that changing social surroundings are almost totally disregarded. For example, by the time Rivers published his account of the Toda, British imperial power had become deeply rooted in Indian soil and society, and legal relations in land and resources had changed drastically for the local communities in the Nilgiris. Yet, in his text, Rivers compares Fenicio's visit in 1603 with his own observations in 1906 and concludes that the information given in Fenicio's letter, however meagre, was 'sufficient to show that there has probably been little change in the Todas and their surroundings in the three centuries which elapsed between his visit and mine'.<sup>28</sup>

In one important respect, the earliest, colonial reports contrast sharply with late nineteenth century historiographies. The first notions about the local inhabitants are remarkably positive. Certainly, the early officers reported on people living under simple conditions, but this did not result in derogatory conclusions about bad characters or lower races. On the contrary, these people were considered to be healthy and living close to nature. These reports and the Madras government's growing interest in the region resulted in quite an extensive correspondence, between different district administrations, between the district and the different departments of the Madras government and between the government and the East India Company's highest board, the Court of Directors in London. However, when the Gazetteers and Manuals were compiled some sixty to seventy years later, and these reports were consulted, the selection of documents was quite particular. The authors working for the government at the end of the century had very clear interests in mind, and the history they told was the history of the Empire in one of its districts as seen from the Empire's height.

The comprehensive gazetteers were also compiled at a time when the ethnologically founded surveys that were an essential part, if not the major basis for the ordering of the texts, focused and classified people in terms of 'caste' and 'race'. This was an important shift, as the people in the forests were then dethroned in the texts from having been described as 'aboriginals', which implied being original settlers in the territory confronted by the intruding 'Hindoos', to becoming part of an all-India classification of 'tribes and castes'. During this period, 'caste' began to be understood as an 'Aryan institution' and a sign of a racial division. This can be seen as significant in relation to the fading support that the 'aboriginals', like the Todas for example, had found among some of the colonial officials in the earlier part of the century.<sup>29</sup>

This later period is also when a sense arose among forest dwellers in parts of the subcontinent of having a shared experience as oppressed, displaced and alienated from their lands by the state, and the notion of being 'Adivasi', i.e. original people, began to take root. But not until the 1920s and '30s did people in the forests mobilise politically as Adivasi on any larger scale.<sup>30</sup> Susan Bayly writes that in this period, 'the emerging academic field of anthropology had

become a crucial reference point in the writings of scholar-officials in India', and that one has to acknowledge the growing force of the ethnological race-science when social data are interpreted. Interestingly, she points to one of the earliest nationalist expressions by an Indian scholar, Gannender Mohun Tagore, who contrasted the 'wild independence' of India's 'aboriginal tribes' with the 'superior genius' and historically, deeply-rooted leadership qualities of the 'Aryan race'.<sup>31</sup> There is a notable set of literature on how old, Brahminical hierarchies were reconfirmed and strengthened from the mid-nineteenth century onwards when Brahminical epistemologies including ideas of social order and caste were reinforced in the European ethnology of caste and race and gained increasing political importance in the colonial administration.<sup>32</sup> In this process where ideas about a singular origin and culture of India – in which being Indian meant being Hindu and Aryan – penetrated science and state administration, people in the forests, the 'aboriginals' or 'tribals', were the anomalous exception who, in the best of cases, would be pacified, settled and assimilated within the realms of the state.

Let us first look more closely at the early reports from the Nilgiri Hills. Two of those were core reports in the process of the legal determination of land and user rights: the most quoted one was written by Captain Henry Harkness (1832), the other was written by John Sullivan (1835). To the contemporary district administrators Harkness' conclusions proved the Toda's ancient origins and the validity of their land claims. The Toda were labelled 'lords of the soil', which was an expression that was firmly established at the time and which had caused intensive debates within the revenue administration.<sup>33</sup> Harkness takes the reader on months of travel in the hills on a journey through a beautiful landscape where Europeans are almost completely absent. The different 'tribes' are positively portrayed, and the author is remarkably impressed by what he experiences. He relates their social interrelationships in some detail, even though one might wonder whence his information about the preceding couple of hundred years was derived, or whether it may have been a product of his own imagination. The Court of Directors had been so impressed by the earliest reports that they had moved their administration to the hills during the hot season. In 1830 they sketched a most ambitious plan for the region. In the Nilgiris, they assumed, there would be plenty of space for innovations, no hostile savages to fear and the natives would happily collaborate in establishing a modern society together with British small-farmers and master workmen. The government even suggested a scheme for the transportation of people from Britain to the Nilgiris. They explicitly wanted to avoid immigration of labourers, but rather welcomed 'directors of labour, small capitalists, agriculturalists and manufacturers; with a very trifling assistance from the government one or two dozen of such settlers would find abundant means for their prosperous establishment on the hills'.<sup>34</sup>

Harkness' report was written and organised in the style of the early nineteenth-century travelogue. It also shows certain influences of the reporting by

which, for example, the far more prominent traveller and surveyor, the surgeon Frances Buchanan is known. By the turn of the nineteenth century, statistical surveys had been introduced, where 'statistics' implied statecraft and a systematised way of gathering knowledge aided by a questionnaire, and the provision of detailed and systematised descriptions by way of tables of topography and people. However, such information has a limited place in Harkness' text, being narrated in the first chapter and summed up in two tables and a Toda–English glossary at the end of the volume. His text is rather characterised by the many personal, narrative representations of travel experiences that distinguished early ethnographies of the newly conquered territories. In these, as in the statistical surveys, personal observations were considered superior as sources of knowledge about Indian society, as compared to the study of foundational, classical texts, which signified classical orientalism.<sup>35</sup>

Harkness' work was quoted at length by John Sullivan, who acted as district collector from 1818 to 1830, when he compiled a detailed Minute for the Board of Revenue in 1835 about the history and situation of the Todas. Sullivan aimed, as he always had, to prove that the Toda were right to claim absolute proprietorship to vast stretches of land on the Nilgiri Plateau, and Harkness' observations and judgements served that purpose well.<sup>36</sup> When property rights were argued, it made a strong case to be able to argue for primacy in territory. In the ethnological debates at that time, this meant to argue for aboriginality where being aboriginal implied being the first people to occupy a certain territory.<sup>37</sup> Harkness affirmed that the Toda had an origin that was distinct from that of the 'tribes in the low country' and that they were 'the original inhabitants of the hills'.<sup>38</sup> Everything about the community, in particular their customs and ceremonies, appeared ancient. Contrasting them with the other hill tribes, he described the Toda as '... a hardy and fearless one, superior in stature, distinct in religion, language, customs and mode of living; with a carriage and demeanour bespeaking a boldness and freedom unknown to others, their apparent consciousness of superiority alone, would readily command a corresponding acknowledgement of it from the former'. The other Nilgiri 'tribes' 'either consider them superior in natural qualities, or that this deference is due to them by prescriptive right'.<sup>39</sup>

Sullivan argued that this superiority was inherent in the Todas' ancient history. He emphasised that they were the first of the Nilgiri communities to occupy the territory and that they had by benevolence let other communities settle there. Again, Sullivan found support in Harkness' observations, as the captain 'never saw a people, civilized or uncivilized, who seemed to have a more religious respect for the rights of meum et meum'.<sup>40</sup> Sullivan feared that the price that the Toda would now have to pay for the improvements brought about by the possibilities of selling both land and produce at the markets would be the deterioration of their high character.<sup>41</sup> The Europeans were clearly seen as a threat to the noble Todas.

### THE 'HALF-SAVAGE' TODA YIELDING RIGHTS TO SUPREME POWER

When John Sullivan left the office of collector in 1830, his administration, which once had been praised for its efficiency, was much criticised. The accusations were made by the government of Madras and members of the Board of Revenue and can be summed up as a criticism of Sullivan's independent way of running the district administration. The government found him disobedient and their measure to split the Nilgiris, where the larger part was transferred from the Coimbatore to the Malabar district, worked to limit the legacy of Sullivan's administration in the hills.<sup>42</sup> The 1830s turned out to be marked by conflicts over land rights, primarily between the Toda living in and next to the emerging European settlement Ootacamund and the government of Madras. On a principal level, it was a land conflict where proprietary rights stood against government sovereignty. As an outcome of the conflicts the government passed the act of 'Rights of the Todawars, and Rules for grants of land on the Neilgherries' in 1843, which codified and systematised land and user rights according to norms that transcended the district boundaries.<sup>43</sup>

Alongside these conflicts, the perception of the Toda as a community began to change. In contrast to the reports of the 1820s and '30s, in subsequent reports the fascination with the Toda's physical appearance began to shift from general admiration of their stature to become more biologically specific. By now, the broader surveys of local society as such belonged more to the past. In the late 1830s, the Company and government had intended to 'civilise' the Toda by educating them in 'religion and civilisation'. The aim had been to prevent this 'noble race' deteriorating and, to quote Sullivan, not to let them 'sink to the level of their neighbours [the other hill tribes]' in their encounters with Europeans.<sup>44</sup> In contrast, in the later part of the century, the general opinion was that the Toda were not so noble after all. Their form of civilisation was now considered to remain far below the highly developed British society.

These ideas were also reflected in the revenue administration. From the 1840s onwards, it became more and more common to describe the Toda as degenerated barbarians, to emphasise their being non-settled as a weakness, and to assume that they had once been marginalised from the lowland society and had taken refuge in the hills. Gradually, government officials lost interest in the Toda as a distinctly different people.

Around the mid-century, several of the ethnographies from the Nilgiris begin to show the influence of ethnological debates and, later, of physical anthropology. Two of the more influential scholars, Johann Friedrich Blumenbach and his junior, James Cowles Prichard, forcefully pursued an argument about the human race as a distinct species that had a single origin, created by God. Around the turn of the nineteenth century, a biblical model of explanation had become predominant as an antirevolutionary reaction within British scientific debates on human-

ity. To Prichard, it even became more important to defend the foundations of civilisation than to trace its origin.<sup>45</sup>

The ethnological problem was how to explain that the human race had both a single root and distinct, physical differences. Blumenbach had argued that from the time of the first parents, Adam and Eve, their descendants had grown greatly in numbers and 'degenerated' into different varieties of the human race. He listed the Caucasian, the Mongolian, the Ethiopian, the American and the Malay. Prichard propounded the novel idea that the human civilisations had developed along great rivers. More forcefully than Blumenbach, Prichard emphasised the great diversity within one single human variety: 'All the diversities which exist are variable, and pass into each other by insensible gradation; and there is, moreover, scarcely an instance in which the actual transition cannot be proved to have taken place.' In this sense, their arguments were racial and at the same time, left room for great variations within each 'race'.<sup>46</sup>

What transmitted in a more systematic way from these debates into the ethnographies of the people in the Nilgiris in the later part of the century were ideas about the origin and level of development among the 'aboriginal' or 'barbarian' tribes. Prichard's work is an extensive investigation into the development of mankind. Each of the major categories, or 'races', is divided into subdivisions, so that under the heading 'Of the Aboriginal Races of India' one finds the Singhalese, the Tamulian race, the Mountain tribes in Dekhan, and the Petty Barbarous tribes in what is today North-East India. The Toda (or Tudas) has been enlisted as a Mountain tribe.<sup>47</sup> In this connection, it is well worth observing that Prichard's classification of the 'aboriginal races' is a classification of the non-Hindu, i.e. the non-Indo European or non-Aryan 'stock' of the human race (note the natural science term). However, he was not quite sure whether the Mountain tribes were a distinctly different race or if they were allied with the 'Tamulian tribes' but expelled from the plains when they 'refused to receive the apostles of the Hindu theology, and of civilisation and slavery'.<sup>48</sup> In 1843, when Prichard published this work, the 'Hindu' were equated with the 'Aryan' and were perceived as oppressing the 'aboriginal' people of the south. Only later did a more unified understanding of the people on the Indian subcontinent develop, according to which they were understood to have been ruled by state power through revenue extraction in 'village communities', and to have a hereditary division of labour expressed in caste. The 'aboriginals' were an anomaly in this later view, since they were perceived as living outside society, unsettled, as hunters, pastoralists or shifting cultivators. In contrast, in Prichard's early nineteenth-century views, the major part of the population in the south was seen as 'aboriginal'. But there was a hierarchy among these aboriginals too; some were, so to speak, more 'degenerated' than others from the ideal and original single family that God had once created.

The introductory note to the fourth edition of Prichard's *The Natural History of Man*, published in 1855, six years after Prichard's death in the midst of the

heated debates about aboriginals, races and castes, is illuminating. Edwin Norris of the Royal Asiatic Society of Great Britain and Ireland writes 'The Adamite family was what we now term civilised: it was composed of tillers of the ground, who had a settled habitat, and were guided by a systematic polity. . . . We would call this the state of nature, and all other states degraded'. And he goes on to explain how this single family multiplied and small communities departed from 'the great stock' and some of these might have continued to exist as smaller centres of population, 'the extreme case of separation of single families producing mere savages'. These 'savages' were assumed to be unable of co-operation but subsisted on 'spontaneous productions of the earth' and wild animals. Larger bodies of savages could retain domestic animals and live as 'pastoral tribes'. In contrast, Norris asserts, 'the original stock, remaining together, would thereby preserve their original social condition, as an agricultural people, living in settled communities'.<sup>49</sup> Although voiced far from the Nilgiris, Norris' statement about settled cultivation as the state of nature and pastoralism as a degraded, savage life fitted neatly into the social context of British settlement in the Western Ghats. The underlying aim of the 1843 act of Toda rights, where the Toda were only acknowledged as having 'immemorial occupancy' and 'grazing privileges', was the ambition to convert them into settled agriculturists.<sup>50</sup>

The Toda were clearly seen as some kind of elite barbarians. For their ethnography, Prichard relied basically on the eight letters from the chaplain James Hough to the editor of the *Bengal Hurkaru* in 1826, published in a single volume in 1829, and the ethnographical work by Henry Harkness which came into print in 1832. Prichard's descriptions of the Mountain tribes, or 'mountaineers', state in general that some are 'small, shrivelled, black savages, who have been thought to resemble the Negroes of Africa; others are tall and athletic, handsome, with features resembling the European type'. The Toda were assigned to the latter and it was explained that these 'handsome tribes' lived at high altitudes 'where a tolerably cool and salubrious climate exists; the blackest and most diminutive tribes are found in the jungle near the rivers, and in low and unhealthy districts'.<sup>51</sup>

James Hough's letters clearly support Prichard's statements. They are a continuous praise to the wonderfully healthy climate of the Nilgiris that produced the best of crops and cured all illnesses. Throughout his texts, he vigorously tried to prove that the Toda, being so handsome and athletic were, in fact, the remains of an ancient Roman colony – 'Their bodies are well proportioned, and their limbs remarkably muscular, possessing Herculean strength'. Hough's praises even borders on the poetic as he writes

It is beautiful to observe the agility with which they bound over the hills, shaking their black locks in the wind, and as conscious of liberty as the mountain deer, or any true-born Briton. They are remarkably frank in their deportment; and their

entire freedom from Hindoo servility is very engaging to the Englishman, and cannot fail to remind him of the 'bold peasantry' of a still dearer country.<sup>52</sup>

However, the encounters with these 'Britons' had apparently not all been for the better. According to Hough, the Toda were no longer in 'rags' but cleanly dressed. In stead of bartering their buffalo milk and ghee (clarified butter) for clothes and grain, they now sold them for money. This, however, had made them 'covetous' as they now already obtained twice the amount for their goods as they had first procured.<sup>53</sup> Prichard, writing from a distance and a quarter of a century later, saw clear possibilities for progress among the Toda.

The Tudas are an interesting people: they seem susceptible of culture, and may hereafter become a civilised and powerful nation. For a race of mountaineers they appear to be remarkably gentle and intelligent.<sup>54</sup>

These arguments are echoed in the mid- and late-nineteenth century works about the Toda that were produced for the Madras government. However, the selections and conclusions made from these studies are interestingly different. By the mid-nineteenth century, Prichard's model had lost prominence in the British scholarly debates. It had gradually been superseded by physical anthropology and the rigid hierarchies of the human races perceived in social evolutionism. Also, cultural characteristics were deduced from biological determinants.<sup>55</sup>

John Shortt enters into detailed, physical descriptions in his study of 1868, which was aimed at the Ethnological Society of London. Under the heading 'Ethnology' he describes the outer appearance of the Toda. The Toda men, he thought, were 'well-proportioned' and of 'the Caucasian type'. However, his description of their physical features is an interesting mix of Blumenbach's Caucasian and Ethiopian varieties.<sup>56</sup> According to Shortt, Toda's foreheads were rather narrow and receding (measuring 2 1/2 inches from the root of the nose to the growth of hair and scalp), their eyebrows thick and approaching each other, their eyes moderately large, well formed, expressive, and often intelligent, and so on. The Todas' aquiline noses received intensive attention to their nearest quarter-inch. And after descriptions of male and female upper and lower lips, teeth, ears, skulls, weights and measurements, he concluded that the men were generally attractive and their carriage graceful, while he had never met a handsome, pretty female face that was anywhere near 'perfection or beauty to a classical model'.<sup>57</sup> His descriptions of Toda women deserve some attention. With truly Victorian ideals, Shortt writes that unlike most of the 'Indian races and Natives'; they were not regarded as mere household slaves. 'They are treated by their husbands with marked respect and attention, ... they are left at home to perform what European wives consider their legitimate share of duty' and 'employ their leisure hours in embroidery work, which they execute in a clever off-hand manner; others amuse themselves in singing, of which all appear very fond'.<sup>58</sup>

## NARRATIVES OF RIGHTS

In the 1820s and '30s, arguments in support of Toda proprietorship in land had been substantiated by references to their history as aboriginals and as a distinctly different people. However, Shortt produced his text in a different context and a later period. He does not seem to have had any ambition to support the notion of the Toda being at all specific or different from other Indian communities:

The notion also that the Todawar tribe present any special peculiarities in their habits and customs, language and religion, costume, or ethnological features, is, I apprehend ... more imaginary than real.<sup>59</sup>

Nor does he show much appreciation of their habits. They are 'dirty and filthy' and the 'odour' that came from their habit of rubbing their bodies with *ghee* did not agree with Shortt's ideas of a proper hygiene.<sup>60</sup> His own distancing from the community as a people of a lower level of civilisation surfaces occasionally in his text; as when having described the 'unnatural' system of polyandry – 'they all live under one roof, and co-habit promiscuously, just as fancy and taste inclines' – to his apparent surprise he notes that the Toda mothers, on hearing their children cry when being vaccinated, 'exhibit marked maternal feeling and distress'.<sup>61</sup>

Prichard, who had assumed that all non-Aryans were aboriginals, had asserted that 'the wild races in the Dekhan' were allied to the Tamulian tribe who had fled from 'the approach of civilisation and preserved in the remote and least accessible part of the country their pristine barbarism'. Shortt takes this to account also for the 'Hill tribes', who he thought were allied with the Dravidian races with whom they had a common origin. However, he concluded that the Toda were not 'indigenous aborigines of the Hills they now occupy. They are like other half-savage races ... the remnants of a population who once occupied the plains of India, overrun by successive invasions of superior races, before whom they were driven forward for shelter to their present respective mountainous habitats'.<sup>62</sup> Had the Toda been able to substantiate their claims to being aboriginal by scientific proof, their land claims would have become stronger. Now, Shortt's conclusions added to the arguments that spoke against any such claims.

In Shortt's ethnography, physical impressions are central, and he attacks the question of Toda superiority with what was considered to be scientific exactness. What appeared to be physically superior in their stature vanished when their bodies were properly measured, he argued. It was 'a deceptive impression, produced by the combined effect of their graceful costume, self-possessed deportment, unturbaned heads, and peculiar mode of wearing the hair'. If only these outer ornaments were replaced by those of the low-country natives, 'the Todawar, male or female, is not a whit better-looking'. And he goes on to argue that their easy deportment before strangers, their great self-possession and fearlessness most likely were qualities that had been 'enhanced greatly by the

kind, and almost favouring, treatment this tribe has ever received at the hands of Europeans'.<sup>63</sup> Compared with the judgements in the reports of the early part of the century, the qualities that were then considered admirable and the result of an ancient history only to be destroyed by European intrusion were now either disregarded or acknowledged as good qualities but assumed to have been caused by European civilising presence.

A common feature, just as in Blumenbach's and Prichard's texts, was that observations which could be connected with Europeans – the supreme and civilised form of creation – were associated with positive connotations while non-Europeans, in particular 'dark' people were termed inferior. In Blumenbach's Caucasian variety '... the intellectual faculties of its individuals are susceptible of the highest cultivation ... Philosophy and the fine arts flourish in it as in their proper soil: to it revelation was directly granted'. The physical description of Caucasians ends: '... in short, the countenance of that style which we consider the most beautiful'. In contrast, on the other end of the scale, the Ethiopian variety was considered inferior. 'This mental inferiority is attended of course by a corresponding inferiority of the brains.'<sup>64</sup> In this way, physical anthropology had roots well before the mid-nineteenth century. However, the great variation that Blumenbach and Prichard observed within their varieties, and which Blumenbach found to be so substantial that conclusions about different races were hard to determine, tended to disappear in the late nineteenth-century texts.<sup>65</sup>

John Shortt's statements about the Toda concur well with the general themes in the ethnological debates of its time. During the mid- and late-nineteenth century, there were quite a large number of articles and reports from the Nilgiris that had ethnographical content. Anthony Walker refers to their authors as 'amateur ethnographers' in his bibliographical essay where each of them is briefly discussed.<sup>66</sup> One group of authors, a minor one, is those who were preoccupied by the reasoning of phrenology. William Marshall was one of those who measured skulls to make inferences about mental capacities. In his study of 1873 he states that he had long 'been curious to understand the mysterious process by which, as appears inevitable, savage tribes melt away when forced into prolonged contact with a superior civilisation'. Marshall concluded:

The Toda is merely a simple, thriftless, and idle man, who will never, so long as his blood remains unmixed with that of superior tribes, or by selection, is improved almost beyond recognition, work one iota more than circumstances compel him to: but without taint of the ferocity of savagery.<sup>67</sup>

The preoccupation with the human body, its measurements and proportions, and how the body's physical appearance determined the psychology of the mind characterises many late-nineteenth-century studies. This was an idea that entered the general debate, and was also echoed in more off-hand statements in all kinds of texts about the Nilgiris.

This far into the British Raj, the classification of groups of people into castes and tribes of racial essence had begun to mark the government's administrations. The first all-India census of 1871 attempted to sort the vast population into such groups, and was published in the same year as the Criminal Tribes Act XVII was passed. Sanjay Nigam, who argues along Edward Said's line of thought in his study of how colonial power made 'colonial stereotypes' of peoples in order to pacify and control them, states that 'the need to police, suppress and control these groups *à la* thugs, had the effect of making thugs of them'. These 'hereditary murderers and plunderers' were considered criminal by birth, their ancestors' criminals 'from time immemorial' and 'themselves destined by the usage of caste to commit crime'.<sup>68</sup>

When William Marshall wrote his phrenological study of the Toda, more than half a century had passed since John Sullivan decided to make Ootacamund his home in the Nilgiris. This period is when we approach the major historiographies of the Nilgiri Hills. The region had by this time become a district in its own right and the Indian Civil Servant H.B. Grigg was editing the Manual for the Nilgiri District which came out in 1880. This work has come to be considered as one of the authorities on Nilgiri history.

Grigg used a somewhat cruder terminology than did Shortt, as he compiled the different government reports of the nineteenth century into an officially sanctioned history of the Nilgiris for the government of Madras. Grigg simply called the Toda a 'tribe of barbarous herdsmen'.<sup>69</sup> He quickly passed over the Toda's outer appearance, obviously considering it of minor importance. He refers mostly to the community by their name but adds occasionally slightly degrading remarks about them. He also makes clear that he thinks they had been treated far too indulgently by the government, and that land-settlement acts had by and by rectified this situation.<sup>70</sup> His history of the early revenue settlements in the Nilgiris makes this quite clear:

The fact that they, relatively to the Badagas at least, the principal cultivating tribe, were the earliest occupants of the plateau, gave rise to pretensions of their part to lordship over the Hills, pretensions which received for many years the enthusiastic support of Mr. John Sullivan, of Mr. Hough, and of Captain Harkness, but which were as strenuously opposed by some distinguished members of the Civil Service, especially Mr. S.R. Lushington, Mr. C.M. Lushington, and Mr. Bird.<sup>71</sup>

Grigg is clear about whom he sided with. The authors of the early reports from the Nilgiris – a District Collector, a Chaplain, and a Captain – are described as 'enthusiastic supporters' of Toda 'pretensions', while three 'distinguished members of the Civil Service' – a Governor, a Commander-in-Chief, and a Chief Judge *cum* Member of Council – were said to 'strenuously oppose' such loosely based claims. It is the voice of the Madras government that keeps recurring in the Manual, as shows distinctly when he treats the issue of property and sovereignty in land. Two institutions on which the debates in the early nineteenth century

centred are also discussed in some detail in the Manual. One is the exchange of *gudu*, the annual gift in kind, given primarily by Badaga cultivators to Toda pastoralists. The other concerns the relationship between the Toda and the earlier rulers of the Nilgiri. The question here was whether it was proved that the Toda had submitted their land rights to the sovereign Mysore state by paying land revenues. In short, did the Toda receive the *gudu* gift in grain as a sign of their superior socio-political status or as a mere land rent? And, did payment of taxes to the Mysore state overrule all claims to Toda superiority or not? Ultimately, the question was who could claim that the central Nilgiris was their land; did it belong to the Todas or to the colonial government?

Grigg is clear. He claims that *gudu* is nothing but a land rent and that the tax that the Todas had paid to the Mysore rulers proves they had ‘always’ ceded their land rights to the Sovereign. The early British administrators in the Nilgiris had simply misunderstood the situation. Grigg writes:

The ‘gudu’ or basket of grain ... was regarded as rent paid by the tenants to the landlords for the lands occupied by them. The high position claimed for this tribe of barbarous herdsmen was in great measure due to the ignorance that existed in regard to the nature of this custom. But when it was ascertained that other tribes received from the timid Badagas *benevolence* of a similar nature, the argument grounded thereon lost much of its force. ... the payment was not universal, but was mainly confined to Badaga villages neighbouring the Toda grazing grounds of the uplands. ... The fond advocates of Toda rights also lost sight of the fact that they had from time immemorial paid to the Circar a tax ...<sup>72</sup>

To believe that *gudu* implied a superior status was based on ‘ignorance’, according to Grigg, and the fact that the Badagas also gave a similar gift to other communities disproved the claim completely. Grigg based his conclusions on information from the government reports that he had read, emphasising certain standpoints more than others. His interpretation of *gudu* derives from one of many debates on ‘The State of the Todawar’, which carried on by officers within the Madras Presidency administration. In 1836, on the request of the Court of Directors who were concerned that rights of ‘Natives’ should be respected, the Madras government submitted a summary of two reports from the collectors of Malabar and Coimbatore that supported their own standpoint and also the comprehensive Minute of 1835 by John Sullivan, who opposed much of the contents of the former reports.<sup>73</sup>

The two collectors argued that there was nothing special about ‘goodoo’, it was a payment for services just like any other payment between the local communities, and this fact disproved their claims to exclusive land rights. Sullivan contested this statement vigorously. He argued that these gifts were of a different nature. The transactions between the other communities were payments for services and not the *mamool*, the *customary gift* to the superior community.<sup>74</sup> Seven years later, in 1843, when the Court decided on ‘The Rights

of the Todawar...’, they referred to ‘the unexplained name of “Goodoo”’ and dismissed the whole issue of *gudu* since they claimed that its meaning had never been ‘satisfactorily ascertained’.<sup>75</sup>

The document of 1843 also relied much on discussions in the Board of Revenue and in particular on the summary document that John Bird compiled one year earlier in the preparation of documents to be sent to the Court of Directors in London. It is clear that John Bird was a hard-liner on the Toda issue and that he compiled his minute in order to arrive at the conclusion that ‘there is nothing in the voluminous papers before the Board to show that those parts of the Hills which are occupied by the Todas are exempt from the Sovereign rights possessed by the Ruling Power’. He also brought the argument before the Board that the fact that the Toda paid tax for pasturelands proved that there had ‘always’ been a supreme government on which the Toda depended for their rights. Consequently, there was no reason why the Toda as taxpayers should not submit to British sovereignty and relinquish their land claims.<sup>76</sup> Interestingly, Bird’s minute begins with a reference to the Revenue Consultations of 1835 to which John Sullivan’s Minute was the most substantial contribution. Sullivan remains neglected in Bird’s investigation and his views did not influence the resolution of The Rights of the Toda in any decisive way.

In this way, Grigg’s Manual of 1880 followed closely the position of the government of Madras. He questioned Sullivan’s Minute of 1835 as bordering on the romantic and applauded C.M. Lushington’s attack in 1840 on the government’s acknowledgement of ‘these barbarians as “lords of the soil”’.<sup>77</sup> The government’s standpoints were highly contested throughout the early part of the century when the district administrators conflicted with those of the Madras government. However, in Grigg’s text, the government position is portrayed as the sound and logical one, while opponents including both Sullivan and the Toda themselves were depicted as misinformed and misled.

All these historical documents referred to above from 1812 onwards, as is apparent, are very different. They were produced at different times and in different historical contexts. There were different ideologies and interests embedded in the arguments pursued. The documents were also written for quite different audiences. There is a considerable contrast between the early and the late reports. When William Keys and John Sullivan wrote their first reports from the Hills, it was a matter of exploring an unknown terrain. When Grigg compiled the Manual of 1880, it was written after a period of sixty years of British involvement and rule in the Nilgiri Hills. The Empire was at its height and one of its Servants had been assigned to compose the history of the Nilgiris in order for the British officers at that time to continue carrying out a successful administration.

In all these reports, when the status of the Toda people in their local environment was brought up, it was discussed in its ethnographical context and this was crucial for the colonial government when they determined land rights.

Either the government officers in Madras relied on the judgements made in the reports, or they looked for statements that would underpin their own arguments. At times, the two tasks of compiling an ethnographic report and making conclusions about land rights were assigned to one and the same person. It is within this context that the problem of the historical narrative begins. This will lead us to the question of how the establishment of rights in land and resources in the Nilgiris is being treated in present-day social sciences.

### A MULTIPLYING NARRATIVE

While the issue of rights is huge, the Nilgiris is geographically small, and the amount of attention that the region and the Toda population have received is quite impressive. Still today, the Toda strive to secure land deeds for grounds they claim have been forcefully wrestled from them by government authorities from the early British administration onwards. In the process, narratives of the past are being reinforced and altered. On a recent visit to the Nilgiris, I was repeatedly told about the heroic efforts of John Sullivan to champion Toda rights. He was said to have paid a golden coin for the land he took charge of in the early 1800s, even though Nanicane, the Toda spokesman and headman of the Kash clan in Kandelmund was unable to find it in his house. Instead he brought to show me the memorial coin of the Neelgherry Exhibition in Poona 1875, engraved with Queen Victoria's profile, and another coin bearing Indira Gandhi's profile in relief. Both coins were kept as treasures in Kandelmund. At the same time, they can be said to represent the ultimate state power that had defined Toda rights. The narratives of the past in Kandelmund were marked by the Toda's experiences of state and government atrocities. As sure as they were of Sullivan's golden coin, they asserted that St Stephen's church was, in fact, built on a former Toda temple of a now extinct mund called Oshthurs. But there is no trace of either the golden coin or of Oshthurs in the colonial files. On the contrary, Sullivan himself reported having paid 100 rupees for his initial land and the East India Company's policy of never interfering with religious sentiments was strictly enforced also in the Nilgiris.<sup>78</sup> Nevertheless, such narratives are as important for an understanding of the present as of the past, since they tend to carry a message about the situation in which they are told.

Anthony Walker has quite correctly pointed out that many of the numerous ethnographic and anthropological works on the Nilgiris are still dependent of the ethnography in W.H.R. Rivers' 1906-volume on the Toda. However, Rivers' statements and narratives need to be read in their own time perspective. He was a dominant anthropologist at the turn of the last century and *The Todas* was his first major work, even though he has generally come to be remembered more for his study of Melanesian society.<sup>79</sup> Walker criticises his now somewhat outdated ethnography and argues against the image of the never-changing Todas. Instead,

he places them in a general, social context of south India and not as an isolated enclave on a distant hilltop. In this way, he criticises not only Rivers' century-old statements but also all those who argue that geographical location has determined the Toda's (assumed) social isolation; from David G. Mandelbaum, the anthropologist who since 1937 chose to focus much of his research on the Kota community, to Lucile H. Brockway who keeps the Nilgiris as one of her examples in a world-wide study of plant transfers in the British Empire.<sup>80</sup>

Irrespective of research focus, most Nilgiri studies give room for a chapter or a few paragraphs about the historical developments of the nineteenth century. The authors speak of cultural change and go into the research of rites, ceremonies and places for worship, kinship and marriage relationships, social organisation, language and genealogies. In short, they bring out what they focus on in the present from the past also and, at the same time, reproduce some of the ethnographies that were produced in the 1830s–'50s. In order to establish such institutions and belief systems and how they changed over time, the authors consult numerous sources. Paul Hockings, for example, reconstructs the Badaga history by using written sources – primarily government reports but also local languages and placenames, and oral sources such as myths, legends and songs – and in this way assembles a most intriguing set of material.<sup>81</sup> However, when present-day authors write about the regional socio-economic history – and that is where we find statements about local rights in land and resources – the treatment and selection of material is generally quite different. Compared to the great variety of sources used to establish cultural contexts and institutions, here the authors rely partly on government reports but almost exclusively on Manuals and Gazetteers. Needless to say, there is a risk involved in trusting such a selection.

Anthony Walker is probably the person to have devoted most time to studying the Toda community. Others, like David Mandelbaum, have published works on their language and ethnology, but compared to Walker, no other author seems to have so wholeheartedly devoted time to the Toda. His interest developed in the 1960s and resulted first in an MLitt thesis on 'Toda Social Organisation and the Role of Cattle' (1965). After several subsequent works, he reassessed some of his standpoints and presented a critical review of some of the more established images of the community, which was published as *The Toda of South India: A New Look* (1986).<sup>82</sup> This is where he develops the argument that the Toda society is best understood within the context of the larger 'Hindu civilisation' in south India and that this society is far from static. Walker argues that, in spite of there being a distinctively Nilgiri society, the region was never sealed off from the surrounding civilisations but included in south Indian empires and states from the Hoysala (twelfth century A.D.) onwards.<sup>83</sup> The book is for the major part a study of cultural life and change. However, Walker also deals at some length with the issue of the establishment of land rights under early British rule. In his historical narration, Grigg's Manual is one of the major

sources of information. This makes it specifically interesting to read both Grigg's and Walker's texts in the light of primary material – i.e. both the documents on which Grigg chose to rely and those to which he paid less attention. It may be argued that this is only a minor and perhaps even marginal part of Walker's Toda work, and that Walker should rather be read for his ethnological work than his historical. However, my point is that Walker's texts on the nineteenth-century history are, besides Grigg's Manual of 1880, one of the few comprehensive historiographical texts on the British land administration in the Nilgiris and therefore influential. His overall aim is to rectify wrong images of the Toda and in tracing their social history he deals exclusively with the major concerns of government, mentioning first taxation, land ownership and use.<sup>84</sup> Since Walker has chosen to rely almost exclusively on three sources, Grigg's Manual of 1880, W. Francis' Gazetteer of 1908 and Frederick Price's *Ootacamund, A History* of the same year – all three deeply rooted in the British Empire – this makes it even more challenging to look carefully into his historiography. To show what I mean, I will discuss a few core-events of the process in which rights in land and resources were redefined and established in legally binding codes.

From the early 1820s, when the district collector John Sullivan established himself as a large landowner and built a house in the Nilgiris, there was a situation of de facto free land-grabbing when Europeans and East-Indians moved into the hills. In spite of the rapidly increasing European settlements, in 1828 only four plots had been registered by the government of Madras and enclosed, and John Sullivan possessed two of those. The settlement of land soon became an escalating problem which turned into a conflict between the government and the local administration: this gained its first momentum in 1828. The government had increasingly striven to incorporate the Nilgiris into the general rules of land management of the presidency, while the district and local administration had wanted to keep certain autonomy and to establish individual ownership-relations in the hills. Sullivan had expressed concerns over the rate at which the Toda were losing land, but when the resolution he had asked for finally came, it was passed against his wish. The consequence for the Toda of the 1828 resolution was that they were never acknowledged as owners but only as users of land. As owners, they would have been able to sell property. Now their right in land was circumscribed to receiving 'compensation' when they lost their 'usufruct'.<sup>85</sup>

Grigg has a rather summary way of narrating the debates that resulted in the resolution. This makes the result look as if it was a compromise between the government and the collector. Grigg explains that the government declined to discuss Toda property rights (which was Sullivan's main concern), but adopted Sullivan's terms in 'purchasing their privileges from the Todas as a sufficient guide for regulating the payment by other individuals'. Walker takes the narration one step further by way of assumption. Since Grigg does not explore the implications of the conflict between the district and government, Walker also fails to observe it and doubts that anyone, including Sullivan, ever 'paid

compensation' to the Toda at a fixed rate. But a certain sum 'seems to have become accepted compensatory payment sometime before 1828, because in that year the government formalised this rate, declaring that it was acting upon the precedent set by Sullivan'.<sup>86</sup>

In fact, Sullivan never set the principles for this resolution. In the letter that he wrote one year before the resolution was passed, he had suggested a kind of legal package. The Todas were to be reassured of their status as proprietors in three steps. First, there should be fixed limits to the European settlement beyond which no houses could be built or land appropriated. Second, rent for the benefit of the Todas should be collected for land occupied by houses and gardens. Third, a tax for the benefit of the Todas should also be established on all cattle that grazed on Toda lands. By this, the Todas would be 'abundantly remunerated, for the encroachments... upon their property'.<sup>87</sup> Sullivan wrote a similar letter one month prior to the passing of the resolution. However, the government thwarted the logic of his 'package' by deciding to postpone all discussion about proprietary rights. Sullivan had already furnished them with the necessary information when he, as a part of his package, suggested the demands on the European settlers (they were to pay the same rate of assessment as the Badaga cultivators paid the government for their land, and a sum equal to four times the amount of the annual assessment as 'purchase money' to the Todas – which was the amount he claimed to have paid himself). These were the terms that the government 'adopted' according to Grigg and 'the precedent set by Sullivan' as interpreted by Walker. However, the government carefully exchanged the words 'purchase money' for 'compensation for the usufruct of land'. There was to be no misunderstanding regarding the colonial government's sovereignty over all subjects, indigenous Indian as well as European. So when the government claimed to have adopted Sullivan's terms, it was in fact a way to withdraw one possible line of argument from the district collector against the resolution, not a way to honour his administration and judgement about reasonable levels of payment for land.<sup>88</sup>

A request to respect Toda rights had come from the Court of Directors in London. Hence, the resolution required each applicant for land grants to submit a certificate of the compensation given to the Toda. However, there were repeated reports about the failure to fulfil this requirement.<sup>89</sup> Also Grigg is clear on this point, while his text leads Walker into somewhat obscure assumptions. Walker writes that the authorities in some cases demanded proof that the prescribed payment had been made, and in other cases land was allocated with no reference at all to Toda claims. However, he does not find this anomaly difficult to explain and argues that when land was granted near Toda settlements or sacred places, they would demand payment – though it would be impossible to say whether they did this because they saw themselves as actual owners of land or because it was an easy income. But when land was granted far away from their settlements, it would not occur to them that they were entitled to compensation, since they were in no real sense 'owners'.<sup>90</sup> These statements do not find support

in Grigg's text. More importantly, in contrast to the 1828 resolution, Walker places the responsibility for claiming compensation on the Toda, while the government placed it on the applicant for the land grant. Grigg does not give much guidance; he simply states that applications should be accompanied by certificates of compensation. Logically, the government should not grant land unless such a certificate was produced together with the application. In Grigg's text, there is no indication that it was up to the Toda to claim compensation.<sup>91</sup>

The fact that the resolution of 1828 defined the Toda as users and not as owners was an issue of legal codification. Once it was passed, the question of putting the law into practice and exchanging land for compensation payments remained. The government was particularly keen to sign an agreement with the Toda for the land on which the military cantonment in Ootacamund had been built. This land was within the authority of the Kash clan in Kandelmund and the Melgash clan in Manjakalmund. This process came to be a much contested path, as it was now that the Toda of these munds first realised that they had, in fact, permanently lost access to land they believed to be under their control. The 1830s became a period of conflict.

On a number of occasions, the government of Madras found themselves faced with Todas and Badagas who used the opportunities provided by the legal administration, which the British authorities had begun to introduce into the region, to argue against the government's land claims. It has been suggested, also by Anthony Walker, that people in the Indian forest tracts managed to manipulate and bargain with the government servants in order to secure higher payments for their land. However, the prolonged conflicts in the Nilgiris during the 1830s show that the Toda had other ambitions. Their claims to land had different grounds, according to which land was not thought of as a commodity but had another value. This value was social and political rather than economic and was never grasped by the new legal codes in the settlement of land.

Two major land claims were at the core of the conflicts between the local population and the government. One was the government's claim to the cantonment's land, the other was a similarly substantial claim made by an individual, William Rumbold, who had constructed a hotel next to Kandelmund and who had used severe pressure on the Toda in the mund to persuade them to accept the land transfer for the sum of 400 rupees.<sup>92</sup> In the midst of the conflict, in 1836, the sub-collector of the district had been asked to arrange for the signing of a contract that would transfer the Toda rights in the cantonment lands to the government on the payment of compensation. He had been successful at the outset, as 26 Toda 'leaseholders' had signed the document. However, the sub-collector wanted to secure the agreement against future conflicts and had asked what he called 'some influential Todas' to add also their names to the document. But at that point, the tide turned against him. When these influential Todas arrived, they bluntly refused to accept the compensation offered. They declared that all the signatories had changed their minds and, in a written deposition, they explained that 'we

have heard of the arrival of the money, we are unwilling to accept it ... and will never agree to accept it hereafter'.<sup>93</sup>

1836 was a peak year of the long drawn-out conflict. The fact that the Toda had lost access to land permanently had now dawned upon them as they stated that they had earlier been taken to the administration office to sign documents where the officers 'wrote whatever they liked as the boundaries. ... We believed up to this time that it was our own.' The quite detailed documentation from these years reveals the intensive local politics that involved not only Todas and British administrators but also Indian civil servants and local rulers in neighbouring regions. Neither Grigg nor Price ever shows any interest in going into such details. Only a brief statement by Grigg, where he claims that the Thasildar, a sub-district officer, had instigated the Toda to refusing to accept the compensation payment offered by the government, has been quoted by Price. In consequence, Walker, on trusting the two, fails to see that there was more than one person involved. However, the Thasildar that Grigg refers to, Govinda Row, was only the tip of an iceberg of officials who tried to benefit from the Toda's vulnerable position. To the Toda, it was Row's predecessor, Vencata Soobiah, who had caused the major complications. Both officers were tried in court and were dismissed from office on charges of corruption, Soobiah in 1831 and Row in 1842. However, the circumstances of these two cases were quite different. I will refrain from going into details here as I discuss them elsewhere. In brief, Row was dismissed for having levied contributions from the Todas in connection with their refusal to receive the compensation for the cantonment grounds, where Row himself had been a witness to the signing of the deposition. In contrast, Soobiah had acted quite forcefully to push through William Rumbold's land transaction in 1831. When defending himself against the corruption charges, he claims it took both a long time and severe threats to persuade the Toda in Kandelmund to accept the purchase. Soobiah was later accused by the Toda of having kept part of the sum for himself. As I argue elsewhere, this move worked to finally secure the land to the Toda. Since the imperial officers around the turn of the last century had no interest in reconstructing the local politics of the 1830s, such documentation that brings forth the agency of local communities became much undervalued. Consequently, authors who uncritically trust the imperial historiographies for their historical accounts will also fail to acknowledge the dynamics of local society.<sup>94</sup>

The deposition of 1837, in which they explained their refusal to accept the compensation for the cantonment lands, is an important document which provides an insight into why the Toda of Kandelmund could not let their land be transferred to any other authority. The first reason given referred to the problems of losing grazing lands and the trouble they would run into when buffaloes trespassed across the new boundaries. But later, they expanded their answer to the government. Not for the first time, they explained that the land was sacred to them as their tutelary deity resided on it. This had been thoroughly investigated

by Vencata Soobiah during his mission to arrange for the purchase of the land. But now, after the 26 men had signed the document, their deity had told them in dreams that 'those who sell the ground shall be deprived by him of all their prosperity, that they and their Buffaloes shall be brought to the brink of destruction'. Since the signing of the document, eight people had died and buffaloes had gone dry. These were signs that spoke against the transfer of Toda authority over land, as the loss of land struck at the fundamentals of life itself. The statement led both the Madras administration and the Court of Directors later to speak about 'superstitious beliefs' and the collector of Malabar to suggest that the problem could be solved if only a Brahmin arrived in Kandelmund and said a few prayers so that the whole temple could be moved to another spot.<sup>95</sup>

The conflict also reveals a split among the Toda living near Ootacamund. The reason was the way in which the new administration had interfered with the Toda community. In their deposition the Toda explained that the persons who had first signed the agreement had done so at the instigation of a man named Goondoogul. The Toda referred to him as 'a Circar servant', i.e. a government servant, and adds that he had an interest in seeing this agreement being made. Goondoogul was a Toda and upheld the office of *Monegar*. This was the lowest level government official who collected revenues and acted as a mediator between the population in one locality and the government. John Sullivan had introduced the office in the Nilgiris on similar grounds as *monegars* were part of local administration in other parts of the district. This means that the person talking the Toda into signing the agreement with the government in the first place was himself a Toda. And when the 'influential Todas' interfered with the proceedings, they claimed that this man was more loyal to the government than to the interests of the Toda in Kandelmund. In the end, also Goondoogul signed the deposition that annulled the earlier agreement. Descriptions of such divisions have never entered the Manuals and Gazetteers. On a general level, it is also very typical of the government officers' manner of reporting in more official publications not to enter into splits and divisions among communities at the lower social levels. They rather explain conflicts in terms of obstructive and obstinate subordinate officers, just as the general historiographies so often portray John Sullivan as the villain.<sup>96</sup>

Finally, in 1843 the regulation was passed that defined the Toda as users and their rights as limited to their livelihood as graziers. The logic of defining rights followed from the definition of the Toda as a community. Borrowing from Sullivan's arguments (with the ambition of undercutting them by turning them against him) the government argued that 'the Todas, being graziers by profession, have all their holdings as pasture'. From this it followed that

... the only advantage which they have derived from their occupancy (with the exception of the annual payments received from the Burghers [Badaga]) has been that of pasturing their herds. The injury which they will sustain from the

settlement of strangers on the hills, will consequently arise from the diminution of their pasture grounds, as the lands are gradually brought into cultivation. It must be admitted that this will be a positive disadvantage to them, and that the loss of privilege which they have enjoyed from time immemorial is a fair subject for compensation.<sup>97</sup>

The word 'privilege' has been underlined in the Madras copy of the document with a comment in the margin: 'and without paying anything for that privilege'. The legal terminology is crucial. The word 'right' is carefully avoided. In this paragraph, it is replaced by the word 'privilege' and understood entirely in economic terms. 'Rights' in land were confined to Toda munds and temple sites, not to the vast stretches of land where they grazed their cattle and allowed the Badaga to cultivate in rotations. The regulation put an end to the two decades long disputes on the extent of Toda land rights. In the document, the principle of government sovereignty prevailed over those of individual property rights. Except for their munds and temple sites, no Toda individual could claim property in land, since being a Toda pastoralist implied having rights only in pasture. However, whenever a Toda man might want to become a settled cultivator, this should be encouraged. Land near the munds was to be secured for the Toda in case they wanted to shift their trade from pasture to agriculture, and financial arrangements were organised with this aim.<sup>98</sup>

There is some ambivalence in Walker's text about this decision, as he writes that the Madras government was unable to come to a decision on the Toda land problem by itself. For that reason he claims that they submitted the question to London and the Court of Directors for a decision. However, this ambivalence is not apparent in the Madras communications. To a large extent, the land disputes in the Nilgiris reflect the varying realms of influence that the different levels of colonial administration had at this period of time. The Company was indeed hierarchically organised. But it was not a completely top-down run hierarchy where every administrator only looked to his superiors for every move he made. There were different interests involved in the decision-making, and the situation is partly explained by the vast geographical distances that letters, resolutions and despatches had to travel before they could be acted upon or set in force. Many local initiatives were taken while correspondence went back and forth between London, Madras and the Nilgiris. Grigg makes the mistake of referring to a letter from the Madras government to London as a despatch, which would mean that the letter went the other way as a Court's decision. This may give the impression that the Court took the initiative and decisively determined the course for the government in Madras. In fact, the government was not indecisive. They knew exactly what they wanted and, accordingly, they furnished the Court with documents making this quite clear.<sup>99</sup>

This is not to say that the Court of Directors was without influence or opinions. They had a strong influence on policy matters, which is also one of the

reasons why the government had to submit the question for the Court's decision. This was a principal issue of such a dignity that the government was not allowed to make a decision independent of the highest board of the Company. Occasionally, the Court intervened and reprimanded the Madras government, as when claiming that the government had acquired 'a mere arbitrary exercise of power' that would 'shake the confidence which the simple fact of their obstinate refusal to transfer their rights, shows that the Todas now place in the justice and moderation of our Government'. But when it finally came to settling the proceeding regarding the transference of lands in Ootacamund from the Toda to the government, the government sent a letter with clear details to the Court of Directors in 1842. The Court, for their part, accepted almost the entire document that arrived from Madras, arguing only against some of the points. Significantly, a revenue department official, on receiving the despatch of 1843, was not pleased with it. He wrote a lot of angry pencil notes in the margin of the document copy, objecting to many of the Despatch's contents. All in all, this shows important differences of opinion between the government of Madras and the Court of Directors in London.<sup>100</sup>

Grigg, making an historical account at the end of the century, portrayed the conflict as one between John Sullivan and C.M. Lushington, former Governor and Senior Member of Council, writing sympathetically of the latter's views. Sullivan's position as argued in his 1835 Minute, which Grigg had earlier described as 'bordering on the romantic', is employed as a stepping-stone for Grigg to enter into criticism of this position in the years leading up to the 1843 resolution. In 1840, Lushington is said to have delivered 'a very able minute' where he 'combated Mr. Sullivan's theories' and 'boldly asserted' the sovereign rights of the government. Lushington is thereafter claimed to have passed a review of 'eminent revenue officers from 1776'. In criticising Sullivan's evidence, Grigg claims that Lushington 'demolished' some of them and established new facts about others. Grigg's entire text of the land conflicts is certainly densely filled with references to reports and correspondence by all parties in the conflict; however, not only his selection of what documentation that is let to carry the narrative forward but also his choice of words often reveals his bias.<sup>101</sup>

## CONCLUDING REMARKS

This article has two aims. Firstly, it analyses how multi-faceted narratives of people as communities and their rights in land and resources were established in early European reports from the Nilgiris. I have discussed how these narratives were gradually accommodated in increasingly racial interpretations of Indian society from the 1860s onwards to finally become established in the state-produced historiographies at the turn of the century. However, in these gazetteers and manuals, the many voices had subsided. Instead, within narratives of

Empire, the oppositional colonial servants were explained as having been misinformed while the pastoralists and shifting cultivators were regarded as misled and were never represented in their own words or on their own terms. I have explored the process by which such narratives multiplied and became accepted by what can be termed a public memory, and moved on to be established as 'historical facts' in present-day studies in the social sciences and humanities.

Secondly, the article focuses upon how ethnologically-derived categories influenced the codification of people in the Nilgiris, and how this process interacted with the legal codification of peoples' access to land and natural resources.

A striking feature of the historiographies of the Nilgiris is the firmness with which some of the narratives have been repeated in the literature. This is not only in the twentieth century. Already before the Gazetteers were published certain interpretations of Nilgiri and Toda history were more emphasised than others by a group of scholar-officials, who combined their scientific learning with their task of administering British rule. The scholarly debates of the early nineteenth century about nature and the origins of mankind had implications for the understanding of the populations in forest- and hill-tracts as 'aboriginal' or 'tribes'. It is interesting to observe how these debates combined with the administration of forest land. However, many of the debates were carried out in different spheres, where the scientifically trained ethnologists had more of an indirect influence on the administration of land settlement and revenue than actually being involved in that work themselves. The ethnology that made up part of the foundation for the government surveys was often less refined.

The British officers' search for a healthy, cool climate and a 'little England' far away from home contributed to establish narratives about the pristine hills with its aboriginal people, a cultural isolate of herders of an ancient history. Already in the first decades of encounters between Europeans and people in the Nilgiris, narratives developed that not only relied on what the Europeans found on their journeys but also on what they expected to find as they 'discovered' the region. Hence narrative structures were not invented solely in the latter part of the century, and what is sometimes referred to as 'colonial knowledge' was never a single package of coherent ideas about superiority and empire. The conflicts within the Madras administration and government clearly testify to this.

Nevertheless, there is a qualitative shift over time with regard to notions that are expressed in the colonial officers' documents and correspondence when they speak about the Indian subjects of British rule. In the case of the Nilgiris, this can be observed in overlapping stages. From the early conflicts between the government of Madras and the district administration and until the establishment of land rights and rules for land transfers in the 1840s, the debates clearly changed. From having had an emphasis on whether being aboriginal, i.e. the first settlers in the territory, implied property rights or not, the core debates in the 1840s rather centred on whether being tribal implied occupancy rights and only

merited usufruct in natural resources. The ‘aboriginal’ appeared at first to be difficult to deprive of land without establishing the colonial government as sovereign. In contrast, the ‘tribe’, not to mention the ‘savage’ – or barbarous herdsmen, as Grigg preferred to call them – were not associated with the same hereditary rights in land. They were subjects born from wilderness who needed development by way of settled cultivation. Hence, their rights could be limited to the soil then cultivated.

Moving further on in time, the ethnographical studies in the later part of the nineteenth century became increasingly influenced by a racial interpretation of Indian social order. However, the more elaborate use of the ethnological terminology is seldom found in official publications of the Madras government. In spite of an increasing scientific discussion on this topic over time and considering the introduction of scientific forestry, this is even more rare in the later period. It seems that when the ethnologically derived terms ceased to influence or be part of an argument about land rights, they largely disappeared from the revenue reports. In Grigg’s text, land rights are purely a question of tenureship and taxation, while a people’s claims to a specific origin were apparently irrelevant to land settlement.

The many voluminous Gazetteers are sometimes looked upon as miniature encyclopaedias, and considering the organisation of the text and the variety of topics that are developed, there is some logic in this assumption. However, to consider Grigg as a neutral informant about Nilgiri history is an entirely different matter. The historical texts in the Gazetteers could just as well be read for the purpose of getting an understanding of the time period in which these texts were written. Since the audience was mainly government servants, and the overall purpose included the compilation and publication of social data in order to improve governance and state administration in the present, the past was not only represented in a mere narration of events but also served the purpose of explaining and legitimising government policy in the 1880s. One rarely finds voices critical of the government among these authors. This does not mean that the authors excluded references to people who opposed government policy – they are quite well represented in the Gazetteers. The narrative, however, is a matter of selection, interpretation and bias and is in this sense a narrative of Empire.

Grigg’s discussion of the relationship between the state and natives and his elaboration of the exchange of annual gifts for (among other things) access to land, i.e. the giving of *gudu*, is quite revealing. Firmly and without much fuss, he ruled out arguments in favour of native rights in land by hereditary lordship over the soil. Such pretensions, for which he acknowledges the district collector, are claimed to be misinterpretations of the situation. The district administration was misinformed and people were misled and, in the end, the government of Madras set the matter right. In Grigg’s Gazetteer, the more complex dynamics of the conflicts between district and government are hard to discern. At the same

time, the collector and the government seem most of the time to have been the major opponents in the conflict, while the Toda – misled as they were – waited in the margins to be called in on the stage. The Toda are rather portrayed as passive and dependent on the collector. Read from the top down, the local population is assumed to have been without capacity to act in a modernising world. Turning the perspective around and looking from the bottom up, they are portrayed as victims of colonial onslaught, suppressed and subdued. In contrast, the several depositions and petitions suggest a different logic. The Toda's relative dependence on the colonial administrators need not be questioned. The importance lies in observing a certain amount of agency within the community where they learnt how to make use of the legal system that was imposed on them. These laws, regulations and acts were not simply implemented as legal entities, packed in Britain and unpacked and implemented in the Nilgiris. Substantially, they were shaped in the process of local conflicts. But the main point is that this legal sphere, controlled by the British administration, was made use of by the local population – in this case by the Toda. Hence, it was also claimed as an arena for resistance.

In the Gazetteer, the Toda are depicted as one single and united community. This narrative disregards information that suggests divisions within the community connected to the land question. Moving beyond the major government publications to the documents where Toda voices are heard, individualities, inner tensions and complex interrelationships within the community bring life and multifaceted character to the otherwise stereotypical image of the pastoralists in the public historiography.

The list of examples could be made longer, but the point here is not to contradict Grigg's statements. What is important in this context is to identify the process by which the many voices turned into one dominant narrative – a public historiography of the first steps in the establishment of British rule in the south Indian forests. When later works on India under Company rule are produced in great dependence on a Gazetteer or a Manual or any other text where this is the case, the interpretations of the past risk being made under influence of the dominating narratives of Empire. That is a historiography written back to front, with the effect explaining the cause.

## NOTES

<sup>1</sup>This work is part of the project 'Claims and Rights: Power and Negotiations over Nature in India'. I am grateful to the Swedish Collegium of Advanced Study in the Social Sciences, Uppsala University and Queen Elizabeth House, Oxford University, where I as a visiting fellow have benefited from the research environments. Likewise, funding from the Bank of Sweden Tercentenary Foundation, the Swedish International Development Cooperation Agency (Sida/SAREC) and the Swedish Council for Research in the Humanities and Social Sciences are continuing to make this research possible. Useful comments

on the text and its earlier drafts have been given by Barbara Harriss White, Judith Heyer, Beppe Karlsson, Barbro Klein, Karen Middleton, John A. Hall, K. Sivaramakrishnan, Tanka Subba, Lawrence Surendra, Göran Therborn, Rolf Torstendahl, David Washbrook and Björn Wittrock.

<sup>2</sup>The office of Conservator of Forests for Malabar and Canara was relinquished in 1823, due to heavy criticisms by local landholders. OIOC, Madras Board of Revenue Proceedings, 4.9.1823, para 2–3. See also Pathak 2002, 19, 37–8.

<sup>3</sup>Pels and Salemink 1999, 27.

<sup>4</sup>Guha 1983, 1883; Gadgil 1985, 1917–18; Rangarajan 1996, 15–29; Shiva 1991, 77–80. Guha's and Gadgil's position has been criticised by, for example, Richard Grove (1995, 386).

<sup>5</sup>Sivaramakrishnan 1999, 14.

<sup>6</sup>See, for example, Sivaramakrishnan 1999, specifically p. 45, on the British pacification of the Bengal forest tracts by means of large-scale forest clearance.

<sup>7</sup>The term 'Burgher' does in some contexts refer to 'mixed races'. However, in the colonial reports of the Nilgiris, it refers exclusively to the Badaga community as the cultivating community on the Hills.

<sup>8</sup>The incapacity of colonial government to implement policies in areas that were marginal to the centre of colonial power is elaborated in studies of both the early and the late colonial periods. See Sivaramakrishnan 1999, 61–6 for the early period and Saberwal 1999, Ch. 3 for the later period.

<sup>9</sup>Skaria 1999 and Chakrabarty 2000.

<sup>10</sup>Chakrabarty 2000, 6–11, 23 and Ch. 1. See also Chakrabarty 1992.

<sup>11</sup>Ranajit Guha brought this problem into debates on historical methodology in his volume *Elementary Aspects of Peasant Insurgency in Colonial India* (1983).

<sup>12</sup>Skaria 1999, 4–14, 21; Nandy 1995, 44, 47 and 63.

<sup>13</sup>Skaria 1999, 3–5, 20–1.

<sup>14</sup>Nandy dwells briefly on this question in a note, where he implicitly asks if historians (of the European Enlightenment tradition) have wrongfully searched for a 'proper' history in Indian Muslim states, on the assumption that a successful state and statecraft required the production of historiographies. He has no answer to this question, but goes on to elaborate on how Bengali Brahmins sought positions in the colonial bureaucracy and therefore developed a passion for history. Hence, he rejects a rationale of precolonial, Indian historiographical texts. Nandy 1995, 58–9, note 32.

<sup>15</sup>Berhard Cohn, *An Anthropologist among Historians* (1987); David Arnold, *Science, Technology and Medicine in Colonial India* (2000); Thomas Metcalf, *Ideologies of the Raj* (1995); Edward Said, *Orientalism*; Ronald Inden, *Imagining India* (1990); John MacKenzie, *Orientalism: History, Theory and the Arts* (1995).

<sup>16</sup>The rules were adopted for the Coimbatore district in 1859 and for the Madras Presidency in 1860. OIOC, Madras Board of Revenue proceedings, 25.8.1859, 51–2. OIOC, Madras Board of Revenue proceedings, 27.11.1860, 471–2.

<sup>17</sup>Walker 1998, 137–42.

<sup>18</sup>Rivers was one of the founders of the Cambridge school of anthropology. His book is based on fieldwork from 1901–2 and has remained the principal source of Toda ethnography throughout the twentieth century. Rivers 1906, 1; Slobodin 1978, 28; Kuper 1997 (1988), 152; Hockings 1988, 691.

<sup>19</sup>OIOC, Thomas Munro Collection, Box 28, from John Sullivan to T. M., Mauritius 26.6.1817; from John Sullivan to T. M., Neelgerry Hills 8.1.1819; Hough 1829, 64–5, Harkness 1832, 6.

<sup>20</sup> Hockings, 1997, *Blue Mountains Revisited*.

<sup>21</sup> Hayden White, 1998.

<sup>22</sup> See further Grove 1995, 380–2; Grove 1998, 66–7, 80–4; Sivaramakrishnan 1999, 124–5; and Matthew Edney’s work (1999) on the mapping of the Indian landscape.

<sup>23</sup> OIOC, Madras Board of Revenue Proceedings, 15.3.1819, 3279–82.

<sup>24</sup> A *mund* is settlement of a small number of houses for an extended household of a Toda clan. The members of one *mund* moved their herds between different *munds* throughout the year. Walker 1998, 20–1. The letter by Father Fenicio is given in translation in Rivers 1906, App. I See also Walker 1998, 101–14.

<sup>25</sup> ‘A Topographical Description of the Neelaghery Mountains’, report by William Keys to W. Garrows, Collector of Coimbatore, 1812, in Grigg 1880, App. 17.

<sup>26</sup> Walker 1998, 160.

<sup>27</sup> See, for example, Hockings 1980, 136.

<sup>28</sup> Rivers 1906, 694.

<sup>29</sup> Susanne Bayly 1999, 126–9; Pels 1999, 90 and 107.

<sup>30</sup> A great number of studies about ‘tribals’, ‘indigenous peoples’, and ‘Adivasi’ discuss these processes in great detail. See, for example, David Hardiman 1987; B.G. Karlsson 2000 (1997); K. Sivaramakrishnan 1999; Ajay Skaria 1999.

<sup>31</sup> Tagore was professor of Hindu law and Bengali language at University College, London in 1861–5. Bayly 1999, 126–7, quoting from Tagore 1863.

<sup>32</sup> See, for example, Susanne Bayly 1999, Chapters 2 and 3, and Washbrook 1999, 412–15.

<sup>33</sup> William Keys stated in 1812 that the Todas were ‘said to be the first that peopled this mountainous tract’, Evans Macpherson claimed in 1820 that they were ‘lords of the soil’, B.S. Ward wrote in 1821 that they were ‘in fact the aborigines of these aerial regions’, John Sullivan calls them ‘proprietors of the soil’ when he argues for their land rights in 1828. Keys 1812, p. xlviii; Macpherson 1820, p. lviii; Ward 1821, p. lxxiii; OIOC, Madras Board of Revenue Proceedings, 3.1.1828, 324–5, letter from J. Sullivan to Board of Revenue 2.10.1827.

<sup>34</sup> OIOC, Madras Despatches, Public Department, 10.11.1830, para 21.

<sup>35</sup> Pels 1999, 85–6, 88–90; Grove 1998, 67.

<sup>36</sup> OIOC, Madras Revenue Consultations, 6.10.1835, Sullivan’s Minute 20.8.1835.

<sup>37</sup> Pels 1999, 83.

<sup>38</sup> Harkness 1832, 6.

<sup>39</sup> Harkness 1832, 18–19.

<sup>40</sup> Harkness 1832, 17.

<sup>41</sup> OIOC, Madras Revenue Consultations, 6.10.1835, Sullivan’s Minute 20.8.1835, paras 74–5.

<sup>42</sup> OIOC, Madras Revenue Consultations, 1.3.1830, Extract from the Minutes of Consultation 19.2.1830.

<sup>43</sup> I have developed this argument further in Cederlöf ‘The Agency of the Colonial Subject: Claims and Rights in Early Nineteenth-Century Nilgiris’ (forthcoming).

<sup>44</sup> These attempts failed as no suitable teacher was found. OIOC, Madras Revenue Consultations, 6.10.1835, Sullivan’s Minute 20.8.1835, para 75 and 79; OIOC, Madras Despatches, Revenue 19.4.1837 para 38, 926; OIOC, Madras Board of Revenue Proceedings, 4.1.1841, 237–40, letter from H. V. Conolly to Board of Revenue, 9.12.1840.

<sup>45</sup> Blumenbach 1810, second ed. 1815, third edn 1820; Prichard 1843, second edn 1845, fourth edn 1855. *The Natural History of Man* (1843) developed further Prichard’s earlier work *Researches into the Physical History of Mankind* (1813). Blumenbach 1820, 433,

443–5, 447, 465; Prichard 1855, 119–20; Stocking 1987, 26, 44, 48–51; Stocking 1988, 4–7.

<sup>46</sup> Blumenbach 1820, 434; Prichard 1855, 644.

<sup>47</sup> Prichard 1855, 251ff.

<sup>48</sup> Prichard 1855, 251.

<sup>49</sup> Prichard 1855, xv.

<sup>50</sup> OIOC, Madras Despatches, Fort St. George Revenue Department, 21.6.1843, No. 13, 51–92.

<sup>51</sup> Prichard 1855, 252.

<sup>52</sup> Hough 1829, 64–5.

<sup>53</sup> Hough 1829, 75 and 79.

<sup>54</sup> Prichard 1855, 253.

<sup>55</sup> Stocking 1987, 53, 64.

<sup>56</sup> Blumenbach 1820, 433 and 440.

<sup>57</sup> Shortt 1868, 4–6.

<sup>58</sup> Shortt, 10.

<sup>59</sup> Shortt 1868, 26.

<sup>60</sup> Shortt 1868, 7.

<sup>61</sup> Shortt was himself the Superintendent-General of Vaccine in the Madras Presidency. Shortt 1868, 9; Walker 1998, 171.

<sup>62</sup> Prichard 1855, 251, Shortt 1868, 27.

<sup>63</sup> Shortt 1868, 30–1.

<sup>64</sup> Blumenbach 1820, 433, 439–40.

<sup>65</sup> Blumenbach 1820, 442.

<sup>66</sup> Walker 1998, Ch. 9. See specifically 168–78.

<sup>67</sup> Marshall 1873, 88.

<sup>68</sup> Nigam 1990, 134–5, 141; see also Bayly 1999, 116–19.

<sup>69</sup> Grigg 1880, 328.

<sup>70</sup> See for example Grigg 1880, 302 and 325.

<sup>71</sup> Grigg 1880, 327.

<sup>72</sup> *Circar* means Government. Grigg 1880, 328.

<sup>73</sup> The documentation of these debates were summed up and sent for the Court of Directors' and Board of Control's consideration in 1836. See OIOC, Board's Collections, 16.2.1836, 'State of the Todawars on the Neilgherry Hills'.

<sup>74</sup> Madras Revenue Consultations, 6.10.1835, Sullivan's Minute 20.8.1835, paras 26–8.

<sup>75</sup> OIOC, Madras Despatches, Fort St. George Revenue Department, 21.6.1843.

<sup>76</sup> TNA, Board of Revenue, Consultations, Vol. 550, No. 6, 5208–14.

<sup>77</sup> In 1840, J. Sullivan was retired and C.M. Lushington was senior Member of Council. Grigg 1880, 333 and 336.

<sup>78</sup> Conversation in Kandelmund during a field visit to the Nilgiris, November 2001, OIOC, Madras Board of Revenue Proceedings, 23.10.1828, 10687–89.

<sup>79</sup> See, for example, Rivers 1914 and Kuper 1997 (1988), 152–3.

<sup>80</sup> Walker 1986, 240; Mandelbaum 1989, 4; Brockway 1979, 134. Brockway quoting Rivers 1906 for her statement.

<sup>81</sup> Hockings 1980.

<sup>82</sup> Anthony Walker has also produced substantial research on the Lahu community in northern Thailand, which resulted in his DPhil dissertation in 1972.

<sup>83</sup> Walker 1986, 294.

## NARRATIVES OF RIGHTS

- <sup>84</sup> Walker 1986, 240.
- <sup>85</sup> OIOC, Madras Revenue Proceedings, 17.9.1822, No. 15, 2422–3, OIOC, Madras Board of Revenue Proceedings, 23.10.1828, paras 4 and 5.
- <sup>86</sup> Walker 1986, 243, citation in Walker taken from Grigg 1880, 330 and 332.
- <sup>87</sup> OIOC, Madras Board of Revenue Proceedings, 3.1.1828, para 5.
- <sup>88</sup> OIOC, Madras Board of Revenue Proceedings, 27.11.1828, Grigg 1880, 243.
- <sup>889</sup> OIOC, Madras Board of Revenue Proceedings, 27.11.1828, OIOC, Madras Revenue Consultations, 6.10.1835, Sullivan's Minute 20.8.1835, paras 58–9.
- <sup>90</sup> Walker 1986, 244.
- <sup>91</sup> Grigg 1880, 244–5.
- <sup>92</sup> OIOC, Madras Board of Revenue Proceedings, 5.8.1833, No. 7, Extract of Demi-official letter from Major Crewe to Mr Hudleston, 21.8.1831, 9590–1.
- <sup>93</sup> Interestingly, they are, in fact, called *pattadars* or leaseholders in the letter from the Sub-collector to the Collector of Malabar, even though they were regarded as 'occupiers of land' by the government. OIOC, Board's Collection, 9.5.1937, Letter from the Principal Collector of Malabar 4.4.1837.
- <sup>94</sup> Grigg 1880, 335, Price 1908, 228; Walker 1986, 245–6. OIOC, Madras Board of Revenue Proceedings, 21.1.1833, 791–801, No. 1, 'To the Board of Revenue, The Petition of Venkara Soobyen, late Peishcar of Ootacamund in the Neilgherry Talook in the Zillah of Malabar'; 20.11.1834, 1279, 'Letter to the Chief Secretary to Government, from the Madras Board of Revenue'; 23.6.1842, 7538–9. Cederlöf, 'The Agency of the Colonial Subject: Claims and Rights in Early Nineteenth-Century Nilgiris' (forthcoming).
- <sup>95</sup> OIOC, Board's Consultations, 9.5.1837, Letter from E. Smith, Sub Collector, to Clementson, Principal Collector of Malabar, 31.3.1837.
- <sup>96</sup> *Monegar*, *Monigar* or *Munivar* is derived from Persian, meaning an official on a lower level of administration. Goondoogul is reported to live in Taurnaudmund, or Tárnád mand in Malnaud. TNA, 4182B, 1830–33, 55–58, OIOC, Walter Elliott Collection, Aboriginal Caste Book Vol. II, D318, 15.1.1830, App. 8, 455, 476–7. OIOC, Board's Collections, 9.5.1937, Letter from the Principal Collector of Malabar 4.4.1837; Hockings 1989, 339; Walker 1986, 253.
- <sup>97</sup> OIOC, Madras Despatches, Fort St. George Revenue Department, 21.6.1843, No. 13, 51–92, para 8.
- <sup>98</sup> OIOC, Madras Despatches, Fort St. George Revenue Department, 21.6.1843, No. 13, 51–92, paras 6, 8 and 11.
- <sup>99</sup> Walker 1986, 247; Grigg 1880, 338.
- <sup>100</sup> OIOC, Madras Despatches, Madras Revenue Department, 10.4.1839, para 49, OIOC, Madras Board of Revenue Proceedings, 17.10.1842, see specifically para 11, OIOC, Madras Despatches, Fort St. George Revenue Department, 21.6.1843.
- <sup>101</sup> Grigg 1880, 336–7.

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