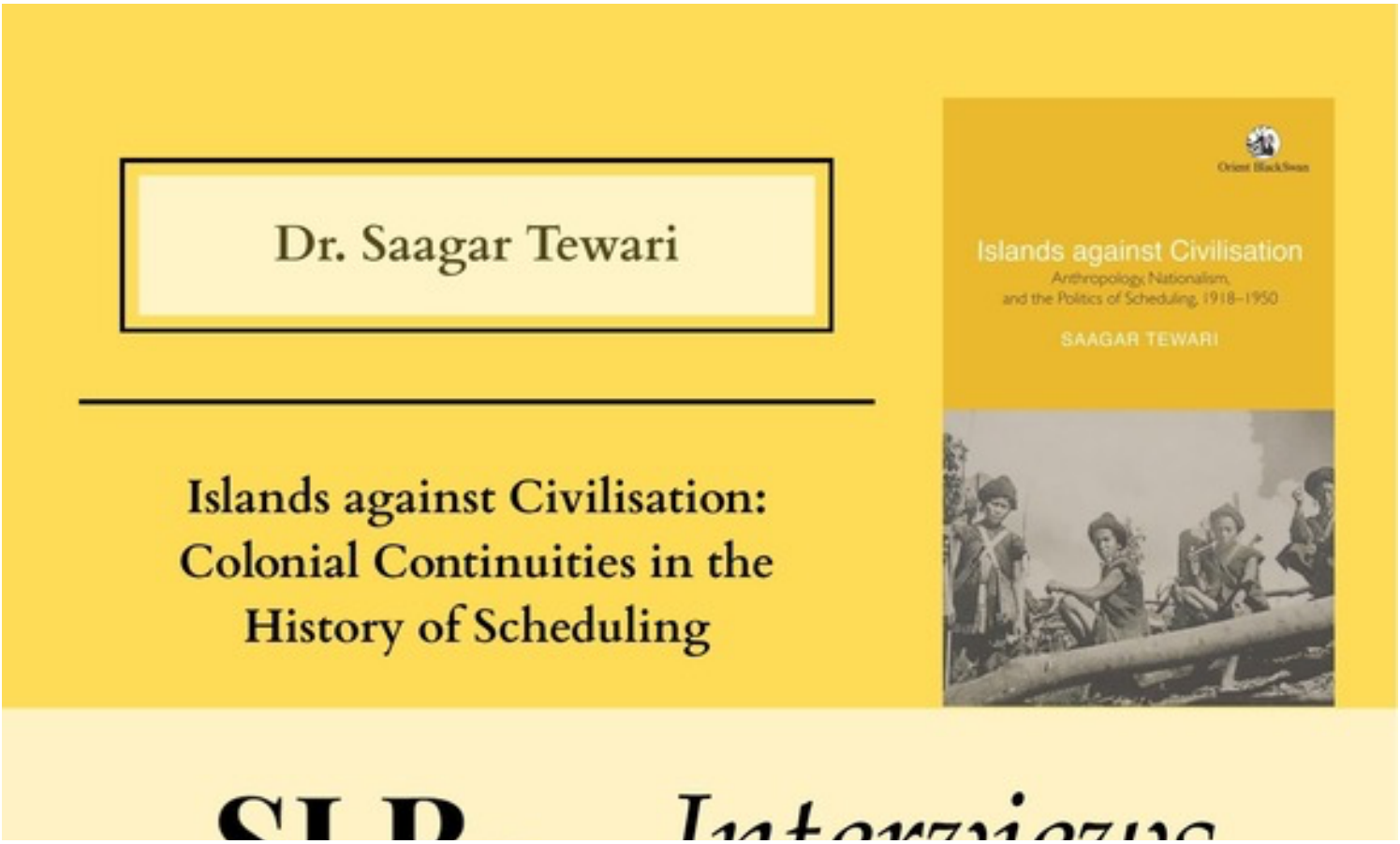
Colonial Continuities in the History of Scheduling: An Interview with Dr. Saagar Tewari



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Dr. Saagar Tewari is a historian of modern India. In 2015, he was awarded a doctorate degree from the Centre for Historical Studies, Jawaharlal Nehru University, New Delhi. Saagar works as an Associate Professor at the Jindal School of Liberal Arts and Humanities, O.P. Jindal Global University, Sonipat. Currently, a Fellow at PMML, New Delhi, he has held visiting fellowships from the Centre for the Study of Developing Societies, Delhi and the British Academy. SLR Editors Ritu Ranjan and Abhinav Jha sat down with him in this first part of a two-part interview series to discuss his recently published first book, "Islands Against Civilization: Anthropology, Nationalism. and the Politics of Scheduling 1918-1950".

Our first question is with respect to the research methodology that you adopted. The book takes on the task of "resetting the late colonial debate on the territorial ring-fencing or, to use the administrative category, scheduling", relying largely on a historical framing of the concept. The book describes scheduling as a legal tool that clubs disparate areas together, creating spaces of exception for territories predominantly by populations belonging to the Scheduled Tribes. What kind of sources or methods did you find most useful in developing this new understanding? What challenges did you face in uncovering and correcting the "false genealogies" of tribal law and administration?

There is a story behind this book. Initially, my intention was not to work on scheduling but on a micro-history of the Bastar region in Chhattisgarh. I had served there in an NGO for some time. I intended to write a history of the period between 1930 to 1980. As part of my field work, I went to the district records and for the first three days, I got unrestricted access to all the materials that I was dreaming of reading. But then on the fourth day, a lady came and told the archive in-charge not to give me access to all the records.

Then, a seal was placed on the records and the in-charge said that he would not give me any record beyond 1947. This man, who was on the verge of retirement, was very anxious that no departmental enquiry should forestall his pension. Perhaps, because of this fear, he did not let me touch any material beyond 1947. This was a body blow to my ambition to work on the history of the region and I had to realign my priorities and plans. I started looking for another entry point. I was sure that I wanted to study the tribes but did not know what to study about the tribes.

Fortunately, I returned to Delhi in the summer of 2010 and started visiting the National Archives. I realised that it held a very important collection of files called the Reforms Office. The constitutional reforms that were being done by the British involved a very wide ranging consultation with Indian lobbies, parties, groups, and individuals and the colonial state kept very copious records of these deliberations. I realised that this is something that has not been tapped, and Reforms Office became the first entry point that helped me to set the chronology of the process correctly. The first chapter of the book, as far as archival records are concerned, is based almost entirely on Reforms Office files.

Another thing that used to bother me at that time is the persistence of certain terms.

Although I did not get access to district record rooms, I did access many record rooms in Bhopal, the Directorate of Statistics, Vindhyachal Bhawan, and Satpura Bhawan. I was wondering about the continuity in the terms that were deployed in colonial period as well as in independent India.

Law has this presumption that everything starts afresh in 1947-1950 with India becoming a Republic, and the enactment of the Constitution. However, there are very deep continuities from the earlier period. As a historian, it is my task to mark out continuities as well as changes, and this very staggering continuity used to bother me. Why are the same tropes of indebtedness of tribes, land alienation, law and order, and anxiety against tribal rebellions being repeated in debates, discourses, and bureaucratic documents? These tropes continue unabated in the period after Independence as well. This made me think that there is something that happened just prior to 1947-1950 which had not been historicized, and the Reforms Office files gave me an entry point into this problematic of scheduling. This gave me the confidence that I have a problem at hand.

And fortunately, at that time, the Centre for Historical Studies ('CHS') had just inked a deal with the Department of History at King's College, London. An exchange students' programme was launched and I was part of the first contingent which went to King's College in 2012. I spent about four and a half months in London and Cambridge where I had access to fresh archival material about the problem I was studying. This intense archival stint confirmed my hunch that I was studying a completely uncharted territory.

Research journey is very serendipitous. Something might happen and make you realise that you need to correct your course correct or change tracks and those slight turns and

deviations take you somewhere else. Taking a slight detour, I want to speak of advice that Professor Ian Kerr gave me long ago. I met Professor Kerr at a conference in National Labour Institute around 2010 or 2011. It was a big conference. I'm not a labour historian but one of my teachers, Professor Prabhu Mahapatra, invited me there. I was talking to many senior academics and I happened to steal a conversation with Professor Kerr, who is a pioneer in the field of history of Indian Railways. Someone had told me that Professor Kerr's first PhD was on Lahore city. This was an American PhD, which takes very long, at least 7-8 years. It was a two-volume study of Lahore city and it was well regarded. But then he decided to change track and do another PhD on Indian railways. I was flummoxed because doing one PhD is hard enough. Why did this man choose to do another PhD on a completely different theme?

So, I asked Professor Kerr, who was in his late 80s back then, what was the reason for doing another PhD. He gave me an answer which I still share with my students who are not sure what to research on. He said that he realised three things. Firstly, there was a gap in knowledge. The history of the Indian Railways had not been studied. Literature review was sufficient to prove this gap in knowledge. Secondly, there was an archive which could fill that gap. And thirdly, his politics aligned with his chosen theme.

As a researcher, you must continuously ask why you want to dedicate five years of your life to something antiquated. Why devote the prime of your youth to study scheduling? It is a fundamental question. My stint with a rights advocacy group had given me an insight into the life and livelihood issues of the tribes and I constantly used to wonder, while I was based there, why we had done nothing for these people. Almost sixty years had passed since Independence. I was irked by the obscene contrast between urban middle class life and the

life of a forest dweller. I realised that there is a gap of understanding and knowledge and I, as a student of history, should try and fill this gap.

This set me on my track. By then, I had already sent my proposal for my PhD and I could not change the title of the thesis. I had posed this problem to my guru, Professor Basudev Chatterji. The title of my thesis did not align with the problem I had identified. He said that the solution was simple and that I should start the thesis by acknowledging this change in emphasis. I followed his advice entirely and if you look at my PhD thesis, the first lines were. 'When I began this study, my aim was to enquire into the evolution of the modern developmental state in India through a study of the Bastar region... However, while going through the debates on 'tribe' and 'development,,' I understood that an in depth study of the post-independence period could not be undertaken without charting out the legal, administrative and constitutional discourse on tribal communities in the last three decades of colonial rule in India. Thereafter, Bastar got inundated by the discourse on scheduling. In my PhD thesis, Bastar appears only in one and a half chapters. The focus of the other chapters was scheduling. But this was a piece I submitted in 2014. It took me another 10 years to make it into a book. A PhD is very different from a book. As one of my teachers used to say, a book must have a one-line argument. It is not a good book if you cannot summarise your argument in one sentence.

This process of turning a thesis on scheduling to a book on scheduling necessitated tackling another discourse of backwardness, which I had not done sufficiently in my PhD. In the period between the thesis submission and the book publication, I also tracked that discourse. Finally, after combining scheduling and backwardness, I got my one-line argument during the COVID pandemic. This is the story behind the book.

In your book, you identify several absences in the existing scholarship about the "Tribal Question". These include the influence of the Islamised tribe in the Northwest Frontier Province, the relationship between the princely States and the tribal populations, and the lack of active participation of tribal communities in the constitutional process. What are the implications of this overlooked history, specifically in addressing contemporary challenges faced by Adivasi populations?

My study claims to be a pan-India analysis, but such an analysis of the late colonial period should take into account areas which my book does not cover. I can claim that this book brings together Fifth Schedule and Sixth Schedule areas together for the first time. It is a novelty in that sense, but there are absences in the framework, which I have pointed out. The North-West Frontier Province gets formed during Curzon's time, around 1905. Today, these areas in Pakistan fall within the Federally Administered Tribal Areas ('FATA'). It is clear from the nomenclature that there is a continuity of the idea that the central government is in charge of these territories. Perhaps, FATA is similar to the Union Territories in India. Union Territories are much more displaced because India is a much bigger country. Maybe in the Pakistani state system, the idea which the Simon Commission postulated about the Centre funding and governing certain areas without recourse to provincial administration has got a further lease of life. I have not tracked this genealogy.

Another reason why the North-West Frontier Province and FATA are worth studying must be the Pathans who reside there. The stereotypical Pathans populate both NWFP/FATA and Afghanistan. These are porous borders. Despite the policing and militarisation to turn it into a strict border, the fact is that the same family lives across all these territories. Members of the clan are dispersed. And it is impossible to envisage a scenario where they are

not corresponding with each other. There is a movement of people, goods, ideas, and political flows. The idea of exclusive sovereignty over a territory which is claimed by nation states is contested by tribal forms of society because tribes have a very deep notion of attachment with land. Every clan would have some territory which is assigned to it and they would have a sacred geography of that landscape – there would be pilgrimages, resource extracting cycles, and multiple ways in which zones of exclusive sovereignty does not do justice to people's sense of their own territory.

Khan Abdul Ghaffar Khan is a well-known icon from the Pathan tribe and a prominent tribal leader of that region. There have been studies of Khan Abdul Ghaffar Khan but those have been strictly from the lens of his role in nationalist politics. He was Gandhi's emissary and known as "Frontier Gandhi". Such notions abound in historiographical literature. But how could he mobilise these variegated clans and communities to the Congress fold is a process which I do not think has been historicized very well. Part of the reason could be that the documents of that period are scarce, and tribal cultures are oral cultures. There might be some libraries and enlightened individuals and groups who keep some track of history of the region. But without that archival trail, it is difficult to historicize a place. I am sure there is an innovative way to get around this challenge.

Similarly, the princely states in Eastern India were a very large territory with variety of tribes inhabiting. There used to be this body called the Eastern States Agency, which was formed in the year 1933. This brought about a direct relationship between the colonial state and each of these 30 odd princely states. Before this, these states were divided in provincial administrations, which would deal with them separately. There used to be a three-tier system – the Calcutta-Shimla bureaucracy, the bureaucracy at the respective provincial level,

and then these states. Why is this change happening? For instance, in 1933, why is this new agency being formed, which is given the status of a first class residency? Direct relationships are being forged between the central authority with each of these princely states, which have a predominantly tribal population. These areas are also populated by forest dwelling tribal communities and landless untouchable communities.

We cannot straight away apply the idea of a "tribe" in its entirety to these landscapes. There are a variety of groups which occupy different positions on the tribe-caste continuum, and that creates further challenges as to how one views each of these groups in the landscape and historicize their predicament. I have recently joined as a fellow of the Prime Minister's Museum and Library for doing a study on the Jharkhand movement and a part of my endeavour is also to look at this problem of Princely States and how the idea of tribal autonomy is being played out in this region. I am trying to address that gap in my next project.

As far as FATA and NWFP is concerned, perhaps some Pakistani scholar will have to take it up because in these times, it is impossible to imagine getting a visa and access. One needs to be physically present, have a sense of the lay of the land, and talk to the people because history is always a dialogue between the past and the present. Our own positionality in the present enables us to ask a set of questions to the archives and without that sense of the landscape and the people, one will not be able to transact through the complexities of these societies. It will be difficult to find the right questions to ask. These are the challenges and issues of studying the histories of these regions.

The book notes how 'the Tribal Question' became a political problem for the

nationalists, such as A.V. Thakkar, who opposed the inclusion of the device of Scheduling in the Constitution. Nationalists rejected the continuance of this colonial policy of "protecting" the tribes because they believed in their assimilation into the body politic of the nation. Despite their opposition, scheduling was incorporated into the Constitution. But how was this device in the Constitution different from the scheduling as understood during the colonial period? How did the nationalist position influence the idea of scheduling and its incorporation into the Constitution?

The reason that this question became a political problem for the nationalists is the intervention by the British Parliament. The first chapter refers to the remark by Winston Churchill that if it were left to him, he would exclude the entire Indian peninsula out of the constitutional reforms. This remark set the nationalist anxiety afoot and while they might have thought of Churchill as a nasty man but now they also realised that nothing substantial had been done about the tribal question. Till 1935-1936, the discourse had largely stayed within the administrative domain. I recently presented a paper at Teen Murti on the Indian Civil Services and the tribal question.

There was a block of sympathetic European officials who thought that they were the last bulwarks of tribal interests. As I point out in the epilogue, both the nationalists and the anthropologists were speaking '*on behalf of*' the tribes at least in the first phase till 1935-1936. Once the administrative discourse spilled over into politics, it became a political problem not only for the nationalists but also for a new section of tribal middle-class elites in the Chota Nagpur plateau and the northeast part of India. The Adibasi Mahasabha was formed. The Communists also joined the debate. The last chapter of the book deals with

this process of many actors claiming to represent tribal interests. These actors also included some tribes, including the Nagas and Adibasis from the Chota Nagpur region.

In the colonial period, the person who was responsible for the efficient working of scheduling was the governor. In the colonial setup, the governor was almost always a bureaucrat who had risen through the ranks of ICS and then, became a governor of a province. Colonial governors were almost exclusively Englishmen/British. They acted as agents of the sovereign. This is also clear from the nomenclature. The chief of the Government of India, in the colonial period, was the Governor-General. He would work in tandem with his Council. The body which was responsible for the decisions at the topmost level was called the "Governor-General in Council" and consisted of the Governor-General and a set of members. The same structure was replicated in the provinces and was referred to as "Governor in Council".

This idea of the governor persists in India. It was a specific colonial idea of making a white gentleman in-charge of a province where these scheduled areas were also located. This white man would protect the interests of the tribes. This idea gets transformed in independent India with the Rajpramukh or Governor becoming in-charge of the administrative setup in the states. He is now a brown gentleman. We can observe that in the present when the governor in the provinces acts as an agent of the Central Government. This is not an elected position. In the United States, governors of all states are elected. They are similar to our chief ministers. But in India, the governor is a nominated person who can be transferred and whose position depends on his relationship with the Centre.

This creates a lot of issues. For instance, there are various contestations between the state

government and the governor in many South Indian states. There is also a case is being heard in the Supreme Court. In my opinion, the Supreme Court had made a good decision on the role of the governors. Why should the governor endlessly sit over a bill? However, the President has sought an advisory opinion on various questions related to the judgment. It is a tug of war between the Centre and the provinces. In a federal setup, the position of the governor, as it exists in our Constitution, is an anomaly. It should not exist. We need to make it either turn it into an elected position or do away with the position entirely because it delays many of the processes and decisions which non-conformist governments want to take. The position of the governor has to be seen in relation with the Scheduled Areas.

On the last part of the question – the influence of the nationalist position on the idea of scheduling – I would like to point to what I said earlier about the fusion of the discourse on scheduling with the discourse on backwardness. Backwardness is a relational idea. It exists in relation to a group which is better off educationally, economically, socially, or in terms of access to healthcare and the market. In the present setup, backwardness is not only about education. It is also about access to healthcare and to the market. We are transforming into a capitalist system or at least our desire is to be an industrialised country. We are no longer a peasant country even though a large part of the population still derives its subsistence from agriculture. But over a period, land has been fragmented into parcels and families cannot sustain on these small plots. They have to turn to the services sector to make ends meet.

In this framework, where scheduling and backwardness are considered together, the state has become the final arbiter of which group will be placed in different categories – Scheduled Castes, Scheduled Tribes, or Other Backward Classes. If you observe these lists in different states, the same group might be classed differently in neighbouring states. There is

no uniformity in the recognition of whether a group is a Scheduled Caste or a Scheduled Tribe or an Other Backward Class. There is a clear influence of local politics. The ruling elite acts on certain demands when it becomes advantageous to them. The Centre and the state lists are completely different. India is a very large and complex country. We are a sixth of humanity and one system cannot take care of various competing interests. These are the issues that I think must be dealt with and considered while thinking of this question.

The intellectual and policy position of 'Isolation/Protection' sought to protect tribal cultures and identities by limiting external influence, whereas the 'Intervention/Assimilation' approach aimed to integrate them into the mainstream even if at the expense of their distinctiveness. Was there ever a link between these ideas and economic and developmental policies? And if yes, how do you see these ideas? Continuing to shape contemporary debates around tribal welfare and governance in India, for example, how do these historical stances manifest in current policies related to resources extraction in tribal areas or cultural preservation efforts?

Tribes are characteristically different from other marginalised social groups because of their relationship with land. Land in relation to a tribal community must be seen differently than in relation to peasant society. For a peasant society, it is a piece of arable land where one settles and cultivates. Across Indian and world history, civilisations have emerged in fertile river valley tracts because these were the only tracts that yielded any surplus. This surplus allowed differentiation and stratification of the society, where a part of the population could pursue other walks of life. Someone could be a craftsman, someone could be a scribe, another could be a warrior. This was a consequence of surplus yield, over and above that

required for subsistence.

This surplus is usually found in fertile river valley tracts. However, very few, if any, Indian tribes were allowed to stay in such tracts. While Indian tribes did engage in cultivation, they usually occupied spaces which were less fertile or were plateau tracts. There are certain communities, like the Baigas, who have a cosmological belief that they cannot till the earth because the earth is the mother. Since they cannot put a spade in your mother's chest, they practice seed drilling and shifting cultivation in these relatively less fertile landscapes. Shifting cultivation involves clearing out patches of land by burning them. The carbon deposits left after burning act as fertiliser. But such tracts do not have regular water supply, and they cannot be used extensively for a long period of time. This requires them to shift to another place for agriculture. In the colonial period, until the 1870s or 1880s, the colonial state, like other states, was interested in land revenue extraction. Land revenue was generated from settled tracts in
fertile river valley areas. The colonial rulers wanted the settlement and cultivation of areas where tribal communities resided. But there were many failed schemes and many reasons why this could not be done.

However, in certain areas the colonial state was successful in ensuring settled agriculture. But when a tribal community is sedentarised and transformed into a peasant community, their farm-forest connection gets complicated. Think of a Baiga who cannot use a plough. A plough is used to turn over the soil and that would mean hurting Mother Earth and the spirits that reside in the forest. This disturbs their place in the world and in the cosmos. This is one reason why many tribal communities decided to either work as wage labourers for the forest department or take flight and leave that area altogether.

Mahesh Rangarajan's famous book *Fencing the Forest* is about this creation of protected forest reserves whereby certain traditional forms of livelihood were illegitimised and hence lost. The Baiga Chak is an area where they were allowed to practise shifting cultivation but not for too long. During 1870s and 1880s, resources below the earth surface start becoming important. I am talking of mineral extraction. There is this very good thesis by a friend of mine, Dr. Sourav Kumar Manta, which tracks the making of the Land Acquisition Act in 1894. Before the Act is created, there is a 20 or 25-years long period, in which there are very detailed legal discussions about how to tax resources below the surface. What happens to resources and potential tax w which lie below the surface? It is in this context that reservations were created. The Forest Act was passed in 1878. Multiple iterations of this Act were enacted throughout the 20th century. Forests which were earlier left outside of the state system were now made part of the extractive machinery of the state.

Another statute that is enacted during this period is the Criminal Tribes Act. Criminal tribes were an anomaly in the sense that they were not closely tied to the land itself. They were vagabonds and wanderers. They played an important role in the 19th century and the preceding period in moving goods from one place to another. Salt was a commodity which was transported by these itinerant communities, including the Banjaras and the Lambadas. There were many such communities which were classed as criminal tribes during the colonial period and the British wanted to create monopolies over the commodities transported by these communities. A salt monopoly could be created only if what these communities were doing by trading in salt was delegitimized. What they were doing was completely fine. No medieval warfare could have happened without these communities supplying goods to the armies which were moving from one tract to another. It was a very

complicated landscape. I am not a specialist in studying criminal tribes, but I see this as a very good case study of how the term “tribe” is being deployed by the colonial state to generate stigma that people of these tribes were habitual criminals which in other words meant that they were born criminals. The suggestion was that there is something congenital about criminality. Recently, a lot of work has been done on criminal tribes, and this idea is more complicated than it was 20-30 years ago.

While discussing the current discourse on tribal predicament, three issues have to be considered in relationship with each other – land, law, and freedom. If any future framework of studying the tribes has to emerge, it must deal with these three concepts, their relationship, and how they constitute a system. These are elements but elements are always in relation to each other. It is this relationality which creates a system.

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