

STIGMAS ARE STILL THERE: COLONIAL STEREOTYPE BEHIND BUDHAN SABAR'S DEATH

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Abstract: After a long two and a half decades, when Budhan became a symbol of movement, the conclusive verdict in the Budhan Sabar death case was delivered in February 2023, in which he died in jail custody following an illegal detention by the local police authority. Budhan was a member of the Kheriya-Sabar Tribe, an Ex-D.N.T. in the Purulia district, which was formerly known as the Criminal Tribes and was officially used after the introduction of the Criminal Tribes Act in 1871. The British capitalised on colonial legislative authority to stigmatise such class and tribal identities in order to control and wipe them out from any passive or active struggle in the remaining phases of their reign; however, these stigmatic feelings of exhaustion and dearth of confidence long persisted among these marginalised tribes of India for decades after independence. The present study illuminates the connection between colonial stereotypes and the Budhan Sabar case in Historical point of view.

Keywords: Budhan Sabar, Criminal Tribe Act, Police brutality, Stereotype, Stigma.

Introduction

The criminals may not necessarily use bows or pellets to commit crimes; instead, they may employ rifles or pens. This simple reality which the British white autocratic authority and their subordinate 'native gentlemen' largely ignored in their nearly two centuries of rule in India has same implications for the indigenous bureaucrats and their lower-ranked departmental authorities and personnel even after seventy-five years of independence. In 'Asymmetric theory', the compulsion of weak force to choose between either war or conflict is regarded by a superior authority as committing crimes, offences, disturbances, or mutinies.¹ However, not all battles ensue on the front; in order to restore peace and equality, the fight for rights have initiated quietly in society. According to 'Conflict theory', people who act refractory and disrupt public peace and regulations convey their dissatisfaction with the state.² A riot, as Martin Luther King Jr. famously said, is the language of the unheard.³ Let's shift to our focal point by taking a quick glance at a pair of events that are closely related to the present problem. A couple of decades ago an old Kheriya-Sabar man gifted an excellent bamboo bow and arrows to a ten-year-old child to satisfy his wish.⁴ He admired its accuracy, speeds and skills; that's how it worked, and he was startled, especially considering its antiquity, when he thought about how the early people found and shaped this magnificent art for their everyday passive usage. However, super-advanced humans have taken this process for making bow arrows or pellets and transformed it into a contemporary Gun or Revolver for largely destructive objectives. Though, the people who invented and developed

these innovations nonetheless remain ‘backward, savage and often criminal’.

The same child who grew up and collected experience about a social environment of curiosity, anxiety, and panic among the Kheriya-Sabar tribe, found that not a single man of Kheriya-Sabar stays in home at night and torch handed police with the jeep, bravely hunts them. After illegally confined by police in local *thana* or police station, the scratchy hairs, slender physique are occasionally caressed and smashed by solid leather polished boots, and iron cap batons for their born ‘stigma’⁵. As a child, one morning I⁶ heard the news that a Kheriya-Sabar was apprehended and beaten to death by the locals of the neighbourhood village on the blame of stealing a cow.⁷ Still, no inquiry was conducted. Furthermore, for those who killed him, the police used shortcut social trials to maintain law and order. He was not sure if the alleged Kheriya man was guilty or not, or whether the man got justice or not. From the extensive gossip among villagers at that time, it was clear to him that most of the villagers were thought like everyone else in society: Kheriya was a class of thieves or dacoits; their profession was stealing and thieving. Now he could remember that they whispered that the real justice towards them was that if any Kheriya caught stealing, tie and beat all of them.⁸ Though time has changed, such feelings have barely changed and even stigma remains the same in society. In today’s society, how can a certain caste or tribe be labelled ‘criminal’? How does society at large refer to them as thieves and robbers? Not just people in general, but even administrators, authorities, and police officers also think that ‘they are prone to committing crime’. The death of Budhan Sabar is more than merely a minor episode; it reflects several aspects of organizational brutality by social discrimination, caste-based hatred and racial animosity that recall oppressions of the colonial British administration, such as exploitation, torture, hostility, unlawful confinement, and so on. The present study illuminates the connection between colonial stereotypes and the Budhan Sabar case. It is for this reason that an attempt has been made to comprehend how the colonial caste-based hatred and racial hostility against the Adivasi marginal tribe, the Kheriya-Sabar exist even today by delving into recent Budhan Shabar’s death case. This study aims to demonstrate that how an Adivasi community known as Kheriya-Sabar continues to be identified as the ‘criminal tribe’⁹ a designation bestowed by British law in nineteenth century. This study takes a Histrio-anthropological, interdisciplinary approach to understanding the current situation by applying social-anthropology within a wider historical context.

When questions arise about the context of crimes and offences, there are basically two types of literatures we can broadly specify, such as the literature that argued for human behavior as a reason for criminality and the other is external pressure arising from particular condition. According to the former school of thought, the *Brain Function Theory* (Joseph Gall¹⁰ and Cesare Lombroso¹¹), *Genetic Behavior Theory of Criminality* (Eysenck: 1964), *Imitation Theory* (Gabrial Trade: 1890) crimes and criminality are viewed as an internal force in mind that already

worked in a particular human or community. The latter believes that external force such as social, economic or political crises is important. Thinkers like Froyd, Marx and Russel respectively propounded the theories of sex, capital and power control law and peace in society. In India, the sense and term of the Criminal Tribe is basically imported from Europe by company rulers. From the very beginning the company tried to control by minimizing the crimes. The British East India Company employers were first to study these tribes and communities and prepared written documents with an imperial approach to assist rule and control.¹² Later, a number of British Administrators, Missionaries and Anthropologists, made systematic study¹³ and often revealed strong perception about the idea of criminality among the several specific tribes.¹⁴ It was only in the 1930s-40s, that Indian Anthropologists such as T.C. Das (1931), S.C. Roy and R.C. Roy (1937) studied and revealed the unique culture of these 'stigmatic' tribes and communities and in fact, they observed silence regarding stigmas against these tribes and communities. P.K. Bhoumik (1961) and Dikshit Sinha (1984) were the first to make observations on Lodhas and Kheriyas of West Bengal, in perspective of solitariness, helplessness and social-economic crisis behind crimes and offences. Mahasweta Devi (1985) strongly criticized the irresponsible attitude of state power and emphasized the condition of vulnerability. In her excellent work, Meena Radhakrishna (2001) studied the process of expulsion of hereditary rights among Kovara community and the label of hereditary criminality. David Arnold (1979) showed this criminality among the tribes as means of their protest. There are many literate people in the society, including scholars who have studied them for a long period, who also think that such tribes or castes show 'expertize to commit crime', which indirectly backs the former generalized view. Although the above research works have had an important and valuable role on studies of these tribes, now it needs to be highlighted in what situation stigma became a tool of the ruling class, and their mindset and mentalities on these poor tribes and communities.

It is really strange that how a whole community become a criminal class in the eyes of society. What did happen in their past and why did their names used simultaneously with various crime? How has this criminal stigma spread among society of class and tribes? Why does police authorities unnecessarily despise and discriminate against them? Keeping all of these question in concerns, the judgement of Budhan Shabar, which was pronounced in 2023 by the fast-track court in Purulia, has been given special consideration to understand the effect of colonial process of stigmatisation on tribe community known as the Kheriya-Sabar. By reading this paper, the readers can reach the understanding that the image or belief of a born criminal or habitual criminal is an entirely invented or capitalised product of the colonizer and that propaganda against marginal people remains present in a certain manner. Through this study, the author argues that crime cannot be classified as a profession of any sort. Criminality and other negativity arose in someone's mind in

the most-dire situation when the society or state fall apart to take care of or generate opportunities and facilities to afford their essential needs such as daily food, single piece of cloth, social respect, and other economic and psychological needs for survival. As a result, a specific number of people in a community—obviously not all of them—had to take it up as fulfilling their needs of livelihood rather than a profession, which the ruling section of society forced them to do as a last ultimatum.

Police violence

Racist and caste-based violence and oppression are byproducts of slavery and caste systems, which possess a common origin: the exploitation of political-economically unorganized innocent people by critical, greedy, and affluent people. Any way in case of Europe, Africa or Asia it is important to remember that the colour black and brown, like white, have their own beauty and strength. They were neither timid nor insecure. White people looted others land, houses, wealth, livelihoods, and even their emotions and sentiments. The relationship between whites and blacks was analogous to that between food and consumers. In terms of police violence and homicides motivated by racial animosity and hatred, the developed countries takes the lead globally. Specifically, the United States views police brutality and killings as a major and persistent threat to public health. Police violence has long-term detrimental consequences on unarmed black Americans' mental health.¹⁵ Between 2013 and 2020, over thousand people were killed in the America as a result of police violence.¹⁶ We may cite the case of Rodney King (1991), Amadou Diallo (1999), Eric Garner (2014), Michael Brown (2014), George Floyd (2022), Jason Walker (2022) and other in this long list.¹⁷ The situation is so terrible that blacks are three times more likely than whites to be killed by police brutality.¹⁸ Police brutality is also widespread in Canada. The physical assaults of Dafonte Miller, Robert Dziekanski, and Sammy Yatim all bear evidence to police violence.¹⁹ Although no official study has been produced by the state, a CBC narrative claims that more than 400 individuals died as a consequence of police abuse between 2000 and 2017.²⁰ According to a 2017 Ombudsman study, Black and Arab people in France are 20 times more likely to be victims of police abuse owing to racial prejudice. According to a statistic published by the French news source Busta, 746 protestors were assassinated by police violence between 1971 and 2020. One of them is the case of Babacar Gueye (2015). The minority of European and African nations such as Denmark, Germany, Portugal, Sweden, Finland, England, Brazil, Argentina, and China, Korea, Israel, Arab nations of Asia have suffered due to police discriminations.

Caste hatred in recent past in India

In recent years, incidents of class hatred and oppression have become prominent in India, though it is impossible to trace every incident that occurred everywhere

in society, such as in education, employment, transportation sector and even in a shopping mall in a city or a small tea shop in a village. Most of us have noticed the railway police verbally abusing train passengers who wearing unsuitable clothes despite having a fare ticket for unknown reason. One could see like we have heard about a young man being tied down, tortured, and beaten up for to two days in a local club by people of higher castes without food or drink for refusing to accept the blame for stealing a radio. Everyone is familiar with the terrible story of Chuni Kotal, the Lodha community's first female graduate who committed suicide in 1992 after being victimised by an university professor²¹ but few of among them had heard of the boys and girls who dropped out from school because of an unbearable racist and caste based threat from their school teacher. This form of demotivated abuse has been absorbed by everyone from the lower class who has attempted to cope with the educational system. The suicide of Rohith Vemula, a Dalit student in an elite educational institution in 2016 provoked widespread outrage and protest.²² But not even a single or no protest arose in 2007, when, Tanti Bai, a fourteen-year-old Pardhi girl, committed suicide in response to frequent police assault. The situation has remained largely the same even after a decade. In 2017 when Indramal Bai, another Pardhi tribal woman who lived alone with her children in Gandhinagar Basti, had no choice but to commit suicide for constant demand for money and abuse by police officers who threatened to file an offensive case against her.²³ Jalan, her husband was abused repeatedly by police, her children were confiscated by cops on the charge that they were stolen as she was unable to produce birth certificate of her children, and even a Sari was taken by police for not producing cash bill. Pinya Hari Kale, an agricultural labour by occupation, was beaten to death in police detention.²⁴

Constructing the notion of so-called Criminal Tribe in colonial India

The British east India Company arrived in India along with other European companies. However, it succeeded in swiftly capturing political power and commercial stability through the process of 'abuse of laws and regulations' by receiving bribes, extortion, conspiracy, and other measures of corruption that made it easier for the company to 'unlawfully establish' themselves abroad. The colonial company gradually succeeded in building up an 'objectively exploitive governance'. During the initial phase of Company rule, the Company's commercial earnings, benefits, and its employees' personal financial gains became equivalent.²⁵ Following the changes in politics in England, the interests of the Company were suddenly turned into British interests.²⁶ From this time on, the need to establish the 'rule of law' arose from the objective of good governance motivated by Orientalism,²⁷ though practically in India, its original form remained synonymous to 'despotism of law'.²⁸ From the very beginning, the British attitude and psychology towards Indians were deeply suspicious, frighteningly peculiar, and full of curiosity.²⁹ Following the impact of the rigidity of the caste system which already rooted in India, this attitude

of the British largely shaped their initial institutional policies and strategies, which caused them to develop a socio-political environment where 'personal hatred' at the individual level transformed into 'institutional hatred and animosity'. After a successful military expedition, due to a lack of money and manpower, the Company placed the Jungle Mahal region in the hands of its regional and clan leaders for the sake of secure revenue collection.³⁰ It becomes imperative to keep revenue collection smooth and continuous and to protect revenue interests; in this context, the use of the local Zamindars and their forces became necessary for the British. The pressure of revenue soon tempted the Zamindars to commit crimes like theft and robbery.³¹ When revenue collection and the condition of peaceful of administration declined, the British officials demanded reports from the subordinate officials who asked the Zemindar, and his party to hide their crimes. They sometimes made exaggerated, imaginary tale and thrills of crooked dacoits and robbers, and that enticed the curiosity of the British. It is noteworthy here that, in order to maintain this position, the orientalist pursued a strategy of 'hollow sound administration', and India was one of their laboratories, with its people serving as experimental species.

During the rule of Lord William Bentinck, Sir W.H. Sleeman led the project of Thugee Suppression, which was the largest military expedition in domestic politics after the company established its rule in India. In fact, this policy was a mere state-sponsored institutional brutality and at the same time, it was a witness to whole process of judicial abuse and misjudgment towards the non-agricultural communities. The whole thing began with the possession of an idea, which symbolised a kind of racial and caste-based suspicion, hatred, and discrimination and provoked the ideas of romanticism. It would not be too much to say that it might be called the greatest misled inter-regional expedition operation of the 19th century. The establishment of the Dacoity Commission in 1836 gave the issue of caste-based crimes a legal basis. The major motive and objective of this Commission was to control robbery, burglary, and theft, but in reality, it targeted the marginal non-agricultural communities using the strategy of keenly watching their movements and activities. After the introduction of the police commission in 1861, the power of the new police increased by minimising the power of traditional village authorities. On the village level, the responsibility was imposed on those who were money-savers and inactive professionals. As a result of this whole process, on the one hand, imperial power was manifested at the regional level, and on the other, the possibilities of law-and-order disruption increased as a result of people's agitation at the local level.

The British perception of the various marginalized sections of society throughout the British era is incredibly bizarre. The British claimed to have taken the Indians out of the dark ages and into the light of civilization and modernity. They claimed that by providing Western education to Indians in order to abolish superstition, the latter were exposed to scientific intellectual values, humanism,

equality, and so on. However, numerous elements of their scholarship show how much looked down upon these marginalized Indians—how much they governed this country with disdain. Here, I'd like to offer a book called *'Below the Surface'* by Major-General Fendall Currie; he was a barrister by profession and gained administrative knowledge while serving as Commissioner of Oudh for a long period. In his book, he discussed his various adventures and experiences in this country. He even penned the title of a chapter in his book, *'A Criminal Tribe'*. Furthermore, he had irrational, constructed opinions about these people. In one instance, he adds, *"There are some... tribes... whatever he may outwardly appear to be, you know that inwardly he is a criminal, a man whose caste, religion, and trade are crime. Born in it, dedicated to it, the son, grandson, and great-grandson of criminals from time immemorial."*³² For a long time, it was assumed in Europe that numerous nomadic tribes in Europe, many of whom were involved in various crimes, moved from India. They readily imposed the negative or inferior mindset of the society at large on the weak without perceiving it as personal. Western nations have done the same thing with our country. All of this is an outcome of colonial mentality. Sir G. Grierson's work *'Tribes and Castes of the Central Provinces'* might be considered in this context. *"The Bhojpuri-speaking Doms are a famous race with many points of resemblance to the gipsies of Europe"*, he says *"..there....European Gypsy grammar is extremely similar to Bhojpuri dialect."*³³ Elbert Marston Moffatt, a foreigner, in 1884, completed his M.A. thesis titled *'The Criminal Castes of India'* at New York University. Which was published in 1920. In his thesis he states that at present, branches of these primitive tribes may be found across India. He added that they tend to be roving, restless, superstitious idlers who are hooked to small-time theft but lack the confidence to engage in brazen illicit activity. They put forth little effort to achieve a decent livelihood.³⁴ According to C.M. Edwards in *'Criminal Tribes at Hubli, 1920-1930'*, *"thieving in its many branches, including pilfering in bazars, crop lifting, cattle lifting, house-breaking, highway robbery, false coining, all of these, with or without violence or murder, are looked upon as their legitimate trade."*³⁵ He also adds, *"They are bound by every law of heredity, circumstance, and loyalty to their tribe fellows to a life of dishonesty and crime, and even if they desired to become honest and law-abiding citizens, they could not do so, since there was no place for them."*³⁶

Police-People relationship in colonial period

The establishing and continuing of British authority in various regions of India depends on the founding and upholding of police control over the population at large. This control strengthened and developed day by day after the first formation of the British police system. Nevertheless, the British found it difficult in constructing these new police system, a substantial police force commanded by a few of white-skinned officers exercised the power of control at the village and *thana* level but

was completely uncontrollable and unmanageable by these superior officers.³⁷ Despite their desire to fundamentally alter the land-based police system of Mughals and Maratha in Bengal province, they were compelled to rely on the manpower of previous system. Under Cornwallis' rule, the landowners became liable for the financial expenditures and responsibility of the police system.

Until 1861, this police system was more or less working in Bengal. However, the primary objective of the policemen had been functioning as aides and auxiliaries to the debt-ridden landowners, Zamindar. From recruiting to performance of their duty, taking of bribes, assisting Zamindar-bandits league, helping Zamindars and Britishers in oppressing the people and in overall their existence and stability depended on viciousness. The public's attitude towards the British police for their dishonest and corrupt acts was hatred,³⁸ even in these periods, there was no 'fear nor respect' for the police in public sentiment. However, in general the people of Bengal wanted to stay away from the police and the police system for its corruptions and immorality. In 1861 fundamental changes were introduced in the police system by police act. Various steps were taken to develop the police department make more active, independent and organized. The British government adopted a policy of inducting higher-class people into the police force to restore public 'fear and respect' in the police system. As a result of this, the department adopted the 'policy of control' by adding non-traditional classes and creating higher caste-based status in the police force. The 'fear and terror' about police and the police system developed in public mind with the creation of a kind of caste distinction in police department based on racial power, and the British policy was entirely responsible for this far-reaching police-public relationship. In the decades following the 1857 Mutiny, the British compelled by domestic conditions increasingly involved the native people in governance for higher interests. The British government adopted a wholly stricter policy to suppress several repeated revolts, outrages, struggles, rebellions and territorial crimes etc., and side by side the main objective of the Police Commission of 1902 was the suppression of natives by natives as a whole.

The Criminal Tribes Act

The Criminal Tribes Act of 1871 marked the beginning of a tragic chapter in the lives of nomadic hunter-gatherer communities in India. At the time, this Act was applied to numerous communities in North India. The Act was originally enacted to govern these tribes of northwestern Punjab and Oudh and Central Provinces. Immediately, this Act was not introduced in the Bengal Presidency but its effects were felt and continue till date. On the basis of this act and legislature numerous classes and tribes began to be stigmatized and controlled by police authorities. In 1911, the Madras Presidency passed this Act. This Act was passed for the entire country of India in 1924. There is no doubt that the marginal people posed the greatest challenge to the British rule of India as those who, at the very least,

disobeyed British law and order. On the other hand, who silently accepted the alien rule became as the so-called gentlemanly classes. The 1871 Criminal Tribes Act made a concerted effort to restrict and regulate nomadic tribes, gypsies, petty trader, and hill and forests inhabitants. Actually, it is believed that this law was enacted in order to avoid resistance. According to Meena Radhakrishna, during the Great Revolt of 1857 in North India, numerous tribal leaders headed different territories and quickly became rivals of the British authority. From this point on, these unsettled gypsies and nomadic tribes attempted to distinguish themselves from other segments of society.³⁹ The British government maintained this stance, claiming that they were dangerous to the state. David Arnold has demonstrated that the destitute nomadic tribes were so loyal to their own way of life that they refused to change to British-imported systems such as settled agriculture and wage labour. The British administration attempted to regulate these tribes in various ways after failing to integrate them into their exploitive economic system.⁴⁰

The Criminal Tribes Act of 1871 not only controlled the movement of many tribes, it also isolated them permanently by using force. This legislation, stamped each member of the group as to become a criminal in the eyes of society.⁴¹ Every family member of the notified tribes was compelled to register personal information in local police station. Only by notifying the police anyone could leave the district.⁴² If they moved outside, they were required to produce the pass ticket registered by local police authority to every police station where they passed through. Entering the area without a ticket was punishable firstly by imposing a fine and next by three years in imprisonment.⁴³ The burden placed on the local *Zamindars* to monitor the movements of the groups was especially interesting. It is easy to determine that the government and the exploitative landlord class would have promoted the societal consequences of unlawful conduct. On the other side, taking advantage of these ordinary people's financial hardships, they committed illegal crimes and designated them as offenders.⁴⁴ There are numerous archival data of 19th and 20th century supported these facts. Even in the 21st century it continues and most probably will do so in the centuries to come. The real criminals are never identified by society. In Bengali, there is a saying that there is more darkness below the light. In this respect it might be stated that the function of people who uphold the law, those who are the guardians of the law, in whose hands the law continues to be enforced precisely for a long time, have been never judged!! Should not there be a second checking? In today's culture, beatings for stealing are fairly widespread. Plenty of people are really motivated by such acts. In reality, in modern culture, it is quite easy to label people as offenders without finding the truth. Is it difficult to offer justice and equality to every citizen whether marginalized or not?

The Kheriyas and their inborn stigma

The tribe Kheriya-Sabars dwells in West Bengal's Jangle Mahal districts such as Bankura, Purulia, and Jhargram, Dhalbhum, Singhbhum, few part of Orissa in

Chota Nagpure plateau.⁴⁵ The Kheriyas can also be referred to as Sabar or Kheriya-Shabar.⁴⁶ This ethnic Adivasis have always been extremely dependent on nature.⁴⁷ Most of them, when they had no work except in agricultural seasons, used to traverse the different woodlands, hills, and riverbanks in search of food. They are accustomed to an uncertain and challenging existence. In 19th century, there was a strong perception of primitiveness prevalent in their existence.⁴⁸ Even up to 1st half of 20th century, they continued with the hunter-gather phase as means of livelihood⁴⁹, in fact very few of them started pursuing a settled unskilled agricultural labor. In 1960s-70s, or 80s most of Kheriya-Sabar tribe took agricultural labor as means of livelihood though collection of food resources from natural resources such as forest, *khet* (agricultural field), *bahal*, *tanr* (dry land), *bandh*, *gor* (minor sources of water), and river continued. Hunting or *Shikar* nowadays has become an occasional enjoyable event. Bow-arrow or pellets represents only their splendid past. The process of food gathering prevails even today because mainstream socio-economy has failed to meet their basic requirements. They are clearly marginalized in terms of the development of other Adivasis at present.⁵⁰ They are backward in relations to modern education, health, and food security, and they do not have proper access to various social schemes and facilities.⁵¹

They were viewed by the civil society as an offender class who are liable to carry out criminal activities. They were never accepted by the society, and no one paid attention to their needs and concerns. The Kheriyas were regarded as class of thieves, robbers and dacoits. The educated higher classes wanted to keep them at a distance. These people have been marginalised and oppressed since time immemorial, and those who help them are benefitted from their labour. They are referred to as criminal class in the eyes of the common-public as well as the police administration. If a single crime occurs in the area, the police come to the villages and arrests and confines any person from the Kheriya-Sabar tribe, whether they committed the crime or not. Even if a single member of the Kheriya is implicated in a single incident, the Kheriya community as a whole is stigmatized and become socially responsible. It seems that the entire class is involved in crimes. One can imagine the painful situation in Sabar's life by studying the works of local social activist Gopibhallav Singhdeo. In 1996, he wrote that "*The Sabars live in the nearby areas of Barabazar and Bandowan police stations in Purulia district. Bihar Police raided the villages at night, detained them without informing the local police station and sent them to Saraikella Court. Those who are arrested by the police never return to their village. No one knows where they are or if they got justice or not. Nobody will ever discover them. This is a really painful story. Several incidents are occurring in front of everyone in my district.*"⁵²

In reality, they are simple people and live a fairly conventional and conservative life. They enjoy maintaining their own rule of culture. They consume the natural resources what they gather. Nowadays it cannot be said that they survive on

hunting gathering economy, which sometimes fulfill their food requirements. Agriculture is their 2nd choice of livelihood; they are reluctant to work in agriculture. Fundamentally most of them are unaccustomed to leading a settled life. They have experienced significant difficulties finding food and other necessities because of today's environmental degradation, such as the decline of forests and river systems. Their predicament has become terrible due to the depletion of natural resources.⁵³ They always have to deal with malnutrition and shortages. Because of the devious plans of corrupt people, they unwillingly engage in illicit actions. Evidentially, a numbers Kheriyas got entangled in the offensive activities until at least 20–30 years ago. Here I want to mention the observation dealing with the Kheriya tribe in Purulia district by prominent anthropologist Dikhsit Sinha. He wrote that it is a 'general belief' among the people of the Purulia that, every case of dacoity or stealing in the neighbourhood is linked with the Kheriyas. In the village of Kulabahal, among the 25 males aged above twenty, as many as 19 of them (76% of total males) have been prosecuted and sentenced to severe prison sentences (26.3%). Six other individuals were taken into custody for their supposed participation in a dacoity in Hullung village. The remaining people were detained either alone or in groups for various criminal charges.⁵⁴

TABLE: PERSON OF ADIVASI KHERIYA-SABAR DETAINED BY POLICE AND CONVICTED IN THE YEAR BETWEEN 1963-73

Type of Crimes	Number of Arrests	Number of Convicted	Percentage of Conviction
Dacoity	67	10	14.9
Burglary	33	4	12.1
Robbery	6	2	33.3
House theft	38	5	13.1
Rioting	19		
Other Charges	40	5	12.5
Total	203	26	12.8

[Source: Sinha, *The Hill Khariya*, p. 64]

Through unethical methods of exploiting their labour the corrupt rich people boost up their financial status. It is hard to fathom that, despite a history of engaging in illegal activities such as theft and robbery for countless generations, their financial situation hasn't shown any signs of improvement. They do not get a full meal any single day. The stigmatized Kheriya member has the difficulties of making a living except accepting those livelihoods that societies have selected for them. Branding them offenders is another mystery which is not conducive to a healthy society. Those who have involved them in this anti-social endeavor to serve their own purposes have remain unmasked. The upper-class evil majority have stayed blameless and innocent after build their strong identity in civil society on the basis of stolen wealth. On the other hand, these marginalized tribes and castes have become more liable

towards illicit activity to collect daily meal.⁵⁵

‘What Happened with Budhan Sabar?’

Budhan Sabar was a bamboo-craftsman lived in village Akarbaid of Purulia District of West Bengal. He also worked as daily agricultural laborer in particular seasons. Shyamali Sabar was his wife. They had two sons and one daughter. Dhani is a sister of Budhan. On the 10th February, 1998, Tuesday, Budhan Sabar and Shyamali were attending to the residence of Mamasasur (maternal uncle in law), Akly Sabar, to participate in an Ashirbad ceremony by bi-cycle in the village of Bhangidih. In the course of the journey Budhan stopped to buying betel leaf (pan) at a betel leaf shop in the junction of Bamundih village. Suddenly, he was apprehended by police. Shymali was standing nearby at the same moment. Budhan’s collar was initially apprehended by cops. The police then inquired as to whether he was a ‘Kheriya’ or not. Budhan confirmed that he was a Kheriya gentleman. After that Budhan was informed by the police that he had to be carried to the police station. Immediately, those cops put Budhan on a scooter and drove him to the Barabazar Police Station. Shymali started to cry and followed them behind by walking on the road. It should be mentioned that earlier, no police report was ever made against Budhan, and he was never detained. Shyamali was making her way towards Barabazar by the bus. When she arrived at the police station, she discovered that officers were using a *lathi* to assault her husband. She saw the O.C. of *thana* was abusing her spouse. The police officer used vulgar remarks towards her. “*Tumi ki pechon ghure dekhte esecho?*” he said, “*Tomar samike jemon mardhor korechi tomakeo marbo.*” (Have you returned to investigate? I’ll abuse you the same way I’m assaulting your spouse.)⁵⁶

She came to the road and began weeping after being reprimanded. After that, Shyamali went to her Mamasasur’s house and told him, “*Tomar Bhagna ke police Dhore Niye giye Marche.*” (Police have arrested and detained your nephew, and they are abusing him).⁵⁷ Budhan was taken to the Purulia jail one day after the event. She was unable to locate her spouse in Thana. After few days Budhan was brought to their home by Police. Budhan’s home was examined by police, but nothing was found. Budhan’s physical condition was deteriorating at the moment, and he was unable to stand or move. However, Police carried him to a vehicle and drove away. Police did not allow Shyamali to speak with her husband. The next day she went to the jail with Dhani to meet Budhan. The jail officers informed her that her spouse had died the day before. Police advised her to collect the dead body from Purulia Sadar Hospital. She went to the hospital and found her husband’s body. Budhan’s body was brought home and buried.

After confinement of Budhan Shymali Sabar came to the Barabazar Police Station. She attempted to file a complaint on February 14, 1998, however was refused. Receiving advice from members of the Sabar Kalyan Samiti, she dealt with her complaint by the letter to the D.M, S.P, and O.C. On the 15th, she inquired

about her husband at the Purulia jail, yet she was informed that he wasn't there. On the 16th, she observed the police abused her husband. On February 18, 1998, she found out that her husband had died in jail the previous day. Her charges are that her husband died as a result of severe assault and torture by the police officers, yet as a criminal conspiracy, both the jail authorities and the accused persons conspired to fabricate the story of her husband's suicide. After receiving this complaint, the Barabazar P.S. initiated an inquiry on 27th February, 1998.⁵⁸

Samiti, Mahasweta Devi, and the case

Meanwhile, on 22th February Smt. Mahasweta Devi filed an application before the Hon'ble High Court under Article 226 of the Indian Constitution about the unnatural death of one Budhan Sabar, requesting justice and swift action. Following this decision by Mahasweta Devi, the Hon'ble High Court of Calcutta issued an order on July 6, 1998, in connection with writ petition (Paschim Banga Kheriya Kalyan Samiti vs. State of West Bengal). In accordance with the ruling of the Hon'ble High Court the CBI was asked to investigate the matter. The C.B.I. began investigation on August 20, 1998, against O.C. of the Barabazar police station, and others. In this regard, based on the application of West Bengal Kheriya-Sabar Kalyan Samiti, the Calcutta High Court ordered that dead body of Budhan to be exhumed from the grave and post-mortem to be conducted again to confirm the unnatural death.⁵⁹

Meanwhile, Mahasweta Devi was repeatedly complaining that Budhan's death was not due to natural causes. She argued that he was beaten to death by police. She unrelentingly highlighted the prevalent humiliation and oppression of Sabars in the society.⁶⁰ She alleged that the administration and the civil society have neglected them. Through her writings and speeches, she has repeatedly drawn attention to how the sins created by the British are being borne by today's civil society.⁶¹ She donated her prize money for welfare of Sabars.⁶² She wrote in a newspaper that "... those Bengali intellectuals who do not protest against the torture and humiliation of the so-called born criminal Lodha-Kheria, they support the indirect hunters.... When no one from the educated part of the country ever protests... so the villagers, Panchayats, administration, police stations, politicians all People of party and opinion - let us hunt Lodha. Hand them over to the police. Let them find out the bail, let the police set a date, so far, the poor and hungry family has gone to searching work, so they cannot appear. The police issued a body warrant with great fanfare. As a result, they continue to escape, the hunters will hunt them by winding up the fence. Why will West Bengal be called the best state of India even after all this?" she further writes "... No matter what accounts of atrocities are written, the intelligentsia, revolutionary citizens and the educated part of the society, who are always eager to protect human rights, never felt that they had something to do for them. At least send a signed letter in support of them. Are really the Lodha and Sabar born criminals? In this state of Bengal? So, is everybody being killed,

tortured, deprived, and humiliated?'⁶³ She also counter the CPI (M) government and it's the administration with her pen. In her article in Economy and Political weekly she criticised that, '*The CPI(M) allegedly demanded their allegiance but did nothing for them. It did not seem that either panchayats or the tribal office existed as far as the Kheriyas were concerned for nothing was done for them.*'⁶⁴ She wrote "*Pre-1977 Lodha did not sleep at home. In Congress rule village rich people was so violent. After seventy-seven we (Lodha-Kheriya) slept peacefully in the house. Behind this statement there was the gratitude of an oppressed class, until 1997, no one understood the value of it on the part of the government.*"⁶⁵ She further writes "*so well-planned campaign to crush the innocent tribal who fascinate people with their handicrafts. Not only higher society, police are also engaged with against them. How many real criminals caught by the police catch? Because they are 'sabar', then hundreds of murders, torture, and keeping girls locked up in the police station for the night became justified.*"⁶⁶ She warned the authorities, "*Please go to two (Bankura and Purulia) districts...opinions of the police are the same, that is the Lodha and Kheriya are killing material, two-footed beast. There is also torture of higher societies on them. Countless examples are there. There is need for administrative strictness and vigilant activeness of the government.*"⁶⁷

Meanwhile, the officer who led a raid on February 15th-16th arrested three members of a family in this case without a warrant. The cops invaded their home, late at mid night. They were arrested on the basis that stolen goods have been retrieved from the house. The police threatened one of the members, saying, "*Tui Beta Churir Mal Niyechhis,*" (you scoundrel has taken stolen goods).⁶⁸ They explained that they received the clothes as gifts since they work as barbers. Ignoring their words, the police arrested the two members and drove them to the police station, where Budhan was already detained. He was allegedly tortured on that day in order to make him confess his involvement.⁶⁹ To safeguard the police officers who was on duty, the officials attempted to modify the daily registration book of the police station. The arrest warrant's date had been altered. Even the page of diary book of *thana* was intentionally left blank on the date of Budhan's arrest so that the story could be adjusted as desired. Budhan and two others were compelled into making false statements in that case. The nurse who was on duty was forced to change the date of Budhan's death. They also make change the video of Post-mortem and its report by ill power.⁷⁰ Along with this, the members of the Kheriya Shabar Kalyan Samiti, who supported Budhan and his family in his quest for justice, endured several difficulties.

Budhan's death is more than simply a shocking death; it is also the slaughter of humanity. It demonstrates that, even after more than a half-century of independence, the dire realities of the poor's pain and suffering, the extraction of the minor classes from social equilibrium, the suppression of those who are vulnerable by the powerful, and the naked triumph of racial hatred—all of which are undeniably

the irreversible products of the colonial egotic and arrogant mentality—remain more or less the same.

Illegal detention and torture in police custody in colonial period

The next section attempts to comprehend how colonial administrative racism was at work behind the case of Budhan Sabar by drawing parallels between Budhan's instance of illegal confinement and some case of nineteenth-century colonial police and administrative autocracy.

The first incident mentioned here occurred on January 29, 1868, at Serampore Railway Station. It was discovered by the booking Clerk of this station that the case box was missing during the night. A railway inspector, Nowlan, got charged with the inquiry into this case. It was a cold night. Finally, suspicion had fallen on one Abdul; he worked as station master Roberson's cook. With this British Inspector, a native head constable, Rasik Lall, appeared to have considered that the only way of finding out about the theft was to induce the suspect to confess by fair means or foul. The suspect was bullied, cuffed, and kicked by the head constable and two constables, but to no purpose. On this cold night, he was placed as a prisoner in a storehouse, which had already been used by quarters of railway police. On that night, more vigorous measures were taken by the police against him. He was bound; and beaten with a cane until he confessed to what was required. He was then brought before the inspector and urged to repeat his statement, but at that time he denied confessing and was taken back to the godown. Then an insect called 'Goorgoorah' left on his lower abdomen and said that this insect could bore its way into the flesh. He was again beaten.⁷¹

Before going to the detail in second case, we need to remember that the 19th century colonial Indian society, the existence of the notion of integrity, morality etc. was also quite popular. The whole department of police was not bad or violent towards these unfortunate people. But it could be fair to say that the overall system was exploitive and discriminative by its nature. Sometime higher authority try to handle with these things with dignity, but narrow passage of taking advantage always open for white and native higher-class officers. These colonial minds set always working in the colonial period.

Now we concentrated the 2nd case that occurred on 26th July, 1876 some place of between Durgapur and Andal, at that night from that place 33 Railway spikes had stolen. On 27th C.W. Overton, the Inspector of Railway Police started his investigation with a Sub-Inspector with other two men. Mr. Decunba, the Permanent-way Inspector informed that this was the place where last year theft took place. Finally, Overton arrived and discover that some foot-print in some soft earth near the spot at the side of railway line. The Police suspected on one Dayal Baori, 30 years age, a link khalassi, lived at village Poorsa, situated about a

mile near Damodar River, and one and half mile from the rail way. After making enquiries they found that he had not attend the work on this day. The police officers visited his house. After arriving the police officers founded that Dayal Baori laying down and saying that he was sick with the stomach pain for his absent. The Police started to search his house but found nothing. They tried to 'utmost to confess' Dayal. One head constable employed to watch him and made the private enquires about him.⁷² Unfortunately, we did find nothing about the Dayal and the case for scarcity of evidence. But we can imagine the situation of Dayal and feternity of life of this stigmatized classes. From some time ago of this incident, the policy of strictly watch on workers on Railway line adopted by the railway authority. To adopt the measures for the suppression of spike thefts authority instructed to employ a temporary detective force with the cost of Rs. 125.⁷³ It was really strength to think that how the powerful authority control, suppressed and stigmatized the classes and communities without thinking on their fate and self-respect. By the colonial exploitive policy of the British, these traditional tribes and communities force to leave their traditional livelihood, and compel to accept the rule of British rule for fortune as a result they ruin their luck in new system and systematically bordered, marginalized and stigmatized in the society. During investigation once the Inspector, Mr. Decunba said that "*..he is morally certain that his men are the thieves..*"⁷⁴ Overton also wrote that "*..it certainly does seem strange that all time these line men watched in the huts at night ..not a single spike was lost .. now this watching is objected ..the thefts commence again*".⁷⁵ The readers should realize these hint to understand the seriousness of nature of authoritarian classes in society in those days and to understand the today.

The next incident occurred as follows: On August 19, 1871, a robbery occurred in the hamlet of Murpukur in the Hooghly district. C.T. Buckland, then Commissioner of Burdwan Division, reported to the Governor that he suspected the robbery was carried out by coolie labourers working on the Railway line. The governor directed that the movements of coolies who were employed be tracked in other divisions of Bengal as well. Buckland wrote that "*....it is probable that among the gangs of coolies there will always be found some men who have had more or less to do with crime of Dacoity in Hooghly or one of the neighboring districts.....*"⁷⁶ Here it is a matter of serious consideration that first of all the Commissioner of Burdwan, the highest ranked and most powerful administrator in his division, without doing any investigation officially commented that these coolie laborers were involved in theft and robbery in that region. The incident shows that the administrative power was turning a blind eye and simply attaching a criminal stigma to a laborious community.

And it is in this context that Budhan, Rodley King, George Floyd, and Chris Kaba are similar, since they are constantly regarded with suspicion. Second, the Hooghly Magistrate resumed the investigation stating that practically all of the

coolies employed in his region came from the neighboring 'Bankura-Burdwan' district.⁷⁷ The police went from door to door acquiring the family information and history of coolie labourers on the instruction of the Superintendent of Police. Based on this, the local police station had the authority to issue character certificates to coolies. To keep the labourers under control, the Superintendent of Police compiled a list of their names and residences, as well as details on their characteristics.⁷⁸

Then on 3rd November 1871 District Superintendent of Police of Hooghly district, A.D. Larymore, in a report cites a total of six robberies in 5 years from 1866 to 1871 in which railway laborers are suspected to be involved. Perusal of the report reveals that in these cases, only the poor and lower-caste people are being targeted on suspicion. The report shows that on May 10, 1866, eight coolies belonging to the Bagdi and Lohar castes were arrested in Budderkhali village under Srirampur station on charges of dacoity. On January 20, 1869, police arrested five coolies on charges of robbery in Morpukur village. On February 25, 1871, four Bagdis and one Keyari were sent to jail for robbery in Malapara village of Vaidyabati police station. On March 17, 1871, four coolies, all belonging to the Bauri caste, were arrested for robbery in Kazidanga village under Hooghly police station. In the same year, the 4 and 11 coolies who were arrested and jailed by the police in the dacoity of August 19 and October 4, respectively, also belonged to special castes.⁷⁹ In the case of the first six robberies, the police department itself admitted that "*Several cases of dacoities occurred in the vicinity of the line of rail between 1866 and 1870, the perpetrators of which were not discovered. They may or may not have been railway coolies.*"⁸⁰ This remark clearly indicates that the police arrested the individual regardless of guilt or innocence and that only persons of a specific caste were being targeted by the police in this case. Police acted in this manner in order to safeguard their responsibility from the higher authorities.

Meanwhile, Commissioners from the Bhagalpur, Presidency, and Patna Divisions reported to the Governor that no coolie labourers were charged in theft or robbery in their regions. A remark by Patna Division Commissioner S.C. Bayly is worth seeing.⁸¹ He argued that he believed coolies were not involved in robberies while they're employed since they earn enough. Theft and robbery are perpetrated by the class who dislike doing work for earnings and by the impoverished, who are compelled to become criminals owing to a lack of employment. Railway coolies are not included in this category.⁸² According to the legitimate statement of Commissioner, some important points emerge here. A careful consideration of these issues reveals the basis of the colonial mindset behind the Budhan Shabar and other racially institutional killings. (a) Those who involved in crimes like theft and robbery do not like to earn through labour. (b) Poor people steal and rob due to scarcity of job. (c) Railway Coolies earn from working, so thieving is not associated with the Coolies. While one may find some truth in these statements, these are not above criticism. As regards the first statement, it can be said that the

class of rich of society who are actually less laborious, in terms of physical labour, does not need to collect daily food.

Labour-force is the core of society whether organized or unorganized; it is also the basis of development.⁸³ The Shabar, Pardhi, and other DNT, African origin in America, BAM in England, and the rest are all similar. In truth, India has followed the colonial practice of accepting whatever is regarded as 'labour' that our superiors consider us to perform. Indeed, the British colonialists, whose exploitation and profit were at the root of everything, only granted social status to those who participated in their 'process of exploitation' and, on the other hand, to those who existed independently and became outcasts in the 'exploited society' created by the British, and it was easier to label these people as 'thieves and robbers or dacoits'. Now let's come to the second point where it is mentioned is that when there is a crisis of livelihood a person gets involved in crimes like theft. This statement indirectly proves that lack of shortage of work and the avenues of earning open, there is very little chance for the person to get involved in crime. The government has failed in this matter of employment. While on the other hand so much planning and expense for the government's administrative, judiciary, and police systems, indicate to the fact that the government fails to provide a secure livelihood to its people. In such a case, it may be argued that if the government offers financial security to its population, it is equally important to accept credit for its achievements as well as responsibility for its failings. According to Bailly, the third factor that appears to be especially important here is that railway coolies are less prone to theft and robbery due to their employment arrangements. If financial stability contributes to a sense of discipline in life, then the British government's approach respecting the coolies' livelihoods should be applauded. But reality was just the opposite. Before reaching judgement, keep in mind that these coolies are nothing more than much marginalised impoverished people, whom civilised society preferred to see as sub-human. These coolies were the predecessors of Budhan, belonging to Shabar, Lodha, Bagdi, Bauri, Hari, Dom, and other marginal tribes and castes. Those coolies were performing inhuman labour for the government in return for a monthly payment of 'one rupee', while the police detained and stigmatised them without proper reason. In this particular case, one of them, Motilal Sardar, was arrested.

Conclusion

In conclusion, the Budhan case serves as a poignant reminder of the injustices that persist in our society and the urgent need for a more equitable and compassionate approach in our governance and societal attitudes. It is incumbent upon us to challenge and rectify these erroneous beliefs and work towards a fairer and more inclusive society where every individual is treated with dignity and respect. Upon a comprehensive examination of the Budhan case, it becomes evident that our society harbors deeply ingrained, valueless, and purposeless misconceptions with

no social or institutional justification. Budhan's tragic demise not only underscores the socioeconomic disparities faced by marginalized individuals but also exposes the moral failings within our administrative framework. Even though British colonial rule has ended, the cycle of exploitation persists in various forms. The Habitual Offenders Act, 1952 merely represents a modified iteration of the 1871 Act. Given that all forms of exploitation hinder the holistic development of humanity, they must be unequivocally prohibited. It is imperative to recognize that constitutional structures are not meant for domination but rather to safeguard the rights and dignity of every citizen in our nation. Those entrusted with these great responsibilities should demonstrate a more compassionate approach and heightened awareness. It is disheartening to note that 'the Kheriya Man', Dayal Baori, Abul, Motilal Sardar's arrest by the British police bears a striking resemblance to Budhan Sabar's apprehension by the Bengal Police under the CPIM Government. This repetition underscores the persistence of alarming pattern of values of society. As a concluding point, it is worth highlighting a declaration made by the Howrah Magistrate. This declaration has unveiled a disconcerting truth about the impoverished communities in our country, whether they were railway coolies or nomadic tribes and castes. They were unjustly branded as simple criminals by British authorities, and these "colonial stigmas still there" within our society today. This revelation serves as a stark reminder of the enduring legacy of injustice and discrimination that we must collectively strive to dismantle. Finally, I anticipate the readers to grasp this statement's essence by evaluating it, which is:

*"...it is a well-known fact that neither Bengali Nor men from Bihar are in the habit of carrying about bows and pellets, while men from Burdwan, Bancoorah, Beerbhoom and Purulia and have bows and arrows and pellets constantly about them when they go out for Shiker. The police found bows and pellets in the huts of the coolies similar to those found lying near plaintiff's house; and what the charge against the coolies..."*⁸⁴

End notes

- 1 Buffaloe, *Defining Asymmetric War fare*, p, 1-3.
- 2 Based on the concepts of Philosophers such as Machiavelli, Hobbes, and Marx, conflict theory examines how certain people or organisations have greater power than others. It claims that when individuals struggle for wealth and power, it can lead to battles and social issues. It became significant during the Civil Rights Movement when it challenged the dominance of white people and males.
- 3 McDonald, "Ferguson and Baltimore..." P. 142-43.
- 4 The Kheriya-Sabar, an Adivasi community living in Bankura, Purulia, West Bengal, has a distinct cultural identity and language within the Munda ethnic group. They have traditionally practiced their own sort of religion, respecting ancestors, supernatural beings, and nature. Their passionate music and dance, particularly the songs, are known for their rhythmic

enthusiasm. Their distinct abilities and workmanship in handcrafted work create their own distinctiveness. They have traditionally been non-agrarian, largely engaged in fishing and animal husbandry. Despite this, they attempt to preserve links to their cultural past in the present. Challenges to forest rights, land rights, Sikar rights, and cultural preservation continue, highlighting the importance of preserving their legacy.

- 5 The concept of 'stigma' refers to one sort of ill-identity legally created by British and adopted by the upper classes of society for those in such communities who practice distinct socioeconomic ways of life different from them, giving them a lesser status than those in the same strata of society. The upper classes of society are well aware that these marginalised communities are not actually criminals, yet they continue to exploit them by classifying them as such. They spread a phoney hatred attitude with no real cause but numerous practical exploitative values. These feelings occasionally came out from under false cover.
- 6 The author spends his childhood in junction area of Chhatna-Hura *thana*, the border areas of Bankura-Purulia districts that is an Adivasi populated area.
- 7 These 'hunting' was frequently occurred in 1970-80s. This incident happened at *Bagjuri* village in *Chhatna* Subdivision of Bankura district.
- 8 In Southern Bengal districts like Bankura and Purulia, there is a drought-prone area where agriculture is the major means of livelihood, even though it is difficult and unreliable. Agricultural people often regard non-agricultural people with suspicion because of their uncertain livelihoods.
- 9 The term 'Criminal Tribes' refers to a repressive, vengeful, hostile, and pervasive hallucination. Regardless of castes and tribes, the impoverished minority, unstable, solitary, but brave castes, and tribes that directly resisted British interests were portrayed as criminal tribes in their eyes. The Lodha Sabars were not the only tribes with a criminal reputation in Bengal Precedency; lower castes like Bauri, Bagdi, Bediya, Dom, Lohar, Goala, and some time higher castes like Kayasthas were also targeted and subjected to control. Unfortunately, the ruler has charged since independence, but the mace has not, and tribes such as Lodha and Sabar have remained excluded from caste-based rural social structures. The word 'criminal tribe', imported by the British, had rendered the ethnic identification of such isolated tribal people like the Lodha Sabar an almost permanent embarrassment, even in the post-independence period.
- 10 Looney, 'Neuroscience's new techniques', p.301.
- 11 Ferracuti, 'Cesare Lombroso'. *P.* 130-149.
- 12 For more information see Monthly Proceedings and Yearly Criminal Reports of Judicial dept., Govt. of Bengal.
- 13 Guha, 'Colonial, Hindu and Nationalist Anthropology' *P.* 154-68.
- 14 Dalton, Risley, Hunter, Russel etc. British officers and anthropologist had done extensive study on these Adivasi communities on a colonial mindset and without exploring the background they believed that these communities were habitually criminal.
- 15 Bor, et.al., 'Police killing', p. 302-10
- 16 Jeffrey & Campbell, '*Race and Reasonableness*' p.955
- 17 The public in the United States came together to oppose the police brutality in these cases, organising a large protest against the government's inaction and taking their campaign internationally. But, unfortunately, there is no comparable movement in India; even the representatives of the people are oblivious to these issues.

- 18 Streeter, 'Lethal force', p. 1124-32.
- 19 **Press Release:** *Police-involved deaths*.
- 20 Marcoux & Nicholson, 'Deadly force', CBC News
- 21 Chuni Kotal, the first graduate woman from the Lodha Tribe in West Midnapur, attended Vidya Sagar University to pursue master degree in Anthropology. Unfortunately, she endured casteist and racist oppression both locally and at the university. She tragically committed suicide on August 16, 1992, at the age of 27.
- 22 Hegde, 'The Gift of a Life', P. 28-30.
- 23 Hunger alert case.
- 24 Abraham, 'Steal or I'll Call You a Thief', P. 1751-53.
- 25 Guha, *A Rule of property for Bengal*, P. 132-135.
- 26 Jouhki, *Orientalism and India*, p. 6-8
- 27 Dodson, *Orientalism, empire, and national culture: India*, p.64-65
- 28 For details, See Radhika Singha.
- 29 Guha, "On Some Aspects of the Historiography", pp. 53-59.
- 30 Chattopadhaya, *Redefining Tribal Identity*, p. 45-49
- 31 Sen, *Social Banditry*, p. 25-39
- 32 Currie, *Below the Surface*, p.225
- 33 Russel, *Tribes and Castes of Central Provinces*, P. 334
- 34 Moffatt, 'The Criminal Castes of India', p. 26-40
- 35 Edwards, *Criminal Tribes at Hubli*, p.7
- 36 Ibid, p.10
- 37 Chakraborty, pp. 68-79
- 38 Chattopadhaya, *Crime and Control*, p. 49-52
- 39 Radhakrishna, *Dishonoured by History*, p. 11-17
- 40 David Arnold, p. 140-144
- 41 Criminal Tribes Manual, p. 44-46
- 42 ibid, p.5-6
- 43 ibid, p.56-60
- 44 See detail in Chattopadhyay's *Crime and Control*, p. 102-10; and Sen's *Banglar Samajik Dakati*, p.20-40
- 45 Dalton, *Descriptive Ethnology*, P.158-59
- 46 The Name of Kheriya and Kheriya Sabar regarded as same. Prasata Rakhhit told the authr that he known from them that they prefer to identify themselves as Kheriya-Sabar.
- 47 Singhadeo, 'Sabar Porichiti', p.7
- 48 Risley, *Tribes and Castes of Bengal*, p. 244-45
- 49 Das, *The Wild Khariyas of Dhalbhum*, p.8-9
- 50 Author's interview with Shri Prasanta Rakhsit, Director, Paschim Banga Kheriya Sabar Kalyan Samity.
- 51 Author interviewed with the people of Akarbaid village, Kheriya Sabar during his field study.
- 52 Sighdeo, *Sabar Parichiti*, p.11 (part of Section translated from Bengali by author)

- 53 Sinha, *The Hill Khariya*, p. 17
- 54 Sinha, *The Hill Khariya*, p.63
- 55 Author personal communication with local public.
- 56 State Vs. Sri Ashok Kumar Roy and Ajoy Kumar Sen. p.6
- 57 ibid. p. 10 -20
- 58 ibid
- 59 Statesman: 24th February, 1998.
- 60 Leaflet, 'Budhan Atmahatya Kare ni', 12th May, 1998
- 61 Ajkal, 3rd October, 1998.
- 62 Anandabazar Patrika, 16th May, 1998.
- 63 Ajkal, 09/07/1998, *Manniya Pulish Montri Somipesu*
- 64 Devi, 'The Shavara', p.1501
- 65 Vartika, October-December 1982.
- 66 Ajkal, 09/07/1998
- 67 ibid
- 68 State vs. Sri Ashok Kumar Roy, p. 22
- 69 W.P. No. Case No. 3751 of 1998.
- 70 ibid
- 71 Judicial-Police, March, 1868, Proceedings No. 119.
- 72 Judicial, Police, August, 1876, Proceeding 37-38
- 73 Judicial, Police, August, 1876, Proceedings 33
- 74 Ibid, Pro.38
- 75 Ibid, Pro.38
- 76 Judicial dept. Jan. 1872, Pro. No. 237.
- 77 'Bankura-Burdwan' district
- 78 Pro. No. 238, Judl. dept. Jan, 1872.
- 79 Pro. No. 239
- 80 ibid
- 81 Pro. No. 83, April, 1872
- 82 ibid
- 83 Obregón, 'The marginal pole of the economy and the marginalized Labour force', pp. 393-428.
- 84 Proceeding No. 185, August, 1872

References

- Abraham, S. (1999). Steal or I'll Call You a Thief: 'Criminal' Tribes of India. *Economic and Political Weekly* 34(27): 1751-53. <http://www.jstor.org/stable/440814>
- Arnold, D. (1979). Dacoity and rural crime in Madras, 1860-1940. *The Journal of Peasant Studies* 6(2): 140-167.
- Bhowmick, P.K. (1961). Crime and Criminals among the Lodhas of West Bengal. *Vanyajati* 9(4): 150-58.

- Bor, J. et.al. (2018). Police killing and their spillover effects on the mental health of black Americans: a population-based, quasi-experimental study. *The Lancet*. 392(10144): 302-310.
- Buffaloe, D.L. (2006). *Defining Asymmetric Warfare*. The Institute of Land Warfare: Association of the United States Army, 58.
- Chattopadhyaya, P. (2014) *Redefining Tribal Identity*, Delhi: Primus Books.
- Chattopadhyay, B. (2000). *Crime and Control in Early Colonial Bengal 1770-1860*, Kolkata: K.P. Bagchi & Co.
- Chakraborty, B. (2009), Glimpses of Rural Crime and Control through Confessions, *Journal of the Calcutta Historical Society*, 128:61-81.
- Criminal Tribes Manual: United Provinces*, (1926), 1, Allahabad: Government Press.
- Currie, M.J. F. (1900). *Below the Surface*, London: Archibald Constable.
- Dalton, E.T. (1872). Descriptive Ethnology of Bengal, Calcutta: Asiatic Society of Bengal.
- Das, T.C. (1931). *The Wild Khariyas of Dhalbhum*, Calcutta: Anthropological papers.
- Devi, M. (1985), The Shavara Tribals of West Bengal II: The Purulia Shavaras, *Economic and Political Weekly*, 20(36):1501-1502
- Dodson, M. (2007). *Orientalism, empire, and national culture: India, 1770-1880*. New York: Palgrave Macmillan.
- Edwards, C.M. (1931). *Criminal Tribes at Hubli, 1920-1930*, Washington: Society for the propagation of the gospel.
- Ferracuti, S. (1996). Cesare Lombroso (1835–1907), *Journal of Forensic Psychiatry*, 7 (1): 130-149.
- Guha, A. (2019). Colonial, Hindu and Nationalist Anthropology in India, *Sociological Bulletin*, 68 (2): 154–68. <https://www.jstor.org/stable/48564529>.
- Guha, R. (2023), On Some Aspects of the Historiography of Colonial India, In Peter H. Cain and M. Harrison, (ed.), *Imperialism*, pp. 53-59. London: Routledge
- Guha, R. (1982) *A rule of property for Bengal: An essay on the idea of permanent settlement*, Delhi: Orient Longman.
- Risley, H.H. (1891). *Tribes and Castes of Bengal*, ii, Calcutta: Bengal Secretariat Press.
- Hegde, S. (2016). The Gift of a Life and Death: Rohith Vemula and ‘Us’, *Economic and Political Weekly*, 51(49): 28–30. *JSTOR*, <http://www.jstor.org/stable/44165928>. Accessed 18 Sept. 2023.
- J.A.Fagan & Campbell, (2020). *Race and Reasonableness in Police Killings*, 100 B.U. L. REV. 951, https://scholarship.law.columbia.edu/faculty_scholarship/2656
- Jouhki, J. (2009). Orientalism and India. *J@rgonia*, 4 (8): 1-20. Retrieved from <http://urn.fi/URN:NBN:fi:ju-20095111570>
- Looney, J. W. (2009). Neuroscience’s new techniques for evaluating future dangerousness: Are we returning to Lombroso’s biological criminality, *UALR L. Rev.*32, 301.
- Marcoux, J. & K. Nicholson (2018). Deadly force: Fatal encounters with police in Canada: 2000-2017. CBC. Retrieved from <https://newsinteractives.cbc.ca/longform-custom/deadly-force>
- McDonald, J.M. (2016). Ferguson and Baltimore According to Dr. King: How Competing Interpretations of King’s Legacy Frame the Public Discourse on Black Lives Matter, *Journal of the Society of Christian Ethics*, 36(2):141–58. <http://www.jstor.org/stable/44504842>.
- Moffatt, E.M. (1920). *The Criminal Castes of India*, PhD Dissertation, New York: New York University.

- Obregón, A.Q. (1974). The marginal pole of the economy and the marginalized labour force, *Economy and Society*, 3(4):393-428. DOI: 10.1080/03085147400000
- Radhakrishna, M. (2001). *Dishonoured by History*, New Delhi: Orient Longman.
- Roy, S.C and R.C. Roy (1937). *The Kharias*, Ranchi: Man India Office.
- Russel, R.V. (1916). *Tribes and Castes of Central Provinces*, London: Macmillan & Co.
- Sen, R. (1988). *Social Banditry in Bengal*, Calcutta: Ratna Prakashan.
- Singha, R. (1998) *A Despotism of Law: Crime and Justice in Early Colonial India*, Delhi: Oxford University Press.
- Singhadeo, G.L. (2020). Sabar Porichiti, in *Sabar Bhasya*, Unedited vol., Purulia: Poschim Banga Kheriya Sabar Kalyan Samiti.
- Sinha, D. (2010). *The Hill Khariya*, Calcutta: Anthropological Survey of India.
- Streeter, S. (2019). Lethal force in black and white: Assessing racial disparities in the circumstances of police killing, *The Journal of Politics*, 81(3):1124-1132.
- Vartika*, July-December 1982.
- ‘Aaj sabarer Maynatadana’, *Ajkal* (Bengali Newspaper), Kolkata, 25th February, 1998.
- ‘Budhan Atmahatya Kare ni’, *Leaflet*, Paschim Banga Kheriya Sabar Kalyan Samiti, Bartaman, Rajnoagarh village, Purulia, 15th May, 1998.
- ‘Continuous Harassment by police forces Pardhi woman to commit suicide’, *Hunger Alert Case*, Asian Commission on Human Rights, 2017.
- ‘Janma 1871 khristabda: Mahashewta Devi’, *Ajkal*, Kolkata. 3rd October, 1998.
- ‘Manniya Pulish Montri Somipesu’, *Ajkal*, 09.07.1998.
- ‘Order on exhumation of body’, *Statesman*: Calcutta, 24th February, 1998. ‘Paschim Banga Kheria Sabar Kalyan Samity vs. State of West Bengal & Others’, Case No. 3751/1998.
- ‘Police-involved deaths on the rise across Canada’, *Canadian Civil Library Association*, 23th February, 2023**
- ‘Puroskarer taka sabarder dan korlen Mahashweta’, *Anandabazar Patrika*, (Bengali Newspaper), Kolkata 16th May, 1998.
- ‘Purulia jele bondir mrityute warden suspend’, *Anandabazar Patrika* (Bengali Newspaper), Kolkata, 11th March, 1998.
- ‘Puruliya jele mrita sabarer strike khotipuroner nirdesh’, *Bartaman*, (Bengali Newspaper), Kolakata, 8th July 1998.
- ‘Shabarer deha kabar theke tule tadanta’ *Bartaman*, (Bengali Newspaper), Kolkata, 25th February, 1998.
- ‘State Vs. Sri Ashok Kumar Roy and Ajoy Kumar Sen’, Session Case No. 43/2001, Trial No. 25/2003, CIS Registration No. 1119/2015, the 17th February, 2023, First Track Court No.2, Purulia.
- West Bengal State Archive, Kolkata, *Judicial Department, Judicial Branch*, January, 1872, Proceedings No. 237
- West Bengal State Archive, Kolkata, *Judicial Department, Judicial Branch*, January, 1872, Proceeding No. 238
- West Bengal State Archive, Kolkata, *Judicial Department, Judicial Branch*, January, 1872, Proceeding No. 239
- West Bengal State Archive, Kolkata, *Judicial Department, Judicial Branch*, April, 1872,

Proceeding No. 83

West Bengal State Archive, Kolkata, *Judicial Department, Judicial Branch*, August, 1872,
Proceeding No. 185

West Bengal State Archive, Kolkata, *Judicial Department, Police Branch*, March, 1868,
Proceedings No. 119.

West Bengal State Archive, Kolkata, *Judicial Department, Police Branch*, August, 1876,
Proceeding 37-38

West Bengal State Archive, Kolkata, *Judicial Department, Police Branch*, August, 1876,
Proceeding 33

