

Property's Guardians, People's Terror

Police Avoidance in Colonial North India

Gagan Preet Singh

Introduction

In 1862, in Thaneshwar, a small town one hundred miles northwest of New Delhi, two colonial officials prepared a unique kind of map.¹ They intended to eradicate cattle-stealing, which they believed was widespread in the Thaneshwar district. Over the village map of the district, they mapped the tracks (*khoj*) of the 166 cases of cattle theft known over the past five years, which had been followed by professional trackers called *khojis*.²

Averaging only twenty-eight per year, the number of cases known to colonial officials was insignificant and hardly warranted such a serious mapmaking effort. How can we explain this anomaly between the insignificant numbers of known cases and the officials' anxieties over rampant cattle-stealing? As this article explains, the few reported cases represent only a fraction of the actual number of incidents, since victims of cattle theft did not report cases to police. Instead, victims usually traced the stolen cattle themselves, often with *khojis'* or informers' help. Though their actual engagement with the police was far more complex than outright rejection, most victims of cattle theft avoided police entirely or went to the police only months after losing their cattle. Others approached the police to pressure thieves to return their cattle. For almost a century, colonial officials wondered why rural Indian people were so determined to avoid the police, which seemed to defy their self-interest.

Radical History Review

Issue 137 (May 2020) DOI 10.1215/01636545-8092774

© 2020 by MARHO: The Radical Historians' Organization, Inc.

Why did victims of theft avoid the police and the courts, whose very purpose was to apprehend thieves and to restore stolen property?³ By tracing the history of cattle-lifting and tracking in colonial Punjab, particularly the proceedings of the Karnal Cattle Lifting Case (1913), where a special court was instituted to try cattle thieves of Karnal district, this article argues that people in colonial India came to harbor a deep distrust of the police force and avoided it. They reluctantly engaged with police and resorted to tracking or other strategies to recover their property, relegating police to a marginal role. The Karnal case reveals how a range of victims responded to cattle theft. In addition to interpreting the notes of colonial officials, I explain how police and *khojis* investigated cases on the ground in order to understand why rural Indian people distrusted the police.

The colonial state's focus on cattle theft, and police avoidance, emerged in a broader context defined by a colonial, economic transition. The colonial occupation in northern India unleashed a process of capitalist transformation from an agropastoral economy to one enmeshed in global capitalist circuits and grounded in notions of private property. In mid-nineteenth-century colonial northern India, the British relied on the codification of criminal law backed by police power to enforce the sanctity of property.⁴ Colonial police served the interests of the propertied classes while also maintaining colonial rule, often by relying on violence.⁵ As I argue, the police force's duty to protect private property often conflicted with its duty to maintain the stability of colonial rule. The repressive character of the police force led people to avoid it, which undermined police interventions to secure the institution of private property. Furthermore, police, and the codified laws they enforced, turned out to be highly ineffective at dealing with cattle theft.

I begin the essay by examining how colonial police used repression to maintain colonial domination and tried to enforce the capitalist idea of private property by enforcing colonial criminal laws. As I explain, these colonial notions of individual property rights conflicted with indigenous understandings in which communities laid shared claims over property. The colonial demand that people adopt the idea of private property had a destructive impact on their lives. While colonial law and police often failed to deal with cattle-stealing, they succeeded in eroding the authority of the community-led institutions that handled cattle theft, as seen in the British decimation of the *khoj* system, which upheld the principle of community ownership. Their efforts to create legible, individual notions of ownership through schemes like cattle branding did not receive the approval of people, who continued to avoid the police and colonial law. I focus on the Karnal case, which illustrates how the efforts of the police and courts to act as guardians of property only worsened the plight of victims of cattle theft, whereas cattle thieves adapted to colonial law. Under these circumstances, it is no surprise Indian subjects avoided and worked beyond police. The essay suggests that they considered police and the courts not only unnecessary but actively involved in their victimization and in the protection of powerful men

involved in cattle-lifting. The introduction of colonial capitalism and policing exposed people to unknown risks and compelled them to embrace new ideas of justice and private property that replaced their own worldviews. The essay recounts how Indian people avoided the colonial criminal justice system, including police, to reveal their longing for a world without them.

Police and the Colonial Order

From its beginnings with the British East India Company's incursions in the seventeenth century, the British Empire in India reached its zenith in the mid-nineteenth century. Rising to dominance through the British Indian Army, by the time of the 1857 rebellion against British rule, the nature of British domination in India changed, witnessing a reconquest by law to be upheld by judges and policemen.⁶ This period also saw the enactment of several criminal legal codes. British officials expected codified laws to end the chaos that they believed characterized the earlier criminal administration and to lay the firm foundation for a new, stalwart criminal justice system.⁷ However, as discussed below, the colonial police and new legal codes were ultimately obstacles in the path of achieving justice.

Each province maintained a police force to uphold colonial rule. The police, mostly composed of poorly paid "natives," came to be known for their petty tyranny.⁸ Though established to uphold the rule of law, the police, as the historian David Arnold has argued, often "usurped the role of judge, jailor and executioner."⁹ Since their work was characterized by violence and severe treatment, policemen were among the most detested public servants in colonial India. Institutions of policing had also existed in precolonial India, but after the colonial conquest, as the historian Nandini Gooptu notes, "the police force was constituted as a centralised paramilitary constabulary" that assumed "an overtly military character."¹⁰ The police became brutal guardians of the public order.

People in colonial northern India limited the police's role in society by refusing to let it dominate their everyday lives. Drawing on Michael Adas's scholarship on colonized people's "modes of protest oriented to avoidance rather than confrontation," I argue that ordinary people resisted not by confronting the police but by avoiding them.¹¹ For instance, in mid-nineteenth-century Bengal, at the news that a police party was approaching, villagers often deserted their towns and markets en masse.¹² In colonial north India, people refused to rent their houses to policemen.¹³ Even a police reorganization committee noted that, by the end of colonial rule in 1948, the policeman "was looked upon as a terror to be avoided at all costs."¹⁴ But this essay also shows that the reasons for police avoidance were far more complex than simple dislike.

The history of cattle-lifting in colonial north India affirms how victims rejected police authority in their everyday lives. For example, in 1911, a police officer named Macpherson counted only 141 cases of cattle theft and 1,380 cases of

“strayed” cattle in Karnal, a district in southeastern Punjab.¹⁵ He estimated, however, that the actual number of cases of cattle theft totaled 3,219 incidents. In his view, reported cases of “strayed” cattle were in reality cases of theft. Only when victims had exhausted “all chance of recovery” after several months did they report their cattle had “strayed.” According to Macpherson’s estimate, over 50 percent of the actual cases were never reported to the police, which embarrassed the police.¹⁶ Beyond victims’ reluctance to report their stolen cattle, the police often refused to intervene in cases of cattle theft, insisting that the livestock in question had merely “strayed” from their home. Their reluctance was shaped by their inability to gather convincing evidence to present in the courts, which relied on rigid legal codes; their apathy toward the victims; and their connections with cattle thieves.

To understand this complex history, an understanding of how the British attempted to mobilize colonial law is also needed. Through the language of the new legal codes, British rulers tried to introduce new moral ideas.¹⁷ They expected Indian people to espouse new notions of private property rooted in capitalism. The colonial legal system was the main force behind this project of moral transformation, whereas the police and courts were expected to enforce it.¹⁸ However, as I discuss below, the history of cattle theft suggests that the codified colonial laws, police, and courts could not establish these new notions of property.

Cattle Ownership in Colonial India

In their precolonial traditions, people shared an idea of ownership rooted in “community values and identities.”¹⁹ In contrast to the notion of individual capitalist ownership that the colonial state introduced in the mid-nineteenth century, Punjabi communities often asserted communal ownership over cattle and grazing lands. The idea of cattle ownership and cattle theft were linked. The British officials often called cattle theft “the national sport of Punjab,” as people considered it “far from criminal.” Associated with notions of manhood and community honor, as historian David Gilmartin has explained, “cattle stealing had long involved the competitive raiding of community grazing grounds, and was . . . associated with the protection of clan livelihood and the defense of community honour.”²⁰ As a colonial official mentioned in a report, a youth was not considered a man and not allowed to wear a *pugri* (turban), a symbol of manhood, until he successfully stole an animal.²¹

Indigenous notions of ownership were also fluid. For instance, victims of theft were often satisfied with the recovery of animals that did not belong to them. They rarely insisted on the return of their original animals. A buffalo could change hands several times, by theft and by sale, thereby making it almost impossible to establish original ownership.²² Colonial officials were perplexed by this arrangement and strongly objected to it.

Moreover, as a last resort, many Indian people negotiated with thieves and paid them *bhunga* (ransom money) to recover their cattle, thereby compromising

the institution of private property. The British opposed this arrangement, believing that it was not the appropriate response of a victim of cattle theft. Instead, a victim should register a complaint with the police. This was crucial, as clearly established rights of property vested in the individual laid the foundation of social order. “Imbued with nineteenth century ideas of political economy,” Gilmartin argues, colonial rulers perceived high levels of cattle theft as suggestive of the low moral level of the population.²³

The sanctity of private property was crucial to British efforts to fundamentally reorder the society and economy of rural India around capitalism. Specifically, cattle ownership would help establish a prosperous agricultural economy.²⁴ However, many Indian people’s attitude toward cattle theft threatened these colonial designs. For instance, colonial officials such as Frank Brayne believed that the theft of plough oxen severely damaged agriculture and rural improvement. As Brayne wrote, “Cattle-stealing dislocates agriculture and domestic life, the ploughman cannot plough and the mother cannot feed her children. It discourages the improvement of cattle; what is the good of keeping or breeding good cattle when there is no security of ownership?”²⁵ Pervasive cattle-lifting seemed to impede colonial schemes of agricultural expansion, which brought millions of acres of “waste-land” under cultivation and whose anticipated success sought to legitimize British rule in Punjab.²⁶

Cattle Theft and Codification of Laws

Colonial authorities increasingly relied on colonial law, with the backing of the police and the courts, to facilitate the capitalist transformation of the region. Colonial legal systems recognized only the individual as the owner and refused to recognize any communal ownership claims. The colonial state established “the architecture of ownership” with law as its handmaiden. As historian Debjani Bhattacharyya notes, colonial law was heavily involved in “the making of property,” which was as much an infrastructural project as “an ontological endeavour.”²⁷ Colonial law’s conflict with indigenous ideas of ownership emerged from the state’s failed efforts to instill a new idea of individual ownership and private property.

As mentioned, at the time of the British conquest of Punjab in 1849, communities asserted collective rights over cattle and did not consider cattle theft a crime. In indigenous traditions, village communities were often involved in the recovery of stolen cattle, and other village communities were held responsible for cattle theft.²⁸ Over time, however, colonial legal systems, including police and courts, reshaped the meaning of cattle theft, making it a punishable violation of an individual’s right over his property. These systems refused to recognize all communal claims to property.

In the decade following the conquest, the British cautiously introduced punishment for cattle theft. In eighteenth-century Britain, the state began using capital

punishment for minor property crimes to establish the sanctity of private property.²⁹ However, in mid-nineteenth-century Punjab, officials including John Lawrence, the chief commissioner of Punjab, rejected the idea of capital punishment for cattle theft. In an 1854 letter to the imperial government of India, Lawrence argued that even imprisonment “would be specially injurious for this offence,” since it would “instruct them [thieves] in crime they know not of.”³⁰ Nevertheless, he endorsed milder fines and corporal punishment. The central colonial government ultimately recommended a combination of all: it authorized “both fine and stripes” in cases of cattle-stealing up to the value of fifty rupees, as well as imprisonment with labor in irons for the value exceeding that amount.³¹ This brought cattle wealth within the ambit of a regime of property, as these punishments established individual accountability for cattle theft. Accordingly, the courts recognized only the individual, not the community, as the owner of property.

The introduction of the Indian Penal Code (IPC) in 1862, considered a great achievement for the codification of criminal law in India, reinforced cattle theft as a property crime.³² However, the police and courts often failed to establish individual responsibility as required by the IPC. This law turned out to be entirely unsuitable for cattle theft. In most cases, the alleged thieves were acquitted. The “usual result,” as colonial police officer R. C. Jeffreys put it in 1929, “was to confirm the thief in the possession of his stolen property.”³³ Throughout colonial rule, the judicial trials of cattle theft cases remained highly unpopular and unsuccessful.³⁴

The enactment of other legal codes had further bearing on the cases of cattle theft. For instance, victims of cattle theft often could not prove the identity of their stolen cattle to the satisfaction of judges following the 1872 Evidence Act, which “demand[ed] elaborate proof” that many peasants were unable to produce.³⁵ Though they undermined peasants’ claims to stolen cattle, the courts ironically helped thieves evade the law. “From frequent experience of the law courts,” Brayne wrote, cattle thieves learned what the average criminal court was prepared to accept as evidence and “revised their methods accordingly.”³⁶ For instance, Jeffreys was astonished to note that if police seized an animal, usually two to three men claimed ownership, and many thieves would “also put up some of his friends to do the same.”³⁷ For these reasons, as seen in the Karnal case discussed below, witnesses often criticized the colonial courts. Colonial officer Brayne wrote: “One witness went so far as to say that the law courts belonged to the thieves. In his ignorance of *the law of evidence* he judged merely by results, and when he saw thief after thief return triumphant from Karnal to take his revenge for the temporary inconvenience he had suffered, he had some justification for the charge he levied against the administration.”³⁸

If we accept Brayne’s commentary, the imposition of colonial law, police, and courts (what he called “Western methods”) had only helped cattle thieves. “It appears,” Brayne wrote, “that originally people were left to deal with cattle thieves

by their own methods and these were to a fair degree successful.” As he suggests, colonial law was not only highly ineffective, but it also weakened existing community-led institutions like panchayat in southeastern Punjab, which had previously dealt with cases of cattle theft. To recover their animals, most victims arranged the visit(s) of panchayat (literally, a council of five elders but more often a party of two to three influential men from the victim’s village or the neighboring villages) to confront the thieves. According to “immemorial custom,” panchayats were “entitled to considerable respect and must be given satisfaction.”³⁹ Whomever panchayats charged with theft had to either promise to return the cattle or give the oath of a trusted witness that he was innocent. The victims were sometimes able to recover their animals, but they could also fail. These transactions took place outside the reach of the colonial state. Brayne argued that because of government intervention, “*panchayat* had lost its influence.” Furthermore, he added, because “government has not replaced the old method by any organisation of its own to stop cattle-lifting, the crime has increased enormously and the people are indeed in a parlous condition.”⁴⁰

On the whole, colonial intervention changed the nature of cattle-lifting. While victims “suffered from retaliation by reporting to the police,” thieves often used legal loopholes to discredit evidence against them.⁴¹ Even though panchayats likely dealt with more cases of cattle theft than colonial courts throughout the early twentieth century, their authority had eroded. The courts provided thieves an avenue other than panchayats to prove their innocence—one that was also more powerful.

Beyond colonial law, colonial political policies also impacted cattle theft. To stabilize their rule, the British created a class of propertied men, most of whom were the leaders of communities in precolonial Punjab.⁴² Though these “men of influence” supported the British, they were also equally involved in cattle theft and thus posed a threat to the rule of property.⁴³ Many of them were notorious receivers of stolen cattle; they also facilitated networks of cattle thieves and benefited from their profits. The British response to cattle theft, therefore, entered what Gilmartin has called “a cyclic pattern,” “with periods of strong calls for the suppression of cattle theft alternating with periods in which relatively little in the way of legal resources or attention was brought to bear on the subject.”⁴⁴ On the one hand, many British officials wanted to maintain “local, community-based authority in the Punjab,” which was crucial for the stability of colonial rule, but most community leaders were notorious cattle receivers. British attempts to suppress cattle theft in Punjab could implicate these leaders, which could turn them against British rule. A general crackdown on cattle-lifting thus had the potential to destabilize British rule in Punjab. On the other hand, some officials considered pervasive cattle theft a greater danger to colonial rule, because, as Gilmartin notes, it “threatened to undercut the position of the state as the protector and the legal guarantor of the individual

as a productive owner of revenue-producing property.”⁴⁵ In other words, British efforts to maintain the stability of their rule often led them to compromise on their goal of preserving the sanctity of private property.

Local police were often powerless against the men of influence. In fact, it was in the policemen's self-interest to protect powerful cattle receivers (*thangdars*). As Macpherson wrote, the station house officers in charge of police stations “never willingly proceeded against Thangdars.” Apart from being bribed by them, the police officers also felt “under obligations to them for invaluable assistance in the working out of important cases, other than cattle [theft].” Out of their “gratitude,” they rarely took any action against the receivers. Thangdars were often recognized as more powerful than local police officers.⁴⁶

While deferential to *thangdars*, police officers were indifferent to victims. The police discouraged the reporting of cases and often registered cases of theft as that of strayed cattle to avoid holding any inquiries.⁴⁷ Further, as we will see in the Karnal case, several prosecution witnesses “hinted or boldly asserted that [the] Sub-Inspector took money to abandon clear cases against cattle thieves.” Brayne noted: “The singular failure of the police and the law courts to cope with this form of crime has utterly destroyed the confidence of the people in both, and the only use now made of either is to exert a certain amount of pressure on the thief, which with the help of a *panchayat*, may enable people whose cattle have been stolen to recover a certain proportion of them.”⁴⁸

Though in theory criminal law had established the individual's right of property, the institutions expected to uphold this right—the police and the courts, and even the legal code itself—failed to serve this purpose. Victims thus avoided the police and courts, as these colonial institutions had little relevance to their daily lives. Colonial intervention undermined community-led institutions like *panchayat*. By examining a case study of the *khaj* system in colonial Punjab, I discuss how the enactment of the codes of laws transformed and dismantled effective indigenous practices associated with cattle-lifting.

The Khoj System: A Case Study

The history of the *khaj* system reveals how the development of colonial law undermined a crucial resource for victims of theft in the recovery of their animals. As a precolonial indigenous system of policing, the *khaj* system had a different relationship to the institution of property than colonial policing, as it worked on the basis of village or community responsibility. *Khojis*, who were well known in the upland region of northwestern Punjab and pastoralist tracts of southeastern Punjab, were hired by people to trace their stolen property.⁴⁹

Once *khajis* traced clues of stolen animals, communities intervened to recover the stolen cattle. Early in their rule in Punjab, during the transition from precolonial to colonial rule, British officials adopted the *khaj* system and enacted

a law to recognize it.⁵⁰ According to the British, the “natives” well understood this system. As colonial official Sir Henry M. Elliot wrote, the khoj system “sprung up under native rule” but was “allowed to remain in operation under the [early] British administration.”⁵¹ If the tracks of cattle thieves were carried to a certain village and no further, and the landholders of that village withheld their assistance and opposed a search, they were held liable for the value of the stolen property under the khoj system.⁵²

British acceptance of the system, however, depended on whether or not they found khojis reliable. Several colonial officials perceived khojis as a useful aid in solving crime, but other officials and judges did not trust and thus undermined khojis. The first annual administration report of the new government in 1849–50 emphasized the usefulness of khojis. By employing khojis, the administration could detect crimes that were “otherwise inscrutable.”⁵³ As the report noted: “The acuteness of external sense displayed by these men, themselves denizens of the wilds, approaches almost to an instinct. Although the ground is overgrown with grass, and is, from its harshness, unsusceptible to impressions from footsteps, yet these human blood-hounds have been known to follow the thief and his stolen cattle for fifty, eighty, and even one hundred miles.”⁵⁴

Their uncanny skills, which colonial officials often compared with “animal-like instincts,” made khojis the object of both disgust and admiration. By showing considerable faith in “the employment of skilled trackers,” the colonial state gained relevance and legitimacy in rural areas by adapting to “the habits and feelings of the people.”⁵⁵

During this period of transition, the state adopted an equally flexible approach toward the problem of cattle theft, as it adapted to “native feelings.” In the 1850s, British officials usually did not interfere in cases of cattle theft “unless requested to do so by the aggrieved party” and let people work out these cases themselves. And even when they intervened, to consolidate their rule in the colony, they did not enforce the idea of private property. Rather than merely transpose Western ideas of law and property wholesale and risk inciting resentment, colonial administrators in Punjab emphasized “a local administration and adaptation of laws.”⁵⁶ As one colonial official argued in 1856, whenever he “traced stolen cattle to any particular tribe,” he made it a point to seize “all the people of that tribe” until they made restitution, and then made “their head men answerable for their future conduct before” he released them.⁵⁷ In other words, the colonial official held not individual(s) but the community as a whole responsible for cattle theft. Moreover, he did not think it necessary to punish the community with imprisonment. The judicial commissioner of Punjab had commented that this arrangement was not “in accordance with the prescribed one, yet he [the officer] has adapted to the habits and feelings of the people.”⁵⁸ Colonial officials were not upholding the individual’s right of property, but instead affirmed the rights of communities.

By the early 1860s, however, the period of transition came to an end. As discussed, with the introduction of the codified law as exemplified by the IPC and Indian Evidence Act, the khoj system lost its relevance. Alleged thieves learned to challenge the findings of a khoji in the courts, which often distrusted khojis. Colonial officials believed the khoj system was falling into disuse “partly because little weight is attached to a track by the Magistrate”⁵⁹ and because of the “more strict proof now required both by the Magistrate and the Appellate Courts.”⁶⁰ The courts suspected the evidence of khojis. As Colonial Hutchinson, the chief of police in Punjab, argued, khojis’ evidence was of “a nature to suffer more than other evidence from the modern habit of requiring corroboration.” He argued that colonial courts were “accustomed to balance probabilities by a European standard.” They found it “difficult to credit the recognition of a foot-print by a poor uneducated creature [khoji],” as there was “a feeling that the man may have been bought over, may have testified to save his reputation in his craft,” while there was “no guarantee beyond the tracker’s experience.”⁶¹

Given that the British and indigenous systems of establishing legal truth differed, it is unsurprising that some British officials suspected khojis’ testimonies. As I have elsewhere noted, “judicial officers did not know how to cross-examine a tracker’s evidence, and police had not established procedures to record their evidence.”⁶² The Indian Evidence Act (1872), based on the British laws of evidence, did not contain any rules to record khojis’ evidence.⁶³ With no statutory basis for khojis’ evidence, it was often rejected by the courts.

Hutchinson strongly protested this distrust of khojis, arguing that the strict application of the laws of evidence disadvantaged victims of cattle-lifting. He condemned dismissing khojis’ testimony according to British standards: “Less acquaintance with the people, less observation of the trust reposed by them in these trackers, and stronger sympathy with our own ideas of what is likely to be true than with the people’s judgment as gathered from their daily conduct—all these combine to place tracking in a position more subordinate than before.”⁶⁴

British standards for evaluating the trustworthiness of khojis thwarted the chances of justice for victims of cattle theft. For British colonists, supporting the khoj system was only a temporary measure while consolidating their rule in Punjab. Once they laid a firm foundation of their rule in Punjab, they no longer felt the urgency to “adapt to the native feelings and habits.” Moreover, the khoj system, which invoked the idea of community responsibility, conflicted with colonial law, which upheld the individual’s right over property. To establish capitalist notions of property among Indian subjects, it was necessary to discontinue the khoj system. In 1872, under the mounting concern of controlling crime and to enforce the legality of the khoj system in the courts of justice, an attempt was made to revive the system by enacting the Punjab Laws Act, a set of laws which were unique to Punjab.⁶⁵ But from the late 1870s, the khoj system was rarely invoked. By the end of the nineteenth

century, the police administration reports rarely mentioned it. The withdrawal of state recognition and the introduction of the codified criminal law ultimately dismantled the khoj system, thereby allowing cattle theft to flourish.

Victims of cattle theft continued to rely on freelance khojis to trace their cattle well into the twentieth century. The “highly skilled free-lance trackers,” a colonial official noted, were employed by owners to recover their cattle “without recourse to the lengthy processes of the law.”⁶⁶ An early twentieth-century handbook for the training of European officials mentioned, “As soon as an animal is stolen, the owner makes for the nearest tracker, his best friend on such occasions. If the thief is a local man, the tracker can recognise the footprints at sight but in any case he is able to follow up the tracks at great speed.”⁶⁷ Most victims avoided police help and approached khojis, while thieves, appropriating the language of courts, often called the evidence of khojis hearsay. As a result, the khoj system was becoming obsolete. In fact, it was imperative for the British to suppress it.

Loopholes in the Law

Though colonial legal systems had enforced the notions of property rights vested in individuals, the bodies of cattle, whose individual identities could not be precisely identified, posed a formidable challenge for colonial legal standards of evidence. From the last decade of the nineteenth century, the identification of the animal bodies became a major concern. The bodies had to be made identifiable to bring them within the fold of the law. As Brayne recognized: “Cattle stealing is a curse. The reasons why it still thrives is that no one can prove [in the law courts] without the very greatest difficulty that any particular animal belongs to him. Once an animal can be identified for an absolute certainty, *cattle stealing* must stop as every man caught with other people’s cattle can be easily convicted and imprisoned by the law courts.”⁶⁸

British officials believed that the availability of indisputable records of ownership would solve the problem of stealing, even though stealing formed part of the indigenous rural culture, marking not only the transition to adulthood but also community values. Though British officials acknowledged this cultural meaning of cattle ownership, the inability of the state to accept any meaning of cattle other than as individual property partly explains why Indian people avoided the police, rendering them ineffective.

Colonial police tried to establish absolute notions of ownership by introducing cattle branding and tattooing and establishing ownership registers in colonial Punjab.⁶⁹ The cattle-branding campaign in Punjab (1891–97) reveals how the colonial government tried to create a form of cattle ownership that would be inscribed and regulated by the state. Millions of animals were branded with unique numbers, and their appearance, the deeds of sales, and details of the owners were recorded in registers maintained by the police. The success of the scheme would establish a regime of property rooted in colonial capitalism.

The branding campaign was part of a larger politics of registration. As Jon Wilson argues, the 1860s witnessed “the birth of India’s registration state, obsessed with transcribing information about hundreds of transactions in large ledger books.”⁷⁰ The registration state grew out of the colonial state’s anxieties over a lack of information, where “lawmakers did not know what was going on in the society they governed.” It attempted to make knowable what was considered inscrutable.⁷¹ As part of this project of colonial knowledge making, the state introduced the branding campaign to encroach into the world of cattle-lifting. But it was also to ensure a form of ownership that could be upheld by colonial law.

Cattle branding in Punjab was a gigantic endeavor. For instance, in Karnal district from 1891 to 1895, official statistics (which were unreliable and highly exaggerated) show that 644,889 of 771,000 animals, or around 84 percent, were branded. The campaign was executed by hundreds of policemen, who found the branding duties repulsive, as animals rarely submitted quietly to branding. As one police officer put it, cattle “stampeded at the mere sight of the police.”⁷² However, policemen further undermined the campaign through their negligence, perfunctory work, and high-handedness. They used hot iron plates to brand, which often badly wounded animals, as well as inscribing numbers that were unreadable and thus pointless. In fact, as some reports suggested, police branding parties did little work themselves and extracted forced labor out of the villagers, especially the village poor, to brand animals. It is likely that the police also relied on violence to force the village poor to execute branding operations.

People suspected the official motives of the campaign. In 1897, the British Army was engaged in a major war against the Afghans, the Tirah campaign, which led to rumors that animals were “wanted by Government for a new war” as beasts of burden to transport supplies.⁷³ As more people refused to brand their cattle, the colonial state was forced to abandon the campaign. Even though avoidance of branding was neither coordinated nor an overt political act of resistance, it did reflect a deep-seated distrust of colonial police.

Particularly in the Karnal district, people avoided branding parties. When branding teams arrived in villages, they found that there were few cattle to be branded; the villagers had concealed their cattle.⁷⁴ People brought only worthless animals, usually old or sick. The ground reports suggested that the official statistics, such as the 84 percent participation rate mentioned above, were grossly inflated. In late 1895, local officers touring Karnal found that “it was the exception rather than the rule to see branded cattle.”⁷⁵ P. D. Agnew, district commissioner of Karnal, observed: “I take leave to doubt the correctness of the returns of cattle branded. In an ordinary ride of 10 miles in the district anywhere you will find few branded cattle on the way.”⁷⁶ The archives offer little quantitative evidence to contest the official statistics, but descriptions by officials and people alike suggest that the participation rate was low.

Rather than affirming the image of the colonial state as a patron of the people, the cattle-branding campaign damaged its reputation. The colonial state abandoned the scheme. By avoiding branding, the people did not let the state establish clearly marked rights of ownership resting with individual property owners. In the 1920s, the colonial state introduced a “tattooing campaign” in Karnal, and yet again the scheme failed for several reasons. Though tattooing (of ears with needles and ink) inflicted less pain and lowered the risk of fatally wounding an animal, the scheme also suffered from several flaws like the illegibility of characters, and cattle owners remained unenthusiastic about it. In the early twentieth century, British officials tried to adopt novel legal methods in controlling cattle theft, as revealed in the Karnal case. This case exposed not only the limits of colonial law, but also the ways that ordinary people continued to invoke the authority of the community to recover their animals.

A Legal Innovation: Karnal Cattle-Lifting Case (1913)

Under colonial rule, the Karnal district was notorious for cattle theft.⁷⁷ At a 1911 meeting, police chiefs of Punjab and neighboring provinces appointed special police officer C. A. Macpherson “to develop techniques for controlling the crime.”⁷⁸ Macpherson carried out inquiries for a year to understand the problem of cattle theft and potential solutions.⁷⁹ In December 1912, Macpherson arrested around forty accused cattle lifters, whom he suspected worked in gangs, seized their cattle (eight hundred head), and tried to prove the cattle were stolen by inviting villagers to identify their property at the camping ground of Karnal. Thousands of villagers came hoping to recover their cattle, though most had never reported their theft cases to the police. Only forty could identify their cattle to the satisfaction of the police.⁸⁰

To deal with the arrested men, the government devised a new legal approach. It convened a special court and appointed Brayne as its special magistrate. Previously, it had been difficult to secure individual prosecutions in cases of cattle theft. Under this new legal strategy, Brayne had to prove only that they belonged to a “gang” of cattle thieves.⁸¹ Accordingly, the prosecution divided the arrested men into three separate but interconnected gangs led by the leaders (*agoos*) Bija, Parsa, and Sahelu respectively. As Gilmartin has shown, the attempt to demonstrate the existence of the gangs proved more difficult than expected.

According to Brayne, seven hundred witnesses from the district came forward to testify against the arrested men in numerous cases of cattle theft. Brayne argued that since most victims led panchayats to the alleged leaders, it suggests that they were notorious cattle thieves, and their associates were members of their gangs. According to the IPC, belonging to such a gang was a punishable offense. Brayne convicted the “gangs” and punished them with imprisonment and fines. However, more important than the judgments in understanding the role of police is the evidence: Brayne’s interviews with witnesses.

The evidence gathered for the Karnal case uncovers the everyday workings of cases of cattle theft, revealing that they were dominated by ordinary Indian people, not the police. Most statements show that victims avoided the police. For instance, for Bija's gang, the prosecution examined 108 cases of cattle theft to prove that twelve men were part of a professional gang. In only nine cases had victims of cattle theft approached the police. In all other cases, people worked on their own or relied on *khojis* and *panchayats* to recover their cattle. In thirty-two cases, victims had taken recourse to "tracking," with or without *khojis*. This evidence shows that victims worked for months on their own but avoided approaching the police and courts. Once they obtained a clue, victims usually arranged a *panchayat* visit, or numerous visits, to put community pressure on the alleged thieves. *Panchayats* at times successfully recovered the stolen animals. Victims often invoked the authority of the village community to assert their right over the cattle. Similar findings are corroborated by evidence collected for the prosecution of the other two gangs. In only eleven out of fifty-six cases alleged against Parsa's gang had people approached the police. In the case of Sahelu's gang, of the eighty-five cases the prosecution considered, only in seventeen cases had people approached the police.

The Karnal case hinged on whether the prosecution's evidence was admissible as per the Indian Evidence Act (1872). The defense argued during the trial that the "evidence" garnered from *panchayats* cited against them was inadmissible, "since *panchayat* were formed on the basis of local standards, and used customary procedures, such as the swearing of oaths of innocence that were not based on state statute."⁸² The defense argued for "the supremacy of statute and state authority," whereas Brayne defended local community and institutions. The defense also asserted that the evidence of tracking and other "clues" was merely "hearsay and not evidence."⁸³ The Karnal case suggests how thieves relied on state statutes to question the evidence of tracking. The defense, to the astonishment of Brayne, also claimed that "the absence of a report at the *thana* [police station] proves that the cattle were never lost."⁸⁴

The defense also challenged the identification of cattle. None of the cases mentioned branding. Even though the state had led an ambitious branding campaign, it ultimately had to rely on people and physical descriptions to establish the ownership of stolen cattle. Had the branding campaign been effective, there would have been no difficulty in identifying the cattle. Though the animals' physical appearances may have changed over time, the prosecution relied on "distinctive marks" and "special features" to establish their identities: the shape and size of horns and ears, skin color, and cut marks were frequently mentioned. When available, the physical descriptions (*hoolia*) recorded in the police records rarely tallied with the claims. In one instance a buffalo "grey with white blaze and white stockings" was described in the police records only as "*sufed bhoori*," which Brayne guessed was "grey with white points."⁸⁵ Yet Brayne did not question the identification. In

another case recorded in 1906, a buffalo was described in the police records as “having cut horns,” but it did not mention “both.” The buffalo in question had only one horn cut.⁸⁶ These examples suggest why it would have been impossible for the prosecution to establish cases of cattle theft on an individual basis according to the laws of evidence.

The defense also questioned the procedure followed for the identification of animals. It was argued “that the owners of the lost cattle should have been asked to give descriptions of their animals before they were allowed to go round the camping-grounds and look for them, and that the omission to adopt this precaution entirely vitiates the alleged identification.”⁸⁷ Both Brayne and, in a subsequent appeal at the Chief Court of Punjab, justice Shah Din upheld the procedure on the ground that it was “in the circumstances quite justifiable,” especially in the light of the enormity of the work involved. Nevertheless, in an ordinary trial, this flaw would have derailed the theft cases.

Shah Din agreed with the defense on the inadmissibility of the panchayat evidence that Brayne had entertained, yet upheld the original verdict on the grounds that there was still sufficient evidence to support the verdict. In the long run, however, the trial hardly had any impact.⁸⁸ Cattle theft in Karnal was rife within a few years.⁸⁹ One “large landowner,” who had “come out openly and persistently on the side of the police,” as Jeffreys mentioned, “has never been able to keep a cow since [then].”⁹⁰ Later on, some police officials doubted the value of relying on the IPC for cattle-theft cases, which suggests that the Karnal case was an exception to the routine attitude of the courts.⁹¹ In some respects, the Karnal case illustrated how cattle thieves used colonial law to discredit panchayats, emphasized procedure to question identification of animals, and relied on the absence of registration of cases with police to argue that the cattle were never lost.

Conclusion

In a 1965 survey of a diverse set of 2,600 people on the Indian police, three out of five respondents replied yes when asked whether “people, even when they need help, are generally reluctant to go to the police.”⁹² The general public did not want to maintain any contact with police, which the study called “a powerful avoidance syndrome at work.” The study further concluded that “for the majority of people, the police are faceless and nameless creatures with whom they have never had any contact.” Another scholar confirmed that Indians’ perceptions “depict police as *enemies* rather than *friends* of the people.”⁹³ These studies suggested that most of the people surveyed did not want police in their lives, despite their entrenched presence.

David Arnold, in an influential study (1986), explained the notorious character of the police as a result of its colonial character to serve the interests of the propertied classes.⁹⁴ The police and courts continued to assert their role as guardians of the regime of property ownership, while ordinary people suffered at their hands. As

some recent examples have suggested, any threat to the interests of the propertied classes in India has been met by extraordinary police force.⁹⁵ Ordinary Indian people continue to be scared of police, even though police are supposed to protect their lives, liberties, and property.

In colonial India, police and the legal systems they upheld were not established to serve ordinary people. Their main purpose was to enforce the sanctity of private property, to protect the propertied classes, and to ensure the dominance of colonial rulers. This story is also more complex. As the history of cattle-stealing suggests, colonial legal codes and police turned out to be ineffective in protecting private property. Cattle thieves, as colonial police officers themselves acknowledged, had been least inconvenienced by the police. Instead, law-abiding people suffered doubly—sometimes at the hands of the thieves, and sometimes at the hands of the police and courts.

The police and the courts were of crucial importance in facilitating the capitalist transformation of the colony. Peasants were compelled to forsake forms of community support like the panchayat and khoj system and to embrace police and courts. These indigenous traditions might have appeared harsh at times, but what replaced them was no improvement. People were forced to engage the vagaries of the colonial courts and subject themselves to corrupt police. The loss of indigenous institutions did not create circumstances under which the colonial state could firmly establish the sanctity of private property. The colonial intervention, as Brayne suggested, seemed to be misplaced. As cattle crime eventually disappeared in the 1960s thanks to the destruction of the animal-powered economy due to the mechanization of agriculture, the memory of how people dealt with cattle theft—by turning not to the police but to their own systems of communal justice—has also faded. Revisiting the forgotten history destabilizes the notion that institutions of police, rooted in British colonialism, ever delivered justice for ordinary Indian people. It also reminds us of the actually existing alternatives, rooted in community accountability and local customs, which people used to find justice without the police.

Gagan Preet Singh is assistant professor at the Department of History, Indraprastha College, University of Delhi, New Delhi.

Notes

I would like to thank the issue editors A. Naomi Paik, Amy Chazkel, and Monica Kim and the anonymous reviewers for their valuable feedback. Naomi tirelessly read several versions and helped me to rethink my arguments. I would also like to thank Sucheta Mahajan (my research guide), Ian Burney, Indivar Kamtekar, Radhika Singha, and Pragati Mohapatra. I am grateful to the Charles Wallace India Trust for financing my research trip to the UK.

1. The deputy commissioner of Thaneshwar, along with his assistant Mithun Lal, prepared the map, available at Commissioner Ambala Records, Judicial 1862/4, Haryana State Archives, Panchkula (India).

2. See also Singh, "The Strange Science," 279–304; Gross, *Criminal Investigation*, 483–550; Ginzburg, "Morelli, Freud and Sherlock Holmes," 5–36.
3. The British in India often immediately raised "police" after conquest of new territories. By April 1857, the total strength of the "police force" in Punjab was 23,226 men. See *Report of the Committee Appointed by Government to Consider Questions Connected with the Police Administration of Punjab* (Lahore: Punjab Government Press, 1900), 2.
4. For more on the emergence of the idea of the sanctity of private property in Britain, see Hay, "Property, Authority and the Criminal Law," 17–63.
5. See Arnold, *Police Power and Colonial Rule*.
6. Wilson, *India Conquered*, 297–300; for the 1857 rebellion, see Bose and Jalal, *Modern South Asia*, 77–84.
7. For more on this, see Kolsky, "Codification and the Rule of Colonial Difference," 631–83.
8. Arnold, *Police Power and Colonial Rule*, 3–4.
9. Arnold, *Police Power and Colonial Rule*, 4.
10. Gooptu, *The Politics of the Urban Poor*, 111–15.
11. Adas, "From Avoidance to Confrontation," 217.
12. Chatterji, "The Darogah and the Countryside," 41.
13. Muhammad, *Miftah-ul-Taftish*, 330.
14. *Report of the Police Reorganisation Committee, U.P. 1947–48*, Allahabad 1948, vol. 1, p. 23, quoted in Gooptu, *The Politics of the Urban Poor*, 129.
15. Macpherson, *Notes on Cattle Lifting*, 1.
16. Macpherson, *Notes on Cattle Lifting*, 7.
17. Wilson, *Indian Conquered*, 301.
18. Wilson, *India Conquered*, 299–306.
19. Gilmartin, "Cattle, Crime and Colonialism," 35.
20. Gilmartin, "Cattle, Crime and Colonialism," 36.
21. Iver, *In an Indian District*, 104; *Annual Police Administration Report of Punjab for the Year 1862*, IOR/V/24/3178-87, The British Library, London, 73–74.
22. Jeffreys, "Cattle Tattooing against Theft," 470.
23. Gilmartin, "Cattle, Crime and Colonialism," 36.
24. Gilmartin, "Cattle, Crime and Colonialism," 36.
25. "Punjab Encyclopaedia or Book of Knowledge," Brayne Papers, Mss Eur F152/263, The British Library, London, 44.
26. Ali, "Malign Growth?," 110–32.
27. Bhattacharyya, *Empire and Ecology*, 83.
28. Bhattacharyya, *The Great Agrarian Conquest*, 342–48.
29. See Hay, "Property, Authority and the Criminal Law," 17–63; Thompson, *Whigs and Hunters*.
30. Minutes by R. Montgomery, Judicial Commissioner of the Punjab, dated March 9, 1854, Lahore, in "The Punjab Criminal Administration Report for 1857," File no. 17/X/I, Haryana State Archives, Rohtak, 4.
31. In a letter from G. F. Edmonstone, Secretary to the Government of India, to John Lawrence, Chief Commissioner of the Punjab, dated August 9, 1854, Fort William, "The Punjab Criminal Administration Report for 1857," File no. 17/X/I, Haryana State Archives, Rohtak, 18.
32. Skuy, "Macaulay and the Indian Penal Code of 1862," 513–57.
33. Jeffreys, "Cattle Tattooing against Theft," 470.

34. Jeffreys, "Cattle Tattooing against Theft," 470.
35. For a detailed introduction on the Evidence Act, see Heydon, "The Origins of the Indian Evidence Act," 1–76; Jeffreys, "Cattle Tattooing against Theft," 468.
36. Brayne Papers, Eur Mss F152/2, The British Library, London, 5.
37. Jeffreys, "Cattle Tattooing against Theft," 470.
38. Emphasis mine. Brayne Papers, Eur Mss F152/2, The British Library, London, 5.
39. Brayne Papers, Eur Mss F152/2, The British Library, London, 5.
40. Brayne Papers, Eur Mss F152/2, The British Library, London, 5.
41. Macpherson, *Notes on Cattle Lifting*, 2.
42. Talbot, *Punjab and the Raj*, 48–64.
43. The remaining paragraph is based largely on the arguments of David Gilmartin in "Cattle, Crime and Colonialism," 39.
44. Gilmartin, "Cattle, Crime and Colonialism," 39.
45. Gilmartin, "Cattle, Crime and Colonialism," 38.
46. Macpherson, *Notes on Cattle Lifting*, 3, 7.
47. Brayne Papers, Eur Mss F152/2, The British Library, London, 5.
48. Brayne Papers, Eur Mss F152/2, The British Library, London, 5.
49. In return, they were paid varying amounts depending on the value of the stolen property.
50. *Punjab Penal Code*, 29–31; see Circular No. 116, Offg. Judl. Commissioner, R. N. Cust, to All Commissioners and Superintendents, 14 August 1861. Haryana State Archives, Panchkula.
51. Elliot, *Memoirs on the History*, 277–78.
52. Brown, *Penal Power and Colonial Rule*, 171.
53. *Punjab Administration Report for the Year 1849–50 & 1850–51* (Lahore: Government Press, 1852), 54.
54. *Punjab Administration Report for the Year 1849–50 & 1850–51* (Lahore: Government Press, 1852), 57.
55. See Judicial Commissioner's Report, IOR/Z/E/4/28/C 1016:1856–1857, The British Library, London, 1395.
56. Bhattacharya, *The Great Agrarian Conquest*, 40.
57. The Punjab Proceedings, IOR/Z/E/4/28/C1016: 1856–1857, The British Library, London, 1401.
58. "Captain Coke, system pursued respecting cattle-stealing in Punjab," IOR/Z/E/4/28/C1016: 1856–1857, The British Library, London, 1394–1401.
59. *Annual Police Administration Report of the Punjab for the Year 1867*, IOR/V/24/3178-87, The British Library, London, 96.
60. *Annual Police Administration Report of the Punjab for the Year 1866*, IOR/V/24/3178-87, The British Library, London, 15.
61. *Annual Police Administration Report of the Punjab for the year 1871*, IOR/V/24/3178-87, The British Library, London, 37.
62. Singh, "The Strange Science," 284.
63. Stephen, *The Indian Evidence Act*.
64. *Annual Police Administration Report of the Punjab for the year 1871*, IOR/V/24/3178-87, The British Library, London, 37.
65. Government of India, *The Punjab Laws Act, 1872 (IV of 1872)* (Lahore: Punjab Government Press, 1912). Sections 41 and 42 dealt with "Track Law." The magistrate of a district could invoke Track Law but only "with the previous sanction of the Commissioner

- of the Division,” which was rarely granted. Also see Brown, *Penal Power and Colonial Rule*, 169–71.
66. Anonymous, “Note on Cattle Theft,” Mss Eur 161/154, The British Library, London, 41. As a number of scholars have argued, the colonial courts had become highly unpopular because of their lengthy and expensive processes. See Mendelsohn, “The Pathology of the Indian Legal System,” 823.
 67. Iver, *In an Indian District*, 92.
 68. Brayne, *Village ABC*, 117.
 69. For the history of tattooing in Karnal district, see Jeffreys, “Cattle Tattooing against Theft,” 467–76; Brayne, *Village ABC*, 116–17; “Punjab Encyclopaedia or Book of Knowledge,” Brayne Papers, Mss Eur F152/263, The British Library, London, 39.
 70. Wilson, *India Conquered*, 303.
 71. Wilson, *India Conquered*, 303–4.
 72. Jeffreys, “Cattle Tattooing against Theft,” 473.
 73. Curry, “The Joy of the Working,” 106.
 74. *Annual Police Administration Report of the Punjab for the Year 1896*, IOR/V/24/3178-87, The British Library, London, xx. Captain A.E. Barton, DM of Gurgaon, wrote that cattle branding is “opposed by the people. . . . [If forced] Hundreds of cattle would then be concealed or, if caught, the branding would be squared by those not approving of it.” See *Annual Police Administration Report of the Punjab for the Year 1897*, IOR/V/24/3178-87, The British Library, London, xviii.
 75. *Annual Police Administration Report of the Punjab for the Year 1895*, IOR/V/24/3178-87, The British Library, London, 39.
 76. “Note by P. D. Agnew,” *Annual Police Administration Report of the Punjab for the Year 1895*, IOR/V/24/3178-87, The British Library, London, 40.
 77. For crime in Karnal district, see “State of Crime in the Karnal district during the year 1872,” File No. 7/1873, Haryana State Archives.
 78. Gilmartin, “Cattle, Crime and Colonialism,” 45.
 79. Macpherson, *Notes on Cattle Lifting*.
 80. Branding is not mentioned in the evidence. See Justice Shah Din’s judgment in Brayne Papers, Eur Mss IOR F152/2, The British Library, London.
 81. Brayne Papers, Eur Mss F152/2, The British Library, London, 7.
 82. Gilmartin, “Cattle, Crime and Colonialism,” 51.
 83. Brayne Papers, Eur Mss F152/2, The British Library, London, 11–12.
 84. Brayne Papers, Eur Mss F152/2, The British Library, London, 11.
 85. Brayne Papers, Eur Mss F152/2, The British Library, London, 62.
 86. Brayne Papers, Eur Mss F152/2, The British Library, London, 18.
 87. The judgment of Hon’ble Mr M. Shah Din, Judge, Chief Court of Punjab, in Brayne Papers, Eur Mss F152/2, The British Library, London, 6.
 88. Jeffreys, “Cattle Tattooing against Theft,” 468.
 89. Jeffreys, “Cattle Tattooing against Theft,” 468.
 90. Jeffreys, “Cattle Tattooing against Theft,” 468.
 91. For instance, see SP Gurgaon, Confidential Note Book, Gurgaon District, Haryana State Archives, Panchkula, 29.
 92. Bayley, *The Police and Political Development in India*, 194.
 93. Sharma, *Police and Political Order in India*, 116.
 94. Arnold, *Police Power and Colonial Rule*, 150–84.

95. See Priya Pillai, "Thoothukudi Massacre Is a Tragic Reminder That India Is in the Grip of a State-Corporate Nexus," *Scroll-in*, May 27, 2018, scroll.in/article/880388/thoothukudi-massacre-is-a-tragic-reminder-that-india-is-in-the-grip-of-a-state-corporate-nexus.

References

- Adas, Michael. "From Avoidance to Confrontation: Peasant Protest in Precolonial and Colonial Southeast Asia." *Comparative Studies in Society and History* 23 (1981): 217–47.
- Ali, Imran. "Malign Growth? Agricultural Colonization and the Roots of Backwardness in the Punjab." *Past & Present*, no. 114 (1987): 110–32.
- Arnold, David. *Police Power and Colonial Rule: Madras, 1859–1947*. New Delhi: Oxford University Press, 1986.
- Bayley, David H. *The Police and Political Development in India*. Princeton, NJ: Princeton University Press, 1969.
- Bhattacharya, Neeladri. *The Great Agrarian Conquest: The Colonial Reshaping of a Rural World*. Ranikhet: Permanent Black, 2018.
- Bhattacharyya, Debjani. *Empire and Ecology in the Bengal Delta: The Making of Calcutta*. Cambridge: Cambridge University Press, 2018.
- Bose, Sugata, and Ayesha Jalal. *Modern South Asia: History, Culture, and Political Economy*. New Delhi: Oxford University Press, 2014.
- Brayne, F. L. *Village ABC*. Bombay: Oxford University Press, 1950.
- Brown, Mark. *Penal Power and Colonial Rule*. Abingdon: Routledge, 2014.
- Chatterji, Basudev. "The Darogah and the Countryside: The Imposition of Police Control in Bengal and Its Impact (1793–1837)." *Indian Economic and Social History Review* 28 (1981): 19–42.
- Curry, J. C. "'The Joy of the Working': Memoirs of an Indian Policeman." Mss Eur C. 211 Vol. 1, The British Library, London (unpublished).
- Elliot, Sir Henry M. *Memoirs of the History, Folk-lore, and Distribution of the Races of the North Western Provinces of India*. London: Trubner, 1869.
- Gilmartin, David. "Cattle, Crime and Colonialism: Property as Negotiation in North India." *Indian Economic and Social History Review* 40 (2003): 33–56.
- Ginzburg, Carlo. "Morelli, Freud and Sherlock Holmes: Clues and Scientific Method." *History Workshop Journal* 9 (1980): 5–36.
- Gooptu, Nandini. *The Politics of the Urban Poor in Early Twentieth-Century India*. Cambridge: Cambridge University Press, 2001.
- Gross, Hans. *Criminal Investigation: A Practical Handbook for Magistrates, Police Officers, and Lawyers*. Madras: A. Krishnamachari, n.d.
- Hay, Douglas. "Property, Authority and the Criminal Law." In *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England*, edited by Douglas Hay, Peter Linebaugh, John G. Rule, E. P. Thompson, and Cal Winslow, 17–63. London: Verso, 2011.
- Heydon, J. D. "The Origins of the Indian Evidence Act." *Oxford University Commonwealth Law Journal* 9 (2010): 1–76.
- Iver, G. G. B. *In an Indian District*. Lahore: Civil and Military Gazette Press, 1919.
- Jeffreys, R. C. "Cattle Tattooing against Theft: An Experiment." *Police Journal* 2 (1929): 467–76.
- Kolsky, Elizabeth. "Codification and the Rule of Colonial Difference: Criminal Procedure in British India." *Law and History Review* 23 (2005): 631–83.
- Macpherson, C. A. *Notes on Cattle Lifting with Suggestions for Suppressing the Same*. Ambala: Temple Press, 1912.

- Mendelsohn, Oliver. "The Pathology of the Indian Legal System." *Modern Asian Studies* 15 (1981): 823–63.
- Muhammad, Ghulam. *Miftah-ul-Taftish*. [In Urdu.] Lahore: n.p., 1896.
- Sharma, P. D. *Police and Political Order in India*. New Delhi: Research Publications, 1984.
- Singh, Gagan Preet. "Police-Public Relations in Colonial India." *History Compass*, September 1, 2019. doi.org/10.1111/hic3.12595.
- Singh, Gagan Preet. "The Strange Science: Tracking and Detection in the Late Nineteenth-Century Punjab." In *Global Forensic Cultures: Making Fact and Justice in the Modern Era*, edited by Ian Burney and Christopher Hamlin, 279–304. Baltimore, MD: Johns Hopkins University Press, 2019.
- Skuy, David. "Macaulay and the Indian Penal Code of 1862: The Myth of the Inherent Superiority and Modernity of the English Legal System Compared to India's Legal System in the Nineteenth Century." *Modern Asian Studies* 32 (1998): 513–57.
- Stephen, James Fitzjames. *The Indian Evidence Act (I. of 1872)*. London: Macmillan & Co., 1873.
- Talbot, Ian. *Punjab and the Raj, 1849–1947*. New Delhi: Manohar, 1988.
- Thompson, E. P. *Whigs and Hunters: The Origin of the Black Act*. New York: Penguin, 1975.
- Wilson, Jon. *India Conquered: Britain's Raj and the Chaos of Empire*. New Delhi: Simon & Schuster, 2016.