

## TRUTH, KNOWLEDGE AND POWER

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### Abstract

*This short commentary is a response to an article, “Colonial Construction of a Criminal Tribe: Yerukulas of Madras Presidency,” penned by Ms. Meena Radhakrishna. I try to evaluate it in light of several concepts and ideologies. This include, viewing it from the lens of ‘law and society’ and tying it with broader ideas of Truth, Knowledge and Power, as propounded by Michel Foucault. This commentary attempts to look at a larger picture concerning the British colonization.*

## INTRODUCTION

Meena Radhakrishna, in her article, “*Colonial Construction of a Criminal Tribe: Yerukulas of Madras Presidency*,” talks about how the British Administration by way of legislation, criminalized the Yerukula tribe and the effects that followed it. The Yerukula Tribe is a community that was once involved in salt and grain trade. The community also constituted of acrobats, singers, dancers, street entertainers, etc. However, due to numerous reasons and prejudices, the British Administration criminalized them. Once they were labeled as criminals, they had to be reformed by the British Administration. They did this with the help of Salvation Army, which was a missionary organization, who were put in charge of the special settlement, Stuartpuram where the Yerukula community were interned. Although they call this process reformatory, Meena Radhakrishna notes that the spirit behind them was more punitive. The article then proceeds to look at how the Yerukulas were forced to ‘reform’ and change, which included changing their lifestyle, their practices, their occupations. Finally, she concludes by stating how, the current generation of the Yerukula tribe believes that their ancestors were dangerous criminals, thereby showing how the criminalization project was successful.

## ‘LAW’ AND ‘SOCIETY’

The project of criminalizing the Yerukulas, in order to reform and settle them, created a great impact on how this tribe is perceived even today. This can be understood in many ways. Firstly, it portrays the interplay between law and society. It reiterates the argument propounded by several law and society advocates that the relationship between law and society is not just one way bound, rather, it goes both ways and is congenital. As said by Lynn Mather, law is not autonomous to the social world but is rather embedded within the society.<sup>1</sup> The discipline of law and society rests on the belief that legal rules and decisions need to be understood in context because law reflects and impacts culture, reinforcing inequalities.<sup>2</sup> This reading is a classic example to show how law can shape up the society and effect the social relations. The British Administration, under the Criminal Tribes Act, 1871, labeled Yerukulas as criminals. This legislation- the law, affected this tribe so much so that, today’s generation of Yerukulas believe that their ancestors were criminals and that their tribe was, in fact, a criminal tribe. This is similar to how Hijras, who were treated with respect in

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<sup>1</sup> Lynn Mather, *Law and Society*, The Oxford Handbook of Law and Politics (2008)

<sup>2</sup> Lynn Mather, *Law and Society*, The Oxford Handbook of Law and Politics (2008)

pre-colonized India, have become a subject of humiliation, discrimination today due to the very same reason of being criminalized by the British Administration under this act.

### LEGAL FACT v. HISTORICAL FACT

It is interesting to note how an apparent 'fact' that Yerukula is a criminal tribe overshadowed the 'other' fact that they were in fact traders of salt and grain, for a very long period of time until the British Administration decided to label them. All that the younger generations now know about their ancestors is what the British portrayed them to be, that they were criminals. This was because, as a part of the settlement program- when they were put to reside in, the children were kept away from their parents and were allowed to meet them only once a week, on Sundays- for Church. This was strategically carried out by the Salvation Army to ensure the truth doesn't pass down the generations and it is needless to say that they were successful at it. Such a fact repression and creation also reminds us of how Marc Galanter talks about the difference between facts in the legal materials and an evident conflict between lawyers and historians concerning logic of authority and logic of evidence. While lawyers look to the legal authority, historians look beyond it, at the real evidence. The existence of this dichotomy is also another pillar on which the study of law and society rests on. Chandra's *Death*<sup>3</sup> and the *Princely Imposter* also portray this connection between a historical/real fact being superseded by the 'legal' fact. In Chandra's *death* we see the legal materials constructing a completely new factual matrix which overshadowed the original truth and similarly in the '*A Princely Imposter*'<sup>4</sup>, official notices and rules made sure people are convinced to forget and erase certain facts and instances from their memory, thereby creating an alternative factual discourse.

### ORIENTALISM

It is true that the Criminal Tribes Act has criminalized Yerukulas and it affected them to a very great extent. We may now emphasize on who made this law and see why this becomes important. The fact that this law came into force during colonization, by the colonizers becomes very crucial here. As Sandria Freitag noted, the British Colonial rule, along with the bringing of rule of law, also brought with it emergency legislations designed to control large groups of people that it deemed to be a threat to its authority, through extraordinary

<sup>3</sup> Ranajit Guha, *Chandra's Death*, Subaltern Studies V (Delhi: Oxford, 1987), pp. 135-165.

<sup>4</sup> Partha Chatterjee, *A Princely Imposter? The Kumar of Bhawal And the Secret History of Indian Nationalism*, Princeton University Press (2002)

measures. This is exactly what had happened with the Criminal Tribes Act and Yerukulas. Similar to what Henry Schwarz says about the Anti-thuggee campaign, this also seems to be a draconian extermination of a type of life that was no longer deemed viable under the interests of the British.<sup>5</sup> How did they deem which kind of life style is viable or not? They juxtaposed the Indian itinerant communities with the gypsies of Europe and applied all the prejudices here.

This is again a classic example of the West applying known information and knowledge to the unknown facts concerning the 'others' and creating knowledge, epistemology, which resulted in a sea of stereotypes.<sup>6</sup> This is because, as per *Orientalism*<sup>7</sup>, rationalization for European colonialism is based on a self-serving history in which the West constructed the East as extremely different and inferior, thereby giving them the power to intervene and rescue. Colonial settings were immense laboratories wherein categories were created to identify and define the large quantities of new knowledge that was present half way across the globe. These categories were based on vast amounts of confusing and unfamiliar data compiled by the servants of the Empire and interpreted through pre-existing habits of thought developed in Europe.<sup>8</sup> It was least of their concern that their interpretation did not fit the facts or the ways that colonized subjects understood them. If something was not according to their beliefs and practices, it was deemed wrong and inferior. This is why they wanted everything to abide by the Catholic, Victorian morals, which is also seen in the reading where the Salvation Army restructures the position and role of women in the tribe by transforming them from hard workers and bread earners to a domesticated position where all they were meant to do was to cook, take care of children and look beautiful.

As Said noted, most of these stereotypes are more often than not, represented by the local politics. This can be seen in this reading as well, where most of the information about the Yerukulas was given to the British Administration by the local high caste, landlord sections who shared similar prejudices against this tribe, due to various reasons.

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<sup>5</sup> Henry Schwarz, *Constructing the Criminal Tribe in Colonial India- Acting like a Thief*, Wiley-Blackwell (2010).

<sup>6</sup> Edward Said, *Orientalism*, New York: Vintage (1979)

<sup>7</sup> *Ibid.*

<sup>8</sup> Henry Schwarz, *Constructing the Criminal Tribe in Colonial India- Acting like a Thief*, Wiley-Blackwell (2010).

## KNOWLEDGE AND POWER

This takes us to the final theme I wish to relate this reading with, that is of Knowledge and Power, as propounded by Michel Foucault.<sup>9</sup> He says that power produced knowledge and they both imply one another. According to him, there is no power relation without the correlative constitution of a field of knowledge, or any knowledge that does not presuppose power relations. Therefore, to understand the formation of knowledge, we must consider the power dimensions within which it was produced. Knowledge is a major resource of power and the will to knowledge is the instrument of power. This explains the British Administrations efforts to categorize, criminalize certain groups of people, as seen above, who they deem to be dangerous to their regime, thereby creating knowledge, a fact.

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<sup>9</sup> Alan Hunt, Gary Wickham, *Foucault and Law: Towards a Sociology of Law as Governance*, Pluto press (1994)