

EXCLUDING THE ‘EX-CRIMINAL TRIBES’: UNDERSTANDING DOMINATION AND INTERPLAY OF CASTE IN INDIA

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ABSTRACT

The ‘Ex-criminal Tribes’ of India comprise a significant population in our country who were once declared as ‘Criminals’ by the British with the enactment of Criminal Tribes Act, 1871. These tribes, now referred as ‘De-notified’ tribes, continue to remain stigmatized and discriminated by dominant sections, deprived of access and excluded of opportunities to exercise the basic human rights. Caste as a character of societal structure played a significant role. This paper emerged out of an empirical research undertaken as part of the pre-doctoral study. It is sincere attempt to bring to the forefront the views and experiences of the Ramoshi tribes in Maharashtra about being “De-notified” in society. It illustrates the responses of other dominant sections in society about how they perceive the ‘Ramoshis’. The ‘Ramoshis’ were one among many tribes, declared as ‘Criminal’s by the British. The caste structure interplayed within the context leading to exclusion in context of livelihood, access to common resources available at villages, employment opportunities, participation and representation in village decision making processes, appropriate treatment by other sections of society, etc. The paper exemplifies the existence of power relations and interplay of caste politics with the reality of social exclusion existing among the tribal. This exploratory research, qualitative in nature, adopted a Case study approach which helped the researcher to understand the reality of the De-notified tribes.

Key words: Ex-criminal tribes, interplay of caste, criminalization, exclusion

The Ex - criminal tribes of India

India is a nation characterized by plurality and known for its diversity. It is a nation of people belonging from diverse cultures, religion, ethnicity, castes and sub-castes. The tribes of India are known for their diverse and rich culture and practices. However the realities of the tribes in the country have gradually changed over the years. Among many tribal communities in India a significant population of marginalized tribal communities in were once classified and declared as 'Criminal Tribes' with the declaration of Criminal Tribes Act in 1871. With the enactment of the Act, these tribesmen were registered and notified as 'Criminals' in society. Their movements and actions were restricted by the British government; elaborate arrangements were made for their surveillance and settlements were made in different corners of the country to separate them from other sections of society. Several versions of the Criminal Tribes Act were enforced upon these tribal communities during the colonial period between 1871 and 1947. None of the versions were amended for the betterment of the population. They were segregated and treated indifferently and unequally from other sections of society. The Criminal Tribes Act notified these tribes as 'born criminals' in society. With the end of the colonial era and beginning of independent India, the law was declared as inhuman and 2,300,000 tribal were decriminalized with the repeal of the Criminal Tribes Act in 1952. However the population was further classified and notified as the habitual offenders in 1959 with the enactment of 'Habitual Offenders Act' in 1959. Some of the de-notified tribes were nomadic in nature; they were wandering communities, earning their livelihood through various traditional occupations distinct to their tribe. A significant population of De-notified tribes in our country are deprived and denied of their basic rights to shelter, food, education, health, right to live with dignity etc even today. They are subject to stigma and discrimination not only in the hands of polity, society, state machinery etc but also in the hands of other dominant sections of the society.

The Ramoshi tribe is one among many of the tribes declared as 'criminal tribes' by the British during the colonial period; however in later years as well the tribe continued being subjected to stigma and discrimination. The tribe continues to remain notified and labelled as criminals and the society has failed to reintegrate them in the mainstream. The de-notified tribes were majorly wandering and nomadic communities. Some of them were warriors, some were hunters. The

Ramoshis were warrior tribes, they were brave and dedicated. As situations changed during the colonial period, the Ramoshis became actively involved in the uprising against the British. Sooner they were classified and declared as criminals, restricting their movement and actions in the country. The tribe suffered in the hands of state, polity and other dominant upper castes in society.

Methods and Techniques

This empirical study is undertaken with a qualitative research paradigm in order to explore the reality of the De-notified tribes with reference to Ramoshi tribes of Maharashtra. The journey of this research began with exploring various literatures about the de-notified population helping to understand various contexts pertaining to the social reality of the subject of the study. The literature review helped to develop an in-depth understanding about the de-notified tribes at large and identify the areas still unexplored and untold about the tribe which demanded further inquiry. The qualitative research paradigm provided a platform to understand the social reality pertaining to a context and allowing the research process to be non-linear, iterative, and responsive to the field situation and remain context specific. The research followed an exploratory research design with a case study methodology. This qualitative study had adopted an interpretive paradigm (Burrell & Morgan, 1979). The research was conducted with Ramoshi tribe residing in Phaltan taluka of Satara district in Maharashtra. The participants of the research were individuals belonging both from within and outside the Ramoshi community. The participants were individuals from different age groups. Apart from individuals within the community, the participants included individuals from other dominant castes, police personnel from local police station and a school teacher residing in the village.

The researcher had used multiple research techniques in order to ensure and increase reliability and validity in findings of the study. Triangulation method (Mason, 1996:25) was deployed using In-depth unstructured interview, focused group discussion (FGD) and Non-participant observation methods for the purpose of data collection. The responses of participants were recorded, translated in English and verbatim transcripts were developed followed by case narratives. Case narrations were developed from the transcripts and analysed individually. A

Cross case analysis method was used to analyse the cases. A group of common themes emerged from it, which were discussed and confirmed with the interviewees. The researcher captured the theme or pattern prominent in cases based on the subject of the study. The unique themes or patterns arising were further analysed. The cases narrations were developed into individual case studies using principles of thematic analysis.

Analysis and Discussion

The voices of the Ramoshis were presented in the study through different case studies. The responses of the participants led to emergence of different themes. Several themes emerged out of the responses of the participants which elaborated upon the history of the community, how the community has been forced to criminalization and the compromised occupational pattern, leading to involvement in Crime, their experiences of stigma and discrimination, exclusion from representation in local self-governance, poor treatment by local police officials and impact of criminal labelling on everyday lives of the Ramoshis. The Cross case analysis technique was further used to analyse the data across the cases in order to identify similarities and differences of responses from participants both within and outside the community. By identifying similarities and differences, the researcher sought to provide further insight into issues concerning the research. The researcher had studied multiple cases both within and outside the community to build a logical chain of evidence (Yin 1994: Miles and Huberman 1994).

It is interesting to know that all the participants, both within and outside the community, commented on the importance of the *history of the community* and how crucial it has been in shaping their lives. Their responses mentioned majorly about the declaration of the Criminal Tribes Act, 1871 and how it changed their ‘images’ in society; their livelihood means were affected, how they face discrimination even today and how they are unfairly treated by the police personnel in the villages and by other dominant castes there.

The responses of the participants about the *background of the community* emphasized that due to wandering nature of the tribes and occupation based caste system adhered to the tribe, they were majorly involved in occupations like watchmen and guards post-independence. They used to

work for the upper dominant castes in guarding their properties etc. During the struggle for freedom with the British, the tribe was involved in the uprising against the British in the leadership of *Umaji Naik*. They also worked as brave warriors in the Maratha leadership. However post-independence, after the repeal of the Criminal Tribes Act and enactment of the Habitual offenders act, the tribesmen were distributed with lands; the tribes were decriminalized but further classified into 'De-notified tribes. The lands given were majorly in hilly areas and not fertile enough for cultivation to earn their livelihood. They continued remaining stigmatized and were often compelled by the dominant sections to work for their personal advantages. The history of the community eventually led to *entanglement in criminalization* of the tribe and their *occupational patterns* were compromised. The occupation based caste system played a significant role in shaping the occupational pattern of the Ramoshis. Regarding the present occupation status of the Ramoshis, the responses of the participants highlight that some of the Ramoshis work as cheap agricultural labours in the fields of other dominant castes in the villages, some of them run illegal liquor business and are themselves victims of substance abuse. The tribe was majorly nomadic in nature and post declaration they were imprisoned in settlements where they had hardly any freedom. The tribe soon ran away from the settlements. They did not have any specific skill and according to the Jajmani (*Balutedari*) system prevalent during that period, all castes had specific jobs to earn their livelihood. Once labelled, it was difficult for them to get employment and they started working for upper caste communities, who used them for personal purposes. The Ramoshis involved in criminal activities like theft, plundering, kidnapping, blackmailing etc. The Policemen and other dominant sections in the villages continued oppressing them. They used to offer food grains and crops in exchange of criminal activities. The Ramoshis in order to feed their family continued their *involvement in crime*.

The location of houses of Ramoshis in villages was majorly outside the village, away from the main village. The responses of the participants emphasized that this was majorly due to low acceptance of the community in the village. Being located outside the village also restricted involvement of the Ramoshis in village activities. Thus the occupational pattern, oppression by upper castes, the general perception of people from other communities contributed significantly

in *stigmatizing the community*. They continue being subject to *social exclusion and discrimination* even today. Some of the participants expressed that sometimes even though the Ramoshis are not involved in agricultural theft, they were observed suspiciously by other communities. Even Policemen arrest them without any formal procedure but on prior assumptions based on their historical background. The involvement in village activities and representation in Panchayat (local self-government institution) meetings was merely there. They were not included in any of the village meetings and hence had no voices in decision making process of the village. There was no representation of the tribe at the Panchayat level. Their voices remain unheard even today. *Under-representation in Panchayat (Local self-government institutions)* as well as in village meetings prevents their issues to be brought up and discussed in society at large. Although days have passed and times have changed, the label of criminal is still attached to the community affecting their everyday lives.

Conclusion

The study was an attempt to bring to the forefront the voices of the Ramoshi tribes about being living as ‘De-notified’ in society. It was a sincere effort to portray the reality of the tribe through their lenses. The study was conducted with reference to Ramoshi tribes in Maharashtra residing in Phaltan Taluka, Satara District. It narrates how the Ramoshis perceive their own lives, their issues, challenges and difficulties, what affects them the most their untold experiences of living discriminated and unfairly treated in society. The responses of the participants clearly throw light upon the situation of the tribe, how the historical background of the community still plays a dominant role in labelling the tribe and stigmatizing them. The tribe is forced to criminal activities due to lack of specific skills and livelihood opportunities. The occupation based caste system plays a prominent role in terms of domination by the higher caste such that the Ramoshis have poor involvement in village activities and decision makings. The tribe being constantly seen with suspicion by the local police officials affects how they are perceived as ‘others’ in society. This result in experiences of discrimination and the tribe is excluded of opportunities and deprived of their basic rights. The tribe continues living being ‘De-notified’ in society even today.

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