

**JUNGLE GOVERNMENT:  
FORESTRY, STATE-MAKING AND DEVELOPMENT FOR THE VAN GUJJAR  
PASTORALISTS OF UTTAR PRADESH AND UTTARAKHAND, INDIA**

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*to Mohammad Kasam*





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## List of acronyms

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AIUFWP	All-India Union Forest Working People
BJP	Bharatiya Janata Party
CAMPA	Compensatory Afforestation Management Program Authority
CFR	Community Forest Rights
CR	Community Reserve
DFO	District Forest Officer
DM	District Magistrate
EIC	East Indies Company
FAO	Food and Agriculture Organization
FD	Forest Department
FRA	Forest Rights Act
G.O.	Government Order
GIS	Geographic Information System
GOI	Government of India
H.P.	Himachal Pradesh
ISFR	India State of Forest Report
J&K	Jammu and Kashmir
JFM	Joint Forest Management
MFP	Minor Forest Product
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MoEF	Ministry of Environment and Forests
MoTA	Ministry of Tribal Affairs
NCA	National Commission on Agriculture
NCDNT	National Commission on Denotified, Nomadic, and Semi-Nomadic Tribes
NFP	National Forest Policy
NGO	Non-Governmental Organization
N.W.P.	North-West Provinces
OTFD	Other Traditional Forest Dwellers
RFD	Royal Forest Department of Thailand
RLEK	Rural Litigation Entitlement Kendra
RNP	Rajaji National Park
SC	Scheduled Castes
SDM	Sub-District Magistrate
ST	Scheduled Tribes
TEK	Traditional Environmental Knowledge
U.P.	Uttar Pradesh
UN	United Nations
UPA	United Progressive Alliance
WII-ENVIS	Wildlife Institute of India – Environmental Information System



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# Abstract

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In the social sciences literature, it has become a convention to portray the forest management of the Indian state as a direct legacy of British colonialism, and forestry as an extractive industry instrumentally forcing a divide between nature and culture, experts and lay people, and state and society. This divisive regime has operated through discourses of environmental degradation, targeted silvicultural operations, and an exclusive territoriality that was predicated on the notion of the eminent domain of the colonial state. Through these varied techniques, forestry criminalized, victimized, and stripped traditional forest dwellers of their rights. Drawing on a Foucauldian analysis and the work of Indian scholars who have problematized colonial forestry by looking at its conditions of emergence and its uncanny translation into the postcolonial context, I advance that, historically, forest management was also shaped by the people it impacted the most, the traditional forest dwellers. In other words, this thesis asks what sorts of governmental strategies, understood as power relations influencing the conduct and behavior of groups and individuals, have defined forestry in the specific settings where the agents of the Indian state deployed it. This thesis pays particular attention to the place, role, and experience of a population of traditional, forest-dwelling, semi-nomadic, Muslim buffalo herders – the Van Gujjars – in reinventing forestry. Based on 17 months of fieldwork and archival research completed between 2012 and 2017, my analysis shows how the Van Gujjars of the districts of Dehradun and Saharanpur became actors of historical significance transforming forestry policies and practices through their face-to-face interactions with the forest workers and contestation of the forest boundaries. This thesis has six chapters. The first introduces the setting of the study as well as exemplar Van Gujjars communities, both nomadic and sedentarized. The second theorizes state-society relations while the third reviews genealogies of forest policies and territorialization in India, from the colonial period to the present. The fourth and fifth chapters describe in historical depth the struggles of the Van Gujjars for maintaining access to the forest resources although they were increasingly marginalized and racialized. The last chapter discusses development and “rehabilitation” policies in the Indian context: I describe the current perspective of the Van Gujjars towards relocation and resettlement programs guided by flawed discourses of progress and modernity. I emphasize the relevance of the unique idiom of the Van Gujjars – which is replete with animal stories and metaphors – for making sense of their complex experience as forest dwellers. The main theoretical contribution of this thesis is the concept of “jungle government” which foregrounds informal relations and illicit exchanges, feelings of hope and anxiety, and culturally-mediated norms of conduct – central factors altering how forests were governed and the way forest dwellers and state workers conducted themselves.



# Résumé

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Dans la littérature en sciences sociales, la convention veut que l'on représente la gestion forestière de l'État indien comme un héritage direct du colonialisme britannique et la foresterie telle une industrie extractive opérant une séparation nette entre la nature et la culture, les experts et les non-initiés, et l'État et la société. Un tel régime binaire s'est implanté grâce à des discours au sujet de la dégradation environnementale, des opérations sylvicoles ciblées, et une territorialité exclusive fondée sur la notion du domaine éminent de l'Etat colonial. Par le truchement de ces techniques, la foresterie a criminalisé, victimisé et privé de leurs droits les habitants traditionnels de la forêt. M'appuyant à la fois sur une analyse foucaldienne et les résultats du travail de chercheurs indiens ayant problématisé la foresterie coloniale par leurs études portant sur les conditions d'émergence de cette dernière ainsi que son improbable transposition dans le contexte postcolonial, j'avance que la gestion forestière a aussi été façonnée par les populations qu'elle a le plus touchées, soit les habitants traditionnels de la forêt. Cette thèse pose la question suivante : quelles stratégies gouvernementales, entendues en tant que relations de pouvoir régulant la conduite et le comportement de groupes et d'individus, ont défini la foresterie là où les agents de l'État la déployait. Cette thèse scrute avec une attention toute particulière l'expérience, la place et le rôle d'une population d'éleveurs musulmans et résidents de la forêt, les Van Gujjars, par rapport à la réinvention de la foresterie. Le produit de 17 mois de recherches sur le terrain et dans les archives entre 2012 et 2017, mon analyse montre comment les Van Gujjars des districts de Dehradun et Saharanpur sont devenus des acteurs d'envergure historique ayant pu transformer les politiques et pratiques forestières en interagissant directement avec les travailleurs forestiers et en contestant les frontières forestières. Cette thèse a six chapitres. Le premier présente le cadre de l'étude et des communautés Van Gujjars typiques, qu'elles soient nomades et sédentaires. Le deuxième chapitre théorise les relations entre l'État et la société, tandis que le troisième analyse de façon généalogique les politiques forestières et la territorialisation de la forêt en Inde, de la période coloniale à aujourd'hui. Les quatrième et cinquième chapitres décrivent de manière diachronique les luttes des Van Gujjars ayant pour but de maintenir l'accès aux ressources forestières ainsi que leur marginalisation et leur racialisation accrues. Le dernier chapitre traite des politiques de développement et de «réhabilitation» dans le contexte indien: je décris le point de vue des Van Gujjars au sujet de programmes de relocalisation et sédentarisation qui eux-même se rattachent à des discours trompeurs sur le progrès et la modernité. Je souligne l'importance du langage unique des Van Gujjars - qui regorge d'histoires et de métaphores animales – qui donne un sens à leur expérience complexe en tant qu'habitants de la forêt. La principale contribution théorique de cette thèse est le concept de «gouvernement de la jungle» qui ramène au premier plan les relations informelles et les échanges illicites, les sentiments d'espoir et d'anxiété, et les normes de conduite qui demeurent des facteurs déterminant de la gestion forestière et des comportements des habitants de la forêts et des employés de l'État.



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# CHAPTER I

## Introduction: Forestry Regimes and Van Gujjar Politics

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India is home to the largest population of forest-dependent people of any nation. Recent estimates report that 275 million individuals depend on forest resources for at least a part of their livelihoods. Nevertheless, state forest policies neglect the central place that forests – or “jungles”, as they are commonly called in North India – occupies in the lives of a large portion of the country's total population. Indian forestry was born 150 years ago as a response to widespread anxiety then felt by the British rulers regarding the capacity of the land to sustain the political ambitions of their *Raj*. The colonial state needed timber to strengthen its infrastructures and continue ruling uncontested. A complex colonial legacy, Indian forestry claimed a scientific status for itself during the nineteenth century. Nevertheless, Indian forestry revolves around a simple, twofold strategy: on the one hand, it maintains exclusive territorial boundaries designed to keep people out of forests; on the other hand, top-down policies dictate the terms of people's engagements with nature. Indeed, Indian forestry has always – rather blatantly in official communications – been oriented towards the exclusion of forest-dependent populations. Whenever customary forest users were not forcibly removed from forests, their existence was denied, buried underneath reports falsely claiming that state enclosures were devoid of human

presence. Furthermore, traditional forest dwellers were officially forbidden from using natural resources. They were also kept out of decision-making institutions even though their relationships to and their knowledge of jungle ecology was intimate, time-tested, and sustainable on the small scale of their consumption and production practices.

The official, top-down, and exclusionary stance of Indian forestry is all the more perplexing considering that, in reality, millions have successfully maintained access to their jungles through informal alliances with state personnel and local authorities. This dissertation questions the implications of the encounters and exchanges on which access to forests demarcated as state property is hinging. I argue that forestry did more than episodically spark conflicts between state and society. On the *longue durée*, sustained relationships between state forest staff and local populations created worlds of meaning and mutual understanding rarely acknowledged in scholarly accounts which also contradict conventional narratives about the solid boundaries that separate state and society, as well as wilderness and agri-culture.

Drawing on ethnographic fieldwork among semi-nomadic Van Gujjar buffalo pastoralists in Uttarakhand, Uttar Pradesh, and Himachal Pradesh – the latter only for a short period of time –, this dissertation describes how traditional forest dwellers maintained informal contacts with the agents, institutions, and forms of knowledge of state forestry. State forestry has mostly been understood as a set of techniques permitting colonial expansion and state-making within remote jungles. My thesis focuses on the everyday negotiations and *ad hoc* arrangements that have governed policy implementation and access to the natural resources (Gupta and Sharma 2006, Joseph and Nugent 1994). State forestry has been described as a science purportedly working for the greater good of the nation. However, in my analysis, forestry is a disciplinary regime deploying itself through various encounters between forest dwellers and forest workers.

One of the central claims of this thesis is that face-to-face relationships mediate rule enforcement. They alter behaviors, feelings of entitlement, and claims of legitimacy and authority. Face-to-face relationships have repercussions on timber exploitation and biodiversity conservation too. The relationships that state forestry foster have been unequal, however, causing injustices which endure to this day and the impoverishment and marginalization of forest dwellers. The evidence presented in the following chapters shows such injustice unambiguously. Considering how state forestry has alienated people from the natural resources and formal forest management, I draw on a rich tradition in the social sciences of scholarship that pays attention to the social impact of state-driven conservation in India and globally (Ramachandra Guha 1989, Saberwal et al. 2001, Brockington 2002, West et al. 2006, Vaccaro, Beltran and Paquet 2013). Alternatively, I use the notion of “jungle government” to analytically describe how, historically, powerful forestry and conservation regimes were not only restrictive and repressive; they generated productive outcomes too, such as changing perceptions of nature and experiences thereof within the state domain of forests (Winkel 2012, Darier 1999, Foucault 1972). The main objective of my dissertation, therefore, is to convey how state forest policies officially based on exclusion, discipline, and repression, could actually conceal crucial intimate relationships, norms of expected behavior, and a sphere of mutual understanding between forest managers and forest dwellers that shaped and reshaped state-making within demarcated forests.<sup>1</sup>

I therefore use the notion of “jungle government” to capture the transient quality of the everyday encounters between the forest bureaucrats and the forest dwellers. Their intimate interactions are an important aspect of state-making within forests. Even when state forestry failed at reaching its targets, the processes it set in motion would contest the illusory boundary

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1 Governmental relationships also intersect with social categories like caste, gender, and class; however, my analysis shows that exclusion and marginalization within forests is mainly the product of specific policies, technologies, discourses, and practices that only exist within these particular territorial entities.

dividing state and society. The focus of my dissertation is on the place of the Van Gujjar herders within the regime of Indian forestry, showing how “wild” or “*jangli*” subjectivities reinvented themselves through engaging formal state forestry and its agents.

Government is defined as the “conduct of conduct” (Dean 1999). This “conduct” combines the strategies adopted for achieving certain outcomes considered as desirable and the patterns of behavior one embodies at the same time. In the case of the Van Gujjars, who are nomadic herders, conduct is epitomized by their seasonal mobility, although it has been curtailed by the forestry laws, and the strategies and norms of behavior they adopt in contesting the laws that impact them negatively. “Jungle” conflates two definitions too. On the one hand, jungle refers to an ambiguous notion of wildness that, in India, permeates popular culture. In layman terms, jungle connotes the adjective “*jangli*”, a qualifier designating things that either come from the jungle or exist in a feral, “wild” state (as opposed to a “civilized” state). The sedimentation of prejudices portraying Van Gujjars as uncivilized and vulgar is one dimension of contemporary jungle politics to which I pay more attention to in following chapters.

Jungles are also, on the other hand, natural resource pools. Jungles can be densely or very sparsely wooded areas which are found under any combination of private, collective, and state ownership. A jungle can be anything from a park with a few trees providing shade, to a dense tree area where timber extraction takes place. For the Van Gujjars, it is the latter type of environment that is the most meaningful, considering that thousands of Van Gujjars continue to live in lush, albeit deteriorating forests in Uttarakhand and Uttar Pradesh. Forests are also where they tend to their livestock. These jungles are claimed by the state as “forests”. The management of forest enclosures was effectively devolved to one arm of the Indian state, the Forest Department (FD), whose agents are responsible for enforcing and patrolling the forest boundaries. Most “state forests” have been delimited during the colonial era. However, I will

show that the blanket category “state forests” only exists as an ideal form serving as a cover for administrative irregularities, arbitrary powers, deficient management systems, and regional variations across actual forests.<sup>2</sup>

The initial goal of my research was acknowledging the historical agency of one group of forest dwellers, the semi-nomadic, buffalo-herding Van Gujjars. The Van Gujjars were never passive as state-making came to their jungles. This goal in mind, I read the state archive “against the grain”, explicitly making an attempt at recovering the testimonies of the nomadic herders that highlighted their opposition, confrontation, and resistance to the rules and regulations of forestry, as well as instances where the Van Gujjars vernacularized the rules they were subjected too. Unfortunately, the state archives, whether colonial or postcolonial, only exceptionally let a word transpire about cunning forest dwellers who evaded and subverted the rules. Adding to this silence of the archive, state officials mostly wrote about forest dwellers in pejorative terms, and they also neglected to report the forest dwellers' exact words in their notes and memos. As a result, official state archives only kept a biased account of the past and provided a skewed view of the historic deployment of forestry, one largely ignoring voices from the margin.

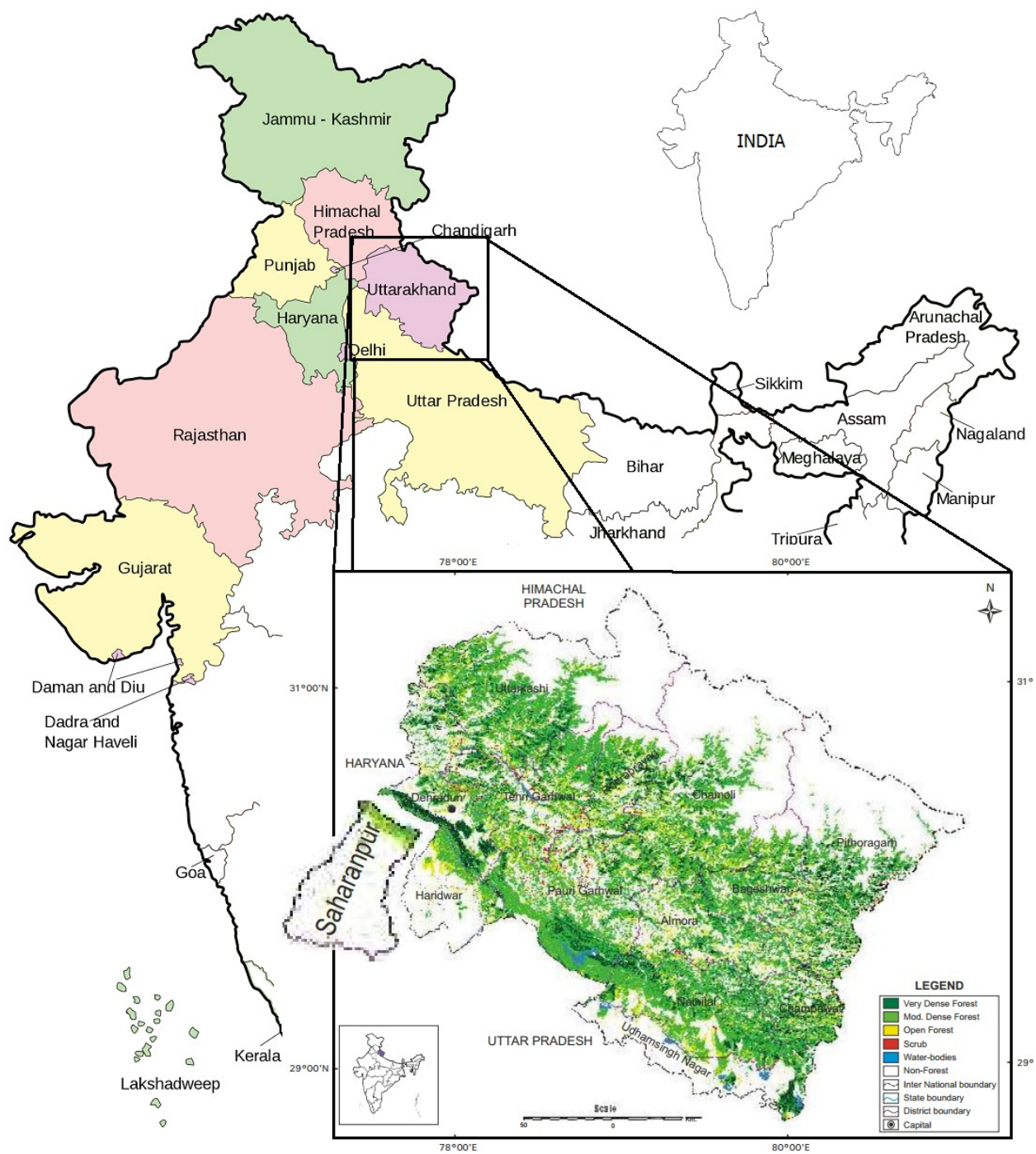
To gain a better understanding of the politics that have shaped forests, I also read the archives “along the grain”, retracing the origins of the rulers' anxieties and observing the effect of these feelings on timber extraction. My perusal of the archives “against” and “along the grain” informs all the following chapters. As a general rule, I show that forest boundary enforcement was arbitrary, ambivalent, and more fragile than state communications are ready to admit (Joseph and Nugent 1994, Mathews 2011). Traditionally, social research into articulations of forestry and power focused on “jungle politics”, either suggesting that more enlightened and more democratic

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2 Over time, the meaning ascribed to jungles has changed in India and elsewhere (Dove 1992, Vandergeest and Peluso 2011). For my part, I distinguish between formally managed state forests and jungles, whose boundaries and management also actively involve customary users. These categories are not mutually exclusive.

forms of forest management were possible, or that overt conflicts, defiant resistance, and rebellions were the only true measures of the political will of forest dwellers. Meanwhile, using the notion of “government”, I will attend to less spectacular, more mundane, and everyday expressions of power *and* resistance in this dissertation.

I see an important analytical distinction between “government” and “governmentality”, which is useful for my argument here. Governmentality tends to overemphasize the rationality, coherence, and efficiency of power. “Eco-governmentality”, “green governmentality”, and “environmentality” have all been used with reference to powerful regimes reported to substantially change the attitudes and behaviors of subject populations (Goldman 2006, Agrawal 2005a, Luke 1999). Governmentality has more rarely been used to discuss the effects of unpredictable, fragmented, and disorganized forms of power such as those affecting everyday life for both forest dwellers and forest workers in the region of my fieldwork. Governmentality also seems to have mislead some ambitious scholars into thinking that human and nonhuman populations are easily manageable and amenable to discipline (see Cepek 2011). This impression is amplified because a majority of studies, for the lack of better sources, relies heavily on official publications and archives, therefore describing target groups who are already visible, readily identifiable, and often construed as passive beneficiaries by state planners. In this dissertation, I seek to transcend such considerations of governmentality by attending to a regime of power that specifically lacks the kind of systematicity that is expected from state schemes. The arts of governing jungles and *jangli* subjectivities do not rely on written conventions. Yet government remains a crucial component of jungle politics operating through, instead of on individual and group behavior, as well as through, instead of on subjective aspirations and desires.



**Illustration 1:** Map of North India overlaid by satellite imagery (insert) showing forest cover in Uttarakhand state and Saharanpur District, U.P. (image sources: Wikipedia Commons and Forest Survey of India)





**Illustration 2:** Map showing the three districts of Dehradun, Haridwar, and Saharanpur; the Rajaji National Park, as well as northern hill areas including Rohru, Chopal, Yamunotri, and Uttarkashi where Van Gujjars spend the warm season; New Delhi is shown at the very bottom (southern end) of the map (source: Google Maps)



## **Who are the Ethnic Gujjars of India?**

This dissertation provides a genealogical sketch of the protracted development of forestry, and the ambivalent participation of an unlikely group of subjects in this development. Before one thousand Van Gujjar families were forcefully sedentarized in the 1990s, the minority Muslim Van Gujjars were all forest-dwelling, semi-nomadic buffalo herders. I have completed one year of fieldwork among both nomadic and sedentarized Van Gujjars in Uttar Pradesh and Uttarakhand between July 2013 and June 2014.<sup>3</sup>

During the colonial days, the Indian “Gujjars” possessed so many cattle that the foreign powers used their name as a synonym for “herders”. “Gujjar” is an ethnonym that is claimed by various groups in India. Gujjars have an important demographic weight in regions of Gujarat and Jammu and Kashmir (J&K). However, in Uttar Pradesh (U.P.) and Uttarakhand, they are also a demographic minority enjoying very little political clout. Most Gujjars in India are Hindus. From the state of Gujarat to Delhi, the capital city of India, the Hindu Gujjars enjoy a high profile. They are regularly stereotyped as magnates of the transportation sector and rich “Delhiwalas”, a term for Delhi's residents and whoever has connections there. By extension, a “Delhiwala” is a powerful well-to-do person. As if to confirm this stereotype, in 2014, a Gujjar from Haryana, Krishan Pal Gurjar, was sworn in as the Bharatiya Janata Party (BJP) minister of road transport and highways.

In J&K, Muslim Gujjars are well represented at every level of government, among the ranks of the police force, and in many other prominent professions. By contrast, the Van Gujjars are only found in U.P. and Uttarakhand where they rank among the most marginalized communities, although being members of the much larger Gujjar family. The Van Gujjars derive

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<sup>3</sup> Sometimes spelled Gujar, Gurjar, ..., etc.

most of their income from the sale of buffalo milk, however the sedentary Van Gujjars also rely either on their crops or agricultural rents. Their mother tongue is a form of “Gujri” which is similar but not identical to the Gujri spoken by the Muslim Gujjars of J&K. The Van Gujjars also speak Hindi on a daily basis, and it is in this language that I have conducted my interviews.

Although there are Gujjar activists working under the umbrella of “gujjarism” or “pan-gujjarism”, an identity-based movement aiming at fostering convergence among the many Gujjar communities of India, this thesis focuses specifically on the relationships between the Van Gujjars and the forest bureaucracy.<sup>4</sup> I chose this focus because Van Gujjar politics mainly centers on issues of forest management and everyday negotiations with FD workers. By comparison, political mobilization along identity lines has not been quite as strong among the Van Gujjars.<sup>5</sup> Likewise, although religious identity and caste affiliation are important social factors shaping politics in India, in the case of the forest dwelling Van Gujjars who live a frugal existence within the boundaries of state forests, forest territoriality and forestry regulations seem to be more central to their predicaments. Van Gujjars dwelling within state forests also entertain fewer contacts with any kind of state officials than they do with the representatives of the FD, with whom they interact on a day-to-day basis. In other words, forest territoriality has a direct impact on whom Van Gujjars interact with and how they intimately experience the Indian state.

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4 In conformity with the previous note, *Gujjarism* is also spelled *gujarism*, etc. For scholarly discussions about this notion, see Lyon 1999 and Singh 2012.

5 There exist important ideological differences between Gujjar groups, some of which the largely Hindu proponents of “pan-gujjarism” have been unable to surmount. Whereas Van Gujjars are discreet about their past, mainstream Gujjarism mythologizes a past full of Gujjar kingdoms and warring heroes (e.g., Warikoo and Som 1999, Munshi 1955 and other books fraudulently reedited by Singh (under his own name!) in 2003). The prominent voices of Gujjarism maintain a paternalistic stance towards the Van Gujjars, whom they see as the weaker members of their family. Some Hindu elements openly express the view that the Van Gujjars should be “brought back” into the lap of Hinduism (Singh 2012, interviews). While the Van Gujjars see as highly probable that they once were Hindus, their current Muslim faith is not debatable.

When a delegation comprising a few of my informants traveled from Uttarakhand to Himachal Pradesh (H.P.) to support one local Gujjar campaigning during the 2014 federal elections, Gujjarism was not the main factor motivating them. Their move certainly indexed time-honored affinities, but these ties did not extend to other Gujjar groups in India. The Van Gujjars of U.P. closely related to the Muslim Gujjars of H.P. whom they met during the summer migration.<sup>6</sup> The Gujjars of H.P. are like family to them, and the two groups have been known to intermarry. The main difference is that the Gujjars of H.P. were granted the official status “scheduled tribes” (ST) in the 1960s. Because of this, they are eligible for positive discrimination measures called reservations, for example reserved seats in education and quotas in public jobs. For their part, the Van Gujjars never benefited from tribal promotion policies. Story has it that is because they failed to attract the attention of India's political class at the critical moment when the tribal lists were drafted, another sign of Van Gujjars' marginalization and minority status. According to Van Gujjars, alliances with their H.P. brethren could bring them nearer to obtaining the tribal status, which they covet although “tribal development” is likely to lead to forced sedentarization and the end of their nomadic lifestyle (see Chapter 6). Some Van Gujjars I knew migrated to H.P. in the summer and participated in Gujjar Tribal Welfare Committees there. Some were even registered ST. in H.P., but lost their special status when they crossed back the Uttarakhand border at the end of the summer and monsoon. In Uttarakhand and U.P., the Van Gujjars' access to education, health care, and welfare in general, is deficient. They also show

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6 The semi-nomadic Gujjars remain in the Shivalik forests located at the toes of the Himalayas six months of the year, between September and April. At the close of this period, they travel uphill as the summer heat hits the plains. In short, the Van Gujjars follow the seasons and the availability of water, grass and leaf fodder, though I partially question the naturalness of this migratory pattern in Chapter 6. The migrations proper, whether up- or downhill, can last up to one month, as many travel a distance of some 250-300 km each way. The buffaloes impose the rhythm of the walk – which is excruciatingly slow. This schedule leaves the majority of Van Gujjars spending four to five months of the year in temporary hill camps, which are sometimes nothing more than a piece of tarpaulin pitched on a lofty Himalayan ridge surrounded by pastures where buffaloes can graze freely and fatten. As Van Gujjars remain stationed at any one of two seasonal sites for most of the year, instead of covering new ground daily, they are called *semi*-nomads.

abysmally low development indicators. If nowadays the condition of the H.P. Gujjars is the envy of the Van Gujjars, it is interesting to note that the latter were not always the most deprived. Oral history recounts that no later than two generations ago, the ancestors of the Van Gujjars were magnificently affluent, but subsequently became marginalized (see Chapter 4). Such injustice informs how contemporary Van Gujjars perceive and represent state administrations in H.P., U.P., and Uttarakhand (see subsequent chapters).

My commitment to the Van Gujjars during fieldwork implied more than searching for meaning in marginalization or making observations about the ways of life of *jangli* subjects in a rugged landscape. My approach was iterative and I kept visiting my informants over and over both during my ethnographic research and later in November and December in 2015 and 2016 when I returned to the field. I built trust and wanted to support the Van Gujjars' political struggles for recognition and justice. My informants asked for my opinion and encouraged me to relate their story outside the community, to officials, academics, and Western audiences. Some of my methods were participatory, also. I accompanied the Van Gujjars in their daily chores and I tagged along the migrations too. Lastly, I have organized several workshops to share information about the Forest Rights Act (FRA), a legislation that had promised to regularize the situation of the Van Gujjars as traditional forest dwellers.

### **What's in a Name? The Struggle that Distinguished the “Van” Gujjars**

The “Van” in Van Gujjar is a recent addition. The prefix did not distinguish the nomadic herders of U.P. from their brethren in H.P. and J&K, or the Hindu Gujjars for that matter, before the 1980s. In fact, until recently, the Van Gujjars of U.P. were still known as the *Jammuwala Gujjars*. The origin of the *Jammuwala* appellation is found in Gujjar oral history and

renditions of the same written by various colonial administrators and Indian historians. These stories surmise that many centuries ago, the Van Gujjars came to H.P. and U.P. as part of the dowry of a princess of Jammu who was married in Sirmaur, H.P. Being unable to find milk of the purest quality in Sirmaur, the princess implored her father the King of Jammu to send a number of his Gujjar subjects to her court.<sup>7</sup>

The nomadic Gujjars of U.P. and Uttarakhand were branded “Van” Gujjars by social activists and NGO workers after the notification process of the Rajaji National Park was initiated in 1983 for increasing the level of protection granted to the elephants in the area.<sup>8</sup> In Hindi, “Van” means “forest”, and therefore, “Van Gujjars” roughly translates as “forest herders”. The Van Gujjars also distinguished themselves during the 1980s as they opposed their eviction from the lands included within the Rajaji. Once tucked in the westernmost corner of Uttar Pradesh, this park encompassing 820 square kilometers of land was devolved to Uttarakhand after it became an independent state in 2000. Ever since, the Van Gujjars have figured prominently in scholarly discussions about the forceful human displacement caused by conservation initiatives in India and elsewhere (Platt et al. 2016, Torri 2011, Lasgorceix and Kothari 2009, Agrawal and Redford 2009, Gooch 2009 and 1998, Rangarajan and Shahabuddin 2006, Chatty and Colchester 2002).

The notification process for the Rajaji eventually aborted because the central administration in Delhi chose to withhold its approval. It was found that the FD of U.P. had not planned adequate compensation for those who would be displaced by cordoning off the protected

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7 Several oral stories link Van Gujjar origins to royalty. Whereas in most accounts Van Gujjars are *subjects* of a reigning king, others explain that Van Gujjars have *lost* their sovereign prerogatives, including ownership of land estates, to wanderlust (see Gooch 1998). These myths are power artifacts that blame nomadic marginalization on unacceptable behavior and irresponsible choices.

8 The park was finally gazetted 30 years later, in 2013. Rajaji had constantly failed to comply with the legal requirements regarding compensation of affected forest dwellers. Only the accession of the park to the status of a Tiger Reserve – the highest conservation status in India – rendered these requirements superfluous and made gazetting possible.

area (Indira 1992).<sup>9</sup> Even without the official seal, however, the FD of U.P. has managed the Rajaji as a national park since the 1980s – the FD practices altering land uses more effectively than the legal status of the protected area in this case. Since, thousands of Van Gujjar families were displaced and hundreds more threatened with eviction. The 1980s and 1990s have been particularly troubled decades for the Van Gujjars.<sup>10</sup> Officially, 1390 families were slated for “rehabilitation”. The initial count was 512 families and a subsequent census added 878 more almost two decades later (in 1998). These censuses led to the construction of two colonies, one on each side of the Ganges River downstream from the city of Haridwar. The FD removed many more households from the forest ranges of the Rajaji, their residents evicted from their ancestral lands without compensation – all in the name of wildlife protection.<sup>11</sup>

Activists pleading with the forest bureaucracy for more humane treatment of the Van Gujjars and the recognition of their customary rights immediately recognized the need for improved communication strategies. The Indian public was familiar with the Hindu Gujjars, particularly the wealthiest sorts who were found in Delhi and nearby states. Popular opinion was less knowledgeable about the nomadic minorities of U.P., however. Social activists and their vocal interlocutors among those affected by the park wanted to distinguish the Van Gujjars from the other Hindu and Muslim Gujjars. Unlike them, the forest dwellers of U.P. were neither settled, nor powerful, nor eligible for tribal social promotion.<sup>12</sup>

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9 Before its secession in 2000, Uttarakhand’s territory was part of U.P.

10 Not only Van Gujjars were affected; estimates figure that, in India, 100,000 people have been displaced from 300 protected areas during the 1980s alone. The Tiger Task Force reports 46,000 more evictions from Tiger Reserves, and many observers think these numbers underestimate the true extent of the evictions (see Lasgorceix and Kothari 2009).

11 The fact that a substantial Van Gujjar population was relocated and settled in two colonies in Uttarakhand is important. The colonies provide a counterpoint to Van Gujjar life as it is lived inside state forests. The colonies also show how governmental geographies have become increasingly complex for the Van Gujjars.

12 Gooch (2006: 106) locates the emergence of the “Van” in the name of the Van Gujjars within the context just described. She also states why bureaucrats would use the “Van” label to bar “countless other Gujjar communities” from being included in the Rajaji resettlement programs. The worries of state official betray the polysemous nature of the ethnonym “Gujjar” as well as the semantic flexibility of caste and tribal identifications

When I was in the field, I heard several Van Gujjars expressing dissatisfaction with the “Van” in their name. Being treated as different from other groups of influential Gujjars, they doubted they ever could claim the special accommodations the Indian Constitution is granting to depressed classes and tribals. Historically, the Van Gujjars have experienced endless difficulties linked to their ambiguous status as jungle denizens. Putting their children in school, moving in and out of the forests, or obtaining a voters' ID is difficult without a proof of address. Van Gujjars garner the attention of their political representatives with utmost difficulty as the latter do not see them, disfranchized forest dwellers, as their legitimate constituents. Van Gujjars are mostly seen as illegal immigrants who came from Jammu, encroachers and squatters on state property. The Van Gujjars themselves wonder what they could do to be regarded as legitimate citizens. Sometimes they call themselves “*jangli*” Gujjars, instead of Van (“forest”) Gujjars, which roughly translates as “peoples of the wild” or, more concisely, “wild people”. These intimations of wildness alter the Van Gujjars' own perceptions of themselves and how they mobilize politically. This ambiguous, yet productive political subtext will be discussed in Chapter 6.

### **Van Gujjar living arrangements, residence patterns, and access to the forest resources**

In retrospect, the Van Gujjars have inherited their distinctive name from the Rajaji episode, but ultimately no cohesive ethnic front has ever rallied around the “Van” designation. Instead, the Rajaji has fractured the Van Gujjars into several factions separated by politically salient boundaries. The living arrangements of the Van Gujjars, which can be distinguished by geographical location and settlement patterns, have had a direct impact on their capacity to mobilize. Today, the Van Gujjars are divided into four groups: those who were displaced from the

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when political and material gains hang in the balance (see for instance Gupta 2005).

park area but relocated in the colonies where they now thrive; those who were evicted without any form of compensation and who now squat on public land (or in a few cases on private land) alongside other Van Gujjars who have “willingly” left the forests because they could not afford the extra-legal rent which forest workers asked from them; a third group comprises those who still live within reserved forests which were not included within the park limits; finally, the fourth group refers to park dwellers who have thus far resisted being evicted. Whereas both resettlement colonies are located in Uttarakhand, a majority of the Gujjars that still dwell within state forests outside the Rajaji live in the Shivalik ranges of U.P. Access to the forest resources is most difficult inside the Rajaji; in comparison, control is more relaxed in the Shivaliks. Different tenure and access regimes imprint state and conservation boundaries in Van Gujjar imaginations. This in turn affects how Van Gujjars form cultural representations about bureaucratic rule across each state. These days, U.P.'s Van Gujjars claim – with some exaggeration – that Uttarakhand has compensated *all* jungle pastoralists by offering them generous resettlement packages, while U.P. has so far neglected them. In reality, the Van Gujjars who were duly resettled outside the Rajaji were treated in conformity with paragraphs 24 and 25 of the Wildlife Protection Act of 1972, dispositions that bear resemblance those of the Land Acquisition Act of 1894. Both are Indian union-level bills that have protected people displaced by the state against the most blatant abuses. In general, however, Van Gujjars view it as the duty of *each individual* state of the Indian union to extend tenure rights to “backward communities” – as disadvantaged groups are called in India – in keeping with the spirit of previous land reforms seeking to emancipate oppressed tenants from the grip of exploitative landlords. Van Gujjars contend that, displacement from protected areas or not, in the light of their shared history, all jungle pastoralists have equal rights to land property, access to primary education, basic health care, and other amenities provided by the state



such as clean water. This egalitarian vision rests on the Gujjars' own understanding of the legitimacy of their customary rights and their knowledge that the state was at least once committed to provide shelter to the homeless and land to the landless.

Van Gujjars see themselves as two main groups, those who have been resettled and those who have not. This self-representation obfuscates the fate that befalls other factions of Van Gujjars mentioned above: informal clusters of Van Gujjars squatting land outside classified forest lands and the Rajaji residents as well. The squatters occupying lands at the fringes of agricultural areas are now out of the reach of the FD. They hope to normalize their situation in the future, notably by claiming land in “adverse possession” – a feature of property law India shares with many other countries, allowing squatters to claim private land rights on Crown land after years of continuous occupation. However, this strategy can create animosity between Van Gujjars, rural authorities, and landed elites coveting the same land, with each group thinking their claims are the more legitimate.

Then, a few hundred Van Gujjar families still live within the Rajaji in violation of conservation guidelines. State officials often talk about park dwellers as people in a phase of transition. To them, Van Gujjars will eventually settle on their own volition, or be resettled. This amounts to saying that state bureaucrats see Van Gujjars as incomplete beings – nomads, vagrants, and squatters who are not yet legitimate citizens, but could become legitimate soon after they take roots somewhere. This stance depoliticizes Van Gujjar settlements while also naturalizing transition to sedentary life and nation-building on the basis of agrarian ideals (see Chapter 6). For the FD, an institution that has developed its own language to speak about forest dwellers, the Gujjars are trespassers and criminals (see Chapter 4 and following). In this context, Van Gujjars, like other disfranchized groups around the world, vote with their feet. From an

analytical point of view, occupying forests against state policies is not unequivocally a crime. This transgression of state property is also a political gesture on the part of those who have struggled to maintain access to forests and the livelihoods they draw from there.

Most Van Gujjars still living inside Rajaji have resisted relocation because their name or that of their next-of-kin do not appear on the FD censuses, rendering them ineligible for rehabilitation. The FD has also made repeated promises to the Rajaji Van Gujjars, reassuring them that inclusive relocation packages were forthcoming. To date, however, these promises of colonies furnished with public utilities typically found in Indian villages, including schools, health clinics, irrigation, clean water, roads, and electricity, failed to materialize. And so Van Gujjars remain in forests and protected areas. Beyond resistance, however, Van Gujjars' land uses and movements also correspond to how they negotiate with the forest staff, as will be illustrated in following chapters, underlining the existence of complex political relationships between traditional forest dwellers and forest workers.

Within state forests, Van Gujjars have established themselves on *tappars*,<sup>13</sup> which are small, flat, and grassy areas bordering the rivers that cut the Shivaliks into narrow ravines. These *tappars* are not very big, and they are located some distance apart from one another. Thus, the residence pattern of the Van Gujjars is neither the hamlet nor the village. Each individual family lives at a respectable distance from its nearest neighbors – and, Van Gujjars say, this makes them more vulnerable to FD searches and exaction. This settlement pattern is not “traditional” in the sense that it was given form through the permits system that was instigated by the FD about eighty years ago, which has allocated bounded “forest compartment” to the herders paying annual dues. Thus, a good *tappar* has been a privilege that came at a cost. Officially, the Van Gujjars pay

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13 The word *tappar* might be a regionalism, as I and others could not find it in any dictionary.

a nominal fee for their use of the forest resources. The Van Gujjars call this annual amount their “permit”, although numerous households pay “permit fees” since generations despite never having possessed an actual paper “permit”. Whether this paper permit exists or not, the payable amount is calculated at a *pro rata* of the number of buffaloes that one owns (this system is further explained in Chapter 4). In theory, the Van Gujjars would not have to pay any other form of rent besides the “permit fee”. Less officially, the Van Gujjars pay their dues many times over. Not only are they charged at a much higher rate per buffalo than the (undoubtedly antiquated) laws prescribe, but the Van Gujjars must perform an equivalent amount of fixing, bribing, and gifting for everything that they glean from their jungles, regardless whether it is through lopping leaves, collecting firewood, or thatching grass for housing purposes.



**Illustration 3:** Picture showing the broken Shivalik landscape and a Van Gujar hut on a tappar deep inside the Saharanpur jungles of the Shivalik Forest Division (c) Pierre-Alexandre Paquet.

The conditions of access to forest resources around the resettlement colonies are similar, insofar as the colony residents have no usufruct rights in nearby forests. The same conditions generally prevail throughout rural India. Indian villagers cook over wood stoves and therefore need fuel wood every day. However, many do not possess any forest rights.<sup>14</sup> Being without official access rights, the Van Gujjars in the colonies negotiate with the FD staff for everything that they wish to take from forests, just like the Van Gujjars who still live inside the forests, and just like Indian forest users more generally. Of course, the amounts paid for access rights to forest products vary across India. Whether legal or not, these fees tend to vary according to several parameters ranging from the dispositions of mind of the FD functionaries, the type and rarity of the resources, and so on. Some individuals enjoy privileged rates due to special circumstances, including status and power. But overall it can be observed that the total costs of forest products, comprised of a mixture of legal and extra-legal fees, gain a certain “stickiness” over time. This is to say that once people get to know how much things cost in the region where they live, they expect to pay this price and nothing more. For example, gleaners from around the park area where I worked paid a daily entrance fee of 20 rupees directly to the range office (or to a local Van Gujjar deputy in the wee hours of the morning, before the ranger began working in his office). Payment of this fee gave gleaners the right to collect a headload of forest products, but not timber. This practice was illegal, perhaps, however 20 rupees was also a regional (range-wise) convention.

The politics of forest access in India are complex; beyond legal considerations, there are issues of ethnicity, class, caste, social status, and bureaucratic hierarchies. It is interesting to

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<sup>14</sup> Village forests are a legal type of forest property which is discussed in Chapters 3. The point I want to convey, however, is that even when Indian subjects officially hold access rights to forests, they can still be required to engage in various legal, extra-legal and illicit transactions with other claimants of forest rights and forest guards.

observe how various claims to authority and complex forms of social identification are performed during access struggles. On the one hand, the FD authority sits on the official forest policies, but modulates enforcement based on its capacity to perform legal and illicit exactions from forest users. On the other hand, Van Gujjars do not remain passive in these transactions. They too actively negotiate the terms of their access using extra-legal means, lavish payments, and gifts. Within the forest context, asserting one's rights to harvest natural resources is a political gesture that defines one's social position and authority within jungle government. As the following chapters show, the performance and style of access struggles are important in the formation of distinct *jangli* subjectivities too. Van Gujjars who are particularly skilled at negotiating with the FD can become recognized as worthy leaders by their peers. A good leader should be able to negotiate lesser fees, get sanctions waived, and even secure funds such as those allocated, for example, to temporary employment schemes (on plantations, digging trenches, and so on) that FD officials distribute to their clientele from time to time. A good leader broadly redistributes such benefits and state relief, not only to his next-of-kin, but also to the weak and the poor, thus legitimating his relations of connivance with the FD. On a day-to-day basis, however, most transactions between state officials and the Van Gujjars take place under the cover of secrecy. Collusion remains tacit.

Gender is another factor shaping access to forests. It is mostly the men who are seen as controlling access to the natural resources; they possess the permits and they are the one greasing the palm of the FD workers. But Van Gujjar women regularly perform the same tasks as men within jungles, cutting and transporting leaf fodder for the animals. Yet, FD personnel and other men usually regard them as a lesser threat to social hierarchies and the environment also. This means that the sexist bias characterizing jungle government grants relative impunity to Van



Gujjar women who might be tolerated even in forests where the men cannot go. During the migrations, the women often take the lead. They run with the loaded horses (leaving the men with the slow-moving buffaloes), and it is they who make first contact with cultivators, police, and others ahead on the road. Their specific positionality can ease negotiations. Gender identities also shape conflicts in other ways. When violence breaks out between FD and Van Gujjars, or among Van Gujjars themselves because of access issues, it is not rare to hear about women being the first victims. Accusations of harassment weight heavily on the reputation of the belligerents. Their honor can be called into question, for raising a hand against a woman is considered shameful. Likewise, accusing someone of this amounts to defamation. Status, gender, and identity condition one's experience of jungle politics. Hence, it makes good methodological sense to study how one conducts oneself considering a host of social factors and how these vary across different regions.

Forest politics intersect with various aspects of the bureaucrats' and forest dwellers' personal life as well. Subjective experience is not an autonomous domain located outside forest government. Daily life within Van Gujjar communities is regulated by sociocultural norms that mediate forest politics. This life revolves around the camps, or *deras*,<sup>15</sup> which comprise male siblings, their wives, their unmarried daughters and sisters, their sons, and eventually their sons' families. This patrilocal organization is also common within the resettlement colonies. In both cases, the primary factor mentioned by Van Gujjars to explain this current pattern is lack of space. Oral history suggests that the Van Gujjars were much more independent from their siblings when they could disperse in the forests (see subsequent chapters).

Patrilocality also means that it is not rare for families without a male heir to adopt male children, take servants, or arrange a marriage so as to acquire a son-in-law who will move in

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<sup>15</sup> Dera is the Hindi for camp. By extension, families living “encamped” together compose the dera (Gooch 1998).

the camp. These strategies are sometimes necessary to the survival of the *dera*. In the plurifamilial *dera*, each nuclear family erects a hut of its own. Though a hut is sometimes called a *dera*, the term is ordinarily reserved for the camp as a whole. A hut is called a *chappar* or, on occasion, a *jhopra*, Hindi terms meaning “thatch roof” and “hut”, respectively.<sup>16</sup> A cluster of many independent “roofs”, the *dera* is habitually headed by the eldest male to live on the premises, a patriarch-like figure likely to be the holder of the grazing and lopping permits issued by the FD.

The FD stopped issuing new permits in the late 1990s, a strategy for preventing the increasingly assertive demands of the Van Gujjars for land settlement within forests. In the absence of new permits, the names of patriarchs' sons are simply not recorded in official books, or it costs thousands of rupees to get them recorded – an illegal practice about which I have collected consistent testimonies. Meanwhile, Van Gujjars hang onto their old permits as a proof of their ancestral occupation of the land. These are worn pieces of paper falling apart due to having been folded and unfolded umpteen times. Many such pieces of evidence have been destroyed. Although the FD is responsible for collecting data for the national census in forest areas, many Van Gujjar families remain unaccounted for. There are complex politics at play here too. Sometimes FD workers take advantage of Van Gujjar illiteracy, charging them a fee for registering names, but Van Gujjars can also decide not to report children and relatives deemed to have no rights to the family's patrimony – girls, especially. In any case, the authority of the FD over the permits is neither perfect, nor complete. Family and inheritance disputes may lead to permits getting split or transferred. In such cases, the forest ranger might be enrolled as an accomplice officializing decisions taken by the head of the household or the elders' council (*panchayat*), including decisions reproducing gender biases.

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<sup>16</sup> Both terms are Hindi.

The limited number of permits currently in circulation means that Van Gujjars born within jungles may not leave the *dera* of a permit holder at their own will. This shows how permits designed to control the entry of cattle to state forests eventually changed how people related to each other, even within the familial unit (see Chapter 4). These political effects must be considered alongside the fact that some Van Gujjar lineages never had a permit in the first place, and might never have one unless the conditions of access to demarcated forests change substantially. Not having a permit means being subject to more harassment by the forest staff, although even current permit-holders admit that they too do not feel welcome in forests anymore. Social analysis therefore shows that the effects of forest governmentality – a regime based on legal statutes, permit possession, and more nuanced property relations –, are also refracted by top-down and bottom-up processes associated with experiences of kinship, different style of administration, and so on. As such, this blurs the lines between state and society that sociology and anthropology traditionally saw as neatly divided.

### **Environmental Knowledge and Ecological Degradation for the Van Gujjars**

According to the Van Gujjars, dramatic ecological changes have negatively impacted forests and forest-based livelihoods in the 20<sup>th</sup> century (see subsequent chapter). The forest dwellers have observed that timber exploitation caused a decline in forest cover, and the proliferation of unpalatable grasses and invasive species, such as *Lantana camara* – locally known as *bilari*. These invasives compete with the plants that buffaloes like to eat, and have a negative effect on the Van Gujjar economy. In a sense, environmental degradation has conspired with the strictest policies of the FD in rendering forests less hospitable to the Van Gujjars.



Van Gujjars are well acquainted with jungles, their dwelling places. They can readily identify hundreds of trees and plant species, which they have used traditionally, or continue to use as fodder, medicine, oil, flavoring, perfume, soap and so on, as revealed by ethnobotanical activities which I have completed with the participation of a few field informants. The Van Gujjars also share information with the FD, an institution that has always relied on pastoralists reporting timber smugglers and poachers. British or not, however, state experts never considered the Van Gujjars as capable forest caretakers, although those who had mobilized against evictions from the Rajaji had intended to change that. One NGO, in collaboration with the Van Gujjars, has even produced a detailed proposal for a new approach to park management giving nomads the role of stewards, whereas the FD would only have acted in the capacity of external facilitator (RLEK 1997). In spite of sustained advocacy for achieving such outcomes, state bureaucrats held on to their entrenched views in top-down conservation. They entirely dismissed discourses framing Van Gujjars as able forest managers. To most state experts, humans, by their very nature, pose a threat to the environment that the Indian national park system aims at protecting. Discursively, Van Gujjars have been framed by the FD as the worst ecological menace in the region of my PhD study (see Chapter 5). Current policy-oriented studies define Van Gujjars' impact on forest ecology as "disturbance", and most research designs ignore the possibility of community management. No plan to award Van Gujjars decision-making powers has ever been seriously considered in either U.P. or Uttarakhand. In the meantime, environmental degradation has continued to pauperize Van Gujjars, and what marginalizes them even further is that their access to forest resources hinges on costly extra-legal arrangements mainly benefiting the forest staff (see Chapter 4 and following).

## **The Setting of the Research: Four Ideal Locations across an Invented Political Geography**

Jungles and forests are not everywhere the same. Specific stories shaped them and different regions saw forestry laws being enforced, broken, and modified; likewise, alliances have been sealed, shattered, and reinvented within forests too; authorities waxed and waned; careers were made and destroyed; knowledge was gained, disputed and revised.

Insofar as this dissertation discusses cases of infringement, crime-as-protest, power abuses, and violent sanctions, I have taken extra precaution in protecting the anonymity of my informants. The use of pseudonyms encouraged by the Research Ethics Boards of McGill University seemed insufficient, however, considering that I have worked with people living in sparsely populated forest units. An insider could guess the true identity of any of my informants based on information relating to their geographic location, social status, economic standing, and political views. I have thus made the decision to graft my narrative onto a fictive geography – dotted with four fictive locations – in addition to using individualized pseudonyms.

This procedure has its advantages. Using an imaginary set of locations allowed me to fit two or more real locations into a single “ideal type” (Weber 1958). Following Weber, an “ideal type” is an analytical construct that highlights the discernible properties of given social facts (that one wishes to discuss in a purposive argument, see Hekman 1997). Ideal types can become useful “yardsticks” to “measure” social facts one against another. In short, ideal types can make social contrasts more vivid and clearer (*Ibid.*). There is a drawback, however. In this case, my ideal types are fictive locations that separate historical events from their real geographical setting.<sup>17</sup>

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<sup>17</sup> This is unfortunate considering that FRA accepts oral and local histories as means to substantiate claims of forest rights. The FD however asks for written proof and also (illegally) interprets FRA’s condition that non-tribals prove having lived within forests for three generations as equivalent for them to submit a written proof 75 years old. This discriminates against those who have established their family at a young age. Van Gujjars have lived within their jungles for many generations, but many do not possess written evidence to corroborate this, hence the added value to recording oral history in this context.

This limitation is only partial, however, considering that I could afford making references to regional entities, for example the Shivaliks, the Rajaji National Park, and the resettlement colonies; these locations are all large enough that pinpointing any given person living within them would be difficult.

The four ideal places to which I will refer the most in the next chapters are:

- 1- the Shivalik forests;
- 2- the Rajaji National Park, or Rajaji for short;
- 3- the resettlement colony;
- 4- and the squatter “colony”.

These four types also typify different factions among the Van Gujjars. In the four subsections below, I provide a description of the prominent features, the inhabitants, and the figures of authority of each location.

#### *Amnadi: a river of the Shivaliks*

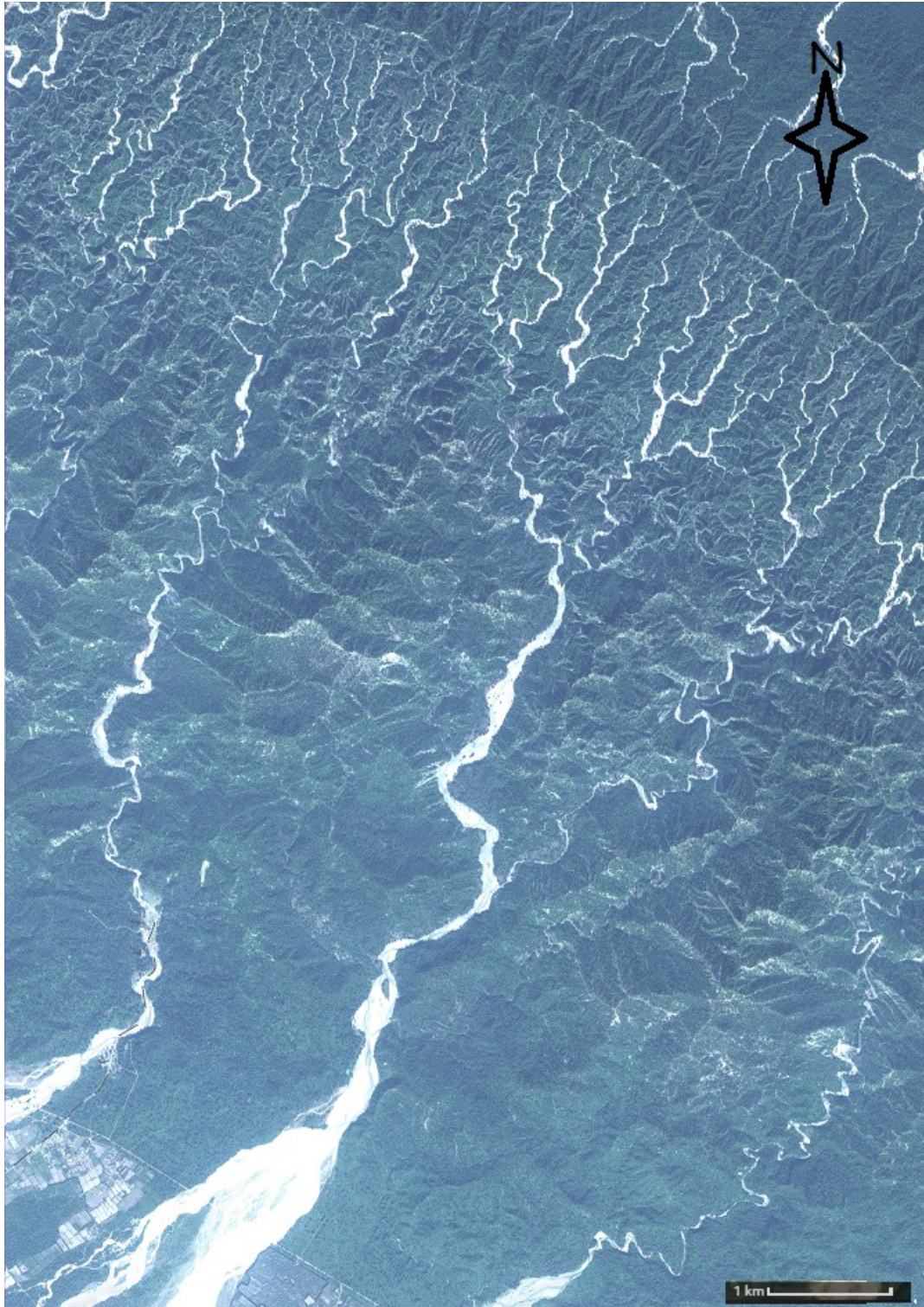
According to Hindu mythology, the hills collectively known as the Shivaliks are the namesake of Shiva's dreadlocks. It is said that Shiva absorbed the brunt impact of the waters of the Ganges in the braided mat of his hair when this holy river (and the goddess that it represents) was unleashed from its heavenly abode. Shiva's divine intervention allegedly saved the world from utter annihilation. Today, the Ganges emerges from the mountains at Rishikesh. It reaches the Indo-Gangetic plain twenty kilometers downriver near the city of Haridwar. To the North and the West of Rishikesh, the landscape is broken into soft limestone ridges towering over bouldery rivers: the Shivaliks. These hills reach an elevation slightly in excess of 1,000 meters above sea level along their watershed divide. The conglomerate, clay, debris, and alluvium carried by local torrents offer a lasting testimony about the contradictory forces of tectonic rift and erosion.

The Shivalik slopes are clad by mixed tree species. If today comparable diversity rhymes with the richness of biodiversity, it did not always carry a positive connotation. During colonial times, the stands of miscellaneous trees of the Shivaliks fetched much less on the markets than the homogeneous stock filling the forests of the Doon Valley located to the south. Some of the varied species found in the hills did not encounter a ready market in the 19<sup>th</sup> century. Access was also problematic (see Chapter 3). In fact, it is still difficult to move about the Shivalik forests today. Temperamental rivers provide the only existing communication channels to the interior of the hills. Cellphone coverage being nil in the river recesses, physical access is crucial to the forest dwellers. When the waters rise suddenly after a monsoon downpour, all passage can be barred for days. My first attempt to meet the Van Gujjars dwelling on Amnadi – literally, the “generic river”, a fictive place – was thwarted by swollen monsoon torrents. Upon my arrival sometime in August 2013, I was warned by the resident of a (non-Gujjar) hamlet at the outskirts of the forests that crossing was impracticable. An elderly woman going to collect fuel wood had been swept off her feet the day before I arrived, and her body had not been retrieved yet. The river did not settle throughout the length of my stay in the vicinity, and I returned to Dehradun disappointed but safe, having not dared to defy the advice of the locals. In hindsight, this is how I learned firsthand about the isolation of the Van Gujjars living in the Shivaliks. For three whole days, no one came out of Amnadi *khol*<sup>18</sup>. Milk was neither sold nor were any goods brought from the market. The waters only receded after I left.

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18 A Hindi regionalism meaning the catchment area of a seasonal river. In the Shivalik region, they have a bouldery aspect.





**Illustration 4:** The main rivers of the Shivalik Division are ten to twelve kilometer long; the watershed line, easily identified on this map, divides the two states of U.P. and Uttarakhand (source: Google Maps)

There are about one hundred *deras* in Amnadi, one of its leaders estimates.<sup>19</sup> Including all adults and children, Amnadi's total population numbers a little less than one thousand individuals, all ethnic Van Gujjars. Amnadi is a populated *khol* considering that in aggregate, the thirteen rivers running in the Shivaliks, from Mohand to Badshahibagh, harbor 8,000 Van Gujjar individuals, more or less.<sup>20</sup>

Usually, each *khol* of the Shivaliks has one leader, but Amnadi is exceptional in this regard. There have been two headmen in Amnadi since accusations of “corruption” were leveled against the first of the two. In Van Gujjar parlance, this leader “ate” more than his fair share – “eating money”, or simply “eating”, is a common Hindi expression for abusing one's authority for personal gains. The charges were taken seriously by the elders of Amnadi *khol* – whose council is called a *panchayat*, or *painch*, even though it is not recognized an official organ of the rural governance as defined by the 73<sup>rd</sup> amendment of the Indian Constitution (see Chapter 6). The elders' council installed a new leader in the *khol*, but the former retained most of his influence. Van Gujjar leaders gain prominence based on their personal achievement and individual qualities, neither of which can be taken away from them.

Time and again, the deposed leader of Amnadi would be allowed to speak in the name of his constituents at semi-official gatherings and formal events. Well-spoken, well connected, and well-traveled, he embodied many of the qualities that the Van Gujjars look for in a headman. He occupied center-stage during the workshops on the Forest Rights Act I organized for the

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19 It is extremely difficult to say how many Van Gujjars there are in U.P. and Uttarakhand. The Indian census stopped releasing information on caste more than 80 years ago because of the volatility of this information that could be used to arouse ethnic conflicts. Even available historical numbers jumble Van Gujjars with other Gujjars – that is to say, non-nomadic, non-Muslim and non-forest dwelling Gujjars. Population censuses inside forests are the responsibility of the FD, but they mostly keep their numbers a state secret. For example, because the land of the resettlement colonies has not been ceded by the FD yet, the population of the two colonies did not appear in the latest census (GoI 2011).

20 SOPHIA, personal communication.

Amnadi Van Gujjars.<sup>21</sup> He also spoke in the same capacity as other *khol* leaders during a meeting with the Saharanpur District authorities following one of the workshops. The position of a Van Gujjar leader is not institutionalized in any bureaucratic sense, although community leaders skillfully mobilize bureaucratic technologies such as written documents in order to consolidate their authority.<sup>22</sup>

Amnadi's new leader did not have either the presence or the eloquence of his predecessor. He was also much younger, and had been chosen for his literacy skills more than the virtue of his character. He was expected to “work for the people”, helping them filling forms and dealing with red tape and state bureaucracy. The competition between the two men was not ferocious, but their followers regularly mocked the leader of the other side.

Another particularity of Amnadi is that access to its natural resources is relatively open in spite of official restrictions. Natural resources in the region are heavily exploited by local villagers and timber contractors. The Department conducts all kinds of operations, including timber removal, along the rivers of the Shivaliks, and it also gets funds for plantations that often result in more barbwire enclosing the grassy *tappars* used by Van Gujjars than actual trees. In Amnadi and nearby *kholes* also, the Indian army holds training camps and firing practices. Heavy equipment is used and bomb shells can land not far from Van Gujjar habitations. In this contested and militarized landscape, Amnadi's Van Gujjars feel increased scarcity and insecurity. They also feel the state pays no attention to them.

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21 These workshops represented a humble effort on my part to decolonize the fieldwork research. I wanted to bring something positive to the community, and therefore engaged into activities aiming at raising awareness on the question of customary forest rights. Each component of the workshop – recruitment, participation, and final outcomes – was imbricated into local politics over which I had no control, however. Although well worth the effort, decolonizing research was both illuminating and overwhelming, I found.

22 One example worth mentioning, the leader of a *khol* once asked me to get him a stamp reading “President of the Forest Rights Act Committee” and an ink pad after he had participated to one of my workshops about FRA.



### Gaureiyaghar nested in Rajaji National Park

Rajaji National Park was named after Chakravarti Rajagopalachari, the first governor general of India after the country became independent. Rechristened Rajaji for short, the governor general had succumbed to the charms of the jungles in the vicinity of Dehradun during a hunting excursion. Covering a land mass of 820 km<sup>2</sup>, the Rajaji is large by Indian standards, being twice the average size of the country's 103 national parks<sup>23</sup>. Portions of the park had been wildlife sanctuaries since as early as 1948, but the Rajaji only officially became a national park recently, as describe above.

About two-thirds of the forest cover of Rajaji is *sal* (*Shorea robusta*), the dominant tree species in this area (Fernandez 1888, Rasaily 2012). The remaining third of the land cover is split into two equal parts: one including all deciduous forests including the *Khair*, *Sissu*, Mixed and Gangetic types, the other comprising all plantations, scrub and non-forest areas. Patches of *chir* pines grow along the highest ridges of the park too, though they barely make 3% of the tree cover (Rasaily 2012). *Sal* used to be extracted along industrial lines in the Doon Valley, generating more revenues per acre than the Shivalik timber operations immediately to the North-West. This of course has changed after the Rajaji began to be managed as a park, putting a stop to official timber activities therein. The Rajaji is most famous for its deer population (*chital*, *sambar*, and barking deer), leopards, panthers, tigers and elephants. Small mammals, various reptiles, and 315 types of birds are also reported to inhabit the park.

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23 India also has a large number of wildlife sanctuaries (536), conservation reserves (67) and a handful of community reserves (26). The concept of community reserve (CR) is a fairly recent addition to the Indian conservation network. The four first CRs were established in 2007. Two were located in Punjab, while Kerala and Karnataka reported having one each. The remaining 22 were declared by the small North-Eastern state of Meghalaya in 2014. There is no evidence signaling a growing trend in community reserves being demarcated in other states. CRs amount to a tiny fraction of the Indian territory (0.001%) and the land under any conservation status (0.02%). Taken together, all types of protected areas put 5% (4.89%, to be exact) of the Indian territory under one form of environmental protection or another (WII-ENVIS 2016). Meanwhile, GIS data establish the forest cover at 21.34% for the whole country (ISFR 2015).



Entry within the park area is formally restricted. It took me months to obtain a special research permit for the Rajaji, even though I had no intention to extract any kind of material sample from the jungle. During my months of limbo, I kept being sent from pillar to post. I quickly became more familiar with the generous holiday calendar, the unpredictable days off, the frequent travels “out of station”, and the elastic breaks that are the prerogatives of the FD officers. In the end, my permit turned out to be useless for my purpose, one of its clauses requiring that a forest guard escorts the researcher (me) at all times within the park. This story is instructive nonetheless: it shows how access to the research site was nested within a larger political regime whose focus was biological studies and wildlife protection instead of social studies and development activities.

Neither the park directors nor the range officers took my objections to the permit’s conditions seriously. It was my opinion that the presence of a forest guards would introduce a bias in the interviews and impair my capacity to build trust with my informants. For the forest officers, this “security” clause was not negotiable. They argued that the forest guard would tag along only to make sure that I was safe from the tigers and elephants that are also denizens within the park. Cynical observers told me, tongue-in-cheek, that the escort's job would be to make sure that I did not stumble upon any illegal timber operation within the park boundaries, something that had happened to other investigators in the past (see also RLEK 1997).

How could I visit informants living within the park with a level of protection that they had never enjoyed themselves, I wondered? How could I dare showing at someone's doorstep accompanied by a personal guard wearing khakis, and carrying a firearm to boot, only to play a disinterested anthropologist eager to listen about their thoughts regarding their environment, forestry, and their aspirations more generally? I am aware that my refusal to accept the conditions

of the permit had consequences for my investigations around Gaureiyaghar. For one, recruitment was rendered more arduous. In most forest areas, I could walk right up to my informants' door and chat with them for hours, after which they would always politely, yet sincerely, invite me to come back as often as I pleased. In contrast, my interviews with Gaureiyaghar's residents had to take place surreptitiously at the edge of the forest or at a stone's throw from Mohand's market, literally out of sight from the officials who drove up and down the road to reach nearby gates, offices, checkpoints, and timber depots.<sup>24</sup> Although we never encroached upon park boundaries, my informants were cautious. Their suspicions led me to think that I was right not to initiate contact with a ranger shadowing me. My informants' behavior also made me understand that the relations between the FD and the Van Gujjars were more tense in Gaureiyaghar than anywhere else, a likely consequence of the harsher conservation regulations there.

Gaureiyaghar is where Van Gujjar habitation is the most contentious. Whereas the political situation in Amnadi is dynamic, involving different state agencies, rural communities, and commercial operations, in addition to the Van Gujjars themselves, the politics of Gaureiyaghar are both simpler and more violent. What defines Gaureiyaghar as an ideal type is its politics, which are polarized, with the Van Gujjars and the FD standing at the two extremes of an ongoing controversy. Also, the struggle of the Van Gujjars in Gaureiyaghar is more contained, just like the park itself. The park's frontier that keeps most outsiders out (including the odd anthropologist) also constrain everyday activities. In one extreme example, Van Gujjars requiring urgent medical attention were denied ambulance transportation at one checkpoint inside the park (Human Rights Commission of India, report No. 14971/24/97-98). Van Gujjars needing to go in and out of the park to sell dairy products are expected to pay a special (illegal) fee at the park

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<sup>24</sup> The depots are located across the road from the park; the timber they deal in officially arrives from outside the park.

gates, often described as “gifts” (see Chapter 4 for more on gift exchanges). It could be argued that the high priority given to wildlife protection within the park boundaries has led to increased coercion, violence, and higher levels of rent-seeking. Paradoxically, the same regime which has marginalized Van Gujjars as a group, has consolidated the powers enjoyed by the traditional leader, a man that many regard as an agent (the English word being used in one interview) and a broker of the FD (in Hindi, “*dalal*”, and used in several interviews).



*Illustration 5: A Van Gujjar guides me through jungles to his dera which is remote even by Shivalik standards (c) Pierre-Alexandre Paquet.*

I first met the middle-aged leader of Gaureiyaghar, Firoz, in 2012. At the time, I was conducting pilot research on the factors influencing political mobilization among forest dwellers around Rajaji. Making direct reference to those who fought against the British Raj, Firoz introduced himself as an indomitable “freedom fighter” as well as a leading figure of the Van

Gujjars struggle against the FD.<sup>25</sup> Through the course of one year of fieldwork, I discovered that Firoz was a more ambivalent character than he himself admitted. Several Van Gujjars residing in Gaureiyaghar alleged that Firoz arrogated to himself a share of the rents collectively paid to the FD. Under his authority, they also found, it was difficult to organize resistance, or even delay or default extra-legal and illegal payments to the FD. The costs attached to staying within the park boundaries were also said to have increased more steeply in the Rajaji than in surrounding forests. Other Gaureiyaghar residents were more cautious in their comments about Firoz, saying simply that he did not openly oppose the Forest Department. Still, Firoz had many followers, and none of them were dupes. In many ways, Firoz was a lot alike other Rajaji residents; like them, he put the best of his energies into making sure state officials and politicians respected their historical engagements and grant Gaureiyaghar residents land promised decades earlier (all of them, without forgetting anyone unlike previously). The reasons why Firoz colluded with the FD certainly extended beyond his personal interests. In addition to historical factors explored in subsequent chapters, Firoz also cultivated the sort of social contacts that were expected from Van Gujjars, and pleaded for reparation, land titles, and security against state abuses in a way that the forest staff could understand.

In many ways, Firoz embodied local park politics: he was a product of the “fences and fines” approach to conservation, the more or less licit ways of skirting around these restrictions, and unfulfilled promises of development.<sup>26</sup> The fragile consensus around Firoz was

25 NGOs have been using the vocable “freedom fighters” to describe Van Gujjars for some time (cf. Singh 2012: 67). Their narrative refers to the historic figure of Kallua Gujar, known for the raids that he conducted against the British in the District of Saharanpur between 1824 and 1828 (Walton 1911: 184-188). It is true that Kallua's band of brigands – recruited from a peasantry that was crushed under heavy taxes and bad harvests – moved through forest which were also populated by Van Gujjars. The connection between Kallua Gujar and the Van Gujjars appears to be spurious, however. There might not have been so many Van Gujjars in the District around 1824 (see Chapter 4). Then, historical accounts make Kallua a rent collector working for the landed aristocracy, who later turned against his masters. No one has ever painted him as a professional herder (see Hobsbawm 1981: 100-101, who mentions Kallua's example).

26 State forests are zones of exception for development, since rural welfare does not extend outside village lands.

directly linked to the mechanisms of political forestry. Firoz constantly moved between the Forest Department and his own constituents. As such, he was one of the most knowledgeable members of Rajaji's unofficial governance, and at the same time one of the most secretive.

### *Gaobasti, the resettlement colony*

The ideal type “Gaobasti” comprises two different resettlement colonies located on either side of the Ganges downriver from the city of Haridwar. The oldest of the two colonies, Pathri, is an agglomeration of 512 decrepit cement houses. Built departmentally to low standards between 1985 and 1987, the two-room bunkhouses have remained unoccupied and without maintenance for the better part of a decade before the Van Gujjars finally started moving in. The second colony, Geindikhatta, was granted to Van Gujjars who, along with social activists and NGO workers, pleaded for a new census revealing in 1998 that 878 Van Gujjar families were still living inside the Rajaji and needed to be relocated.<sup>27</sup> Geindikhatta was thus cleared at the express demand of this coalition of herders and civil organizations. Still, some families from Gaureiyaghar did not appear on the census list, and the Van Gujjars from that range decided to oppose relocation in solidarity with them, as briefly explained above.

In spite of their differences, both colonies were intended for Van Gujjars formerly living within Rajaji National Park. The colony in Pathri was ready for occupation by 1987, but the Van Gujjars did not move in significant numbers before the 1990s. Pathri looked inhospitable to them: utilities were not available or functional, and some Van Gujjars feared that they were unfit for settled life (Gooch 1998).

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<sup>27</sup> Recognizing 1390 families instead of 512, the FD acknowledged a margin of error of 271.5% from original estimates.



After having opposed their relocation for years, however, 62 families could no longer withstand the constant harassment from the Department and decided to resettle. This ultimate migration began as a trickle, but the pace of Van Gujjar resettlement picked up quickly (Mishra et al. 2007). Within a few years, all Van Gujjars eligible to land in the colonies had been convinced by the demonstration: if their brethren could transition to agrarian life, so could they. The anxieties initially felt dissipated and Pathri filled eventually.

In Pathri, landholdings are laid out in narrow strips extending away from the road that cuts through the settlement, where one finds 512 identical houses, the school, and the mosque. In Geindikhatta, the houses are grouped in clusters of three or four joining at one corner of the families' fields, which are square in shape. Unlike Pathri, Geindikhatta does not feel so congested to its inhabitants. In Geindikhatta, however, the Van Gujjars had to build their houses themselves. Upon their arrival, they were allowed to collect building materials from the attendant forest, a one-time, non-renewable allowance granted by the local forester. Many Geindikhatta houses are still made of these material gleaned from the forests, although concrete houses have begun to crop up too. The Geindikhatta houses are more homey and airy than those of Pathri. Actually, I was never invited to sit inside a house in Pathri, although the interiors were shown to me. My hosts unanimously described the atmosphere inside as unbearable. In Geindikhatta, I was occasionally invited inside, and found the houses to be comfortable. Some residents in Pathri considered that their concrete "two-room sets" were sub-standard even for a stable. One of my Pathri informants, upon building a better brick house for himself and his oldest son, turned the concrete structure that he so despised into a granary and hay storage!

In either colony, I would sit with my informants either on the stoop in front of the house or in a raised sitting room attendant to the property, basically a platform with open walls

and a thatched roof. Comparable “*beithak*” (from the Hindi “*beith*”, “to sit”) are found adjacent to Van Gujjar homes in the forests. *Beithak* are the geographical core of social and political life for Van Gujjar men – but women regularly joined after tea was served. Therefore, those among the community who upheld more authority took great care in building large sitting rooms.

In spite of their differences in terms of architecture, urbanism, and context of inauguration, the two colonies of Pathri and Geindikhatta have much in common. Therefore, it makes good sense to collapse them into a single ideal type called *Gaobasti* – meaning the “village-settlement”. Theoretically speaking, the colonies stand in opposition to forests. The colonies' residents express concerns about their “*jangli*” brethren, wishing the same settlement as them. That being said, priorities in the colonies are clearly economic diversification, social betterment, and education for the current residents. Settled Van Gujjars would like to tap new economic sectors and diversify the colonies' sources of employment and income, considering current levels of unemployment and the difficulties involved in setting up competitive dairy production in India. Subsidized giants like the Amul and Anand cooperatives make it difficult for new players to establish themselves in the industry. Aside from that, the residents of Gaobasti look forward to the completion of facilities promised long ago, such as cattle sheds, paved roads, and running water to every house.

Goabasti's leader, Baboo Pradhan, is an uncompromising modernizer. An educated man, he is also a savvy leader and a powerhouse of agrarian development. Like the Van Gujjar leaders already mentioned, his work likewise reflects the preoccupations of his constituents. He labors tirelessly to cultivate the kind of network and clientele that will bring new amenities and economic development in the colony. Baboo Pradhan's views about Van Gujjar environmental knowledge and development are related in Chapter 5 and 6.



**Illustration 6 and 7:** Pathri village cluster and, below, a section of Geindikhatta showing the houses which are more scattered (source: Google Maps).



### *Squatting Khetiwala: Between Fields and Forests*

In comparison to the previous ideal types, the geography of Khetiwala is less bounded. As an ideal construct, it comprises an undetermined number of camps or *deras* scattered around Rajaji, Rishikesh, Haridwar, and Dehradun, extending east along the Dehradun-Delhi Highway. The denizens of Khetiwala owe their access to land to permissive municipal authorities, private owners valuing the manure, and absentee landlords holding their fields in fallow while they ask for cheap rent or milk, if that. The buffaloes of Khetiwala are grazed either locally, on wastelands, along river banks and roads, or within industrial compounds whenever the watchmen can authorize it. Fodder is gleaned from the forests too when it can be obtained without excessive risk or at a competitive cost.

There are no formal leaders in Khetiwala and the odds are slim that one will ever come forward. For starters, it would be more appropriate to speak of many “Khetiwalas”, instead of a single, homogeneous Khetiwala. Khetiwala is an agglomeration of interstitial spaces; not only are the camps composing it scattered across the landscape, but they are intimately connected to the three previous areas described above: Amnadi, Gaureiyaghar, and Gaobasti. To try to find the geographic center of Khetiwala would be preposterous, and the same goes for its center of authority. No one has the pretense to lead Khetiwala, though some families are more prominent than others and a number of individuals enjoy privileged relations with the owners of the land, local authorities, and FD officials.

Most of Khetiwala's residents look up to Baboo Pradhan (in Gaobasti) as their leader for reasons which are easy to understand. A large proportion of Khetiwala's residents are related to a legitimate parcel holder in the resettlement colonies. Some even hold a parcel themselves. In either case, the chief reason for their move to the outskirts of the forests, next to a river, or some

other place, was either to escape the constraints of the FD within demarcated forests or to meet the requirements of the buffaloes. For many residents of Gaobasti, the latter reason weighed more in the balance. Many buffaloes died as a consequence of moving to Gaobasti, where fodder was scarce and the summer climate too arid. A recurrent pattern among Gaobasti households has therefore been to dispatch an able male to one of the many areas comprised in Khetiwala where he tends to the cattle. Sometimes, the family's patriarch himself moved to Khetiwala, preferring to live with his buffaloes and in a less crowded environment than the colonies.

The remainder of Kethiwala's residents, who have no direct connections to the colony or its leader, moved out of the forests onto marginal revenue land as a result of being squeezed out of forests. Depleted resources, forceful eviction or threat thereof, the search of additional income through day labor, and desires that their children attend school are the main reasons. As the probability of normalizing squatter occupation is higher in revenue areas than in forests, some families have also preferred to move out of their traditional land and establish themselves at the outskirts of agricultural areas.

The position of Khetiwala relative to the two poles of forests and colonies is uncertain. Mohammad Safi from Amnadi, who is now well into his 60s and still working his buffaloes with his only son, used to say this about those Gaobasti families who tended to buffaloes in Khetiwala: “They do us a discredit. We should have been given lands instead of them. Unlike them, we would not have sent our sons back to the jungle with the buffaloes, we would have never looked back to the jungle, if we had our own land.” Van Gujjars from everywhere equally debate Khetiwala's legitimacy. Nevertheless, theoretically speaking, Khetiwala is important because it bridges the gap that developmental hypotheses might create between nomadic forest dwellers and settled Van Gujjar cultivators. The category of “Khetiwala”

shows that there exists no linear progression from a migratory to a sedentary lifestyle, but rather manifold adaptive strategies corresponding to the dilemmas associated with buffalo ownership and new types of resource scarcity. These themes will be given proper attention in Chapter 6.

### **Justifications for a new narrativization of Van Gujjar history**

The most recent original work dedicated to the Van Gujjars was written by Pernille Gooch based on fieldwork concluded some 30 years ago.<sup>28</sup> The book version of her work was published in 1998, that is to say close to 20 years ago. Without hesitation, the value of Gooch's contribution is immense. Basing herself on a thorough ethnography, she was the first to document the plights of the Van Gujjars from their own point of view, doing so at a critical conjuncture – at the moment when the Rajaji National Park began to threaten forest dwellers with eviction. Unlike others who have reported about the Van Gujjars at the time, Gooch has highlighted that they retained agentive power even though the odds were stacked against them. For Gooch, the Van Gujjars were neither indigent forest dwellers wandering in constant search for food nor backward primitives, although her perspective in human ecology at times exaggerates the symbiotic relation that exists between Van Gujjars and their environment. Her detailed ethnography portrayed the Van Gujjars as subjects of their own destiny standing at the cusp of dramatic change. Whereas Van Gujjars were – and still are – depicted as “destructive of forests” by the Department (see chapter 5), and mostly as victims by the media, Gooch painted them as knowledgeable subjects feeling at home within their jungles. Gooch committed her analysis to showing that the Van Gujjars were immersed in a forest world that was meaningful to them. Her work has thus contributed to rehabilitating and revalorizing what was specific about the Van Gujjar experience.

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28 I consciously disregard a spate of theses and papers published since which have failed to contribute a new perspective on the Van Gujjars. While David Emmanuel Singh's book, *Islamization in Modern South Asia: Deobandi Reform and the Gujjar Response*, is a serious work and an interesting point of departure from conventional studies framing the Van Gujjars as primitive and backward subjects, it contradicts my experience and, I believe, the political priorities of many Van Gujjars.

Though forest management has undergone important changes in India and the world, much of what is currently being said about Van Gujjars draws from antiquated discursive traditions. At the risk of caricaturing a little, narratives about Van Gujjars can be fit into three broad genres: exclusionary environmentalism (the oldest style), paternalistic developmentalism, and salvage anthropology. My thesis aims at moving beyond this unholy trinity and enlarging the field of authorized accounts portraying forest dwellers in India. To better define my contribution, I will define these conventional narratives and then explain how I have crafted my own.

The first discursive genre, exclusionary environmentalism, is emblematic of the “expert” and “scientific” discourses embodied by the FD. This environmentalism justifies state control over demarcated forests and the exclusion of other claimants of forest rights. Being more than simply a mode of expression, this perspective supports enclosures and technical interventions assumed to foster natural growth, leading to the erasure of alternative modes of forest management (Haeuber 1993, Saberwal 2000). Forestry practitioners embody this exclusionary stance through enacting their expertise, using distinctive linguistic and technical performances in specific contexts – at forestry conferences, for the media, in forests – and silencing dissident voices (Carr 2010). In spite of the forays made in participatory forestry during the last decades, Indian foresters continue to elevate their own academic training above other bodies of knowledge that appear as either true or truer to non-certified forest users (Sundar 2000, Lele 2000). As repeated encounters with forestry students, professors, and professionals taught me, the dominant view in their circles is that the expert alone is qualified in managing forest resources for the greater good of the nation (an ideology that is enshrined in the Indian Forest Act of 1952, see chapter 3). The absence of democratic mechanisms granting a voice to forest users in forest management and monitoring activities is a constant problem. When I presented my work to a classroom of forestry and agriculture students in an effort to convey the experience of forest

dwellers to those who are most likely to become tomorrows' experts in forest management, the young forestry apprentices retorted that forest dwellers only “depended” on the forest resources (implying that their utilization was neither rational nor reasoned, but a crude response to necessity), meanwhile, according to them, the state managed said resources in systematic fashion. These college students had already accepted the hegemonic notion that state management is apolitical because it is “scientific” – a highly flawed posture, as subsequent chapters will demonstrate.

In another paradigmatic pronouncement, a forestry professor once instructed me that: “People in those [forest] areas are tribals. They have the same mindset, the same lifestyle, the same ways of being. Ninety percent of them will answer the same thing to your questions. They will provide short, not long answers. They are simple people.” This professor thought I would complete my interviews during my first month of fieldwork. I always thought that popular expressions were intrinsically complex, reflecting partial, place-based understandings, and therefore called for in-depth analysis. I thus begged to differ with my interlocutor, suggesting that careful attention to what forest dwellers said would outline different kinds of truths. I was shocked to hear him reply with a single word: “No!” His closed attitude toward forest dwellers shows how easy it can be for experts and academics to suppress dissenting voices and dismiss epistemological positions challenging their own. This unyielding stance is what makes expert environmentalism impervious to alternative forms of management and alternative knowledge. Hence, this thesis exposes this kind of environmentalism for what it is, not necessarily an enlightened form of thought informed by empirical observation or even scientific inquiry, but a historically contingent strategy of control within a wider field of “political forestry” that rarely benefited subaltern subjects.

The second discursive tradition which claims to speak in the name of forest dwellers is paternalistic developmentalism. A theory expounding that forest dwellers need only seek their own development (implying that they should step outside the jungles where they are condemned to a primitive life), developmentalism validates quick reasoning and fast judgements, possibly negating the poor's perspective and entrenching social exclusion (Shah 2007, Corbridge 2001). Developmentalism is a field of problematization that defines social issues and solutions in terms of development (or lack thereof) (Piertese 1991, Escobar 1995, Gupta 1998). Like environmentalism, developmentalism is a mechanism of power. It too pits experts against lay people, however knowledgeable the latter may be. Developmentalism allows the “developed” to speak and act with accrued confidence, for everything they own, from an electric connection to a natural gas stove, is imbued with value and meaning, setting them apart from the undeveloped and marginalized strata of Indian society. Developmentalism zooms in on the “backwardness” and the “lacks” of the Van Gujjars – lack of education, of literacy, of employment, of flush toilets, and of house divisions, for example. Counting items as disparate as educational degrees, income, and number of rooms inside a house – as national censuses generally do –, developmentalism conjures statistics supporting interventions in the name of development. But the field of problematization that frames Van Gujjar issues as a lack of development cannot fully explain the historical roots of their underdevelopment. Moreover, the presentist focus on today's *lacunae* fails to explain how underdevelopment is a lived experience and a condition that is meaningful in its own right. Like other weaponized state schemes, “development” justifies actions that, though generally benevolent, ultimately conceal state violence and racism against jungle denizens.

There is no dearth of material that, published since the 1950s, examines Van Gujjar life from a distance. Working under the pretense that compassionate help is forthcoming, these

“studies” only enumerate how much poultry, goats, and buffaloes one has, or how much milk one sells, then blaming intermediaries (merchants, or “*baniya*”) and recommending technical solutions such as replacing buffalo breeds endogenous to the hills with “high yield varieties” (Rawat 1993: 144-6; Verma 2000: 140-1). When development agents and bureaucrats talk about getting the Van Gujjars out of the jungle, they rarely understand the history of Van Gujjar oppression and marginalization. They believe they they can bring Van Gujjars “into the mainstream”, as the consecrated formula has it, without documenting historical causes (Kunwar 2013, Outlook India 2012).

I once bumped into a UNICEF worker who was ground-truthing the results of a polio vaccination campaign in Gaureiyaghar. The UNICEF worker was climbing up a steep riverside to get back to the road. I had parked my motorbike on the curb right next to his, as I was hoping to meet someone in the area too. My presence startled him. Certainly not expecting to encounter a foreigner in this neck of the woods, the UNICEF worker inquired about my activities and then, rhetorically, queried about my impressions on the Van Gujjars. How did *I* find *them*? Before I could reply, the UNICEF worker interjected: “Pretty uncivilized, isn't it?”

My field assistant later confirmed that “uncivilized” had no other meaning in this context than the one I had guessed. The UNICEF worker insinuated that the Van Gujjars were uncouth and lacked education. Prejudices against the Van Gujjars ran deep among rural and urban elites. A few hours later on the same day, a police officer stationed at Mohand, a roadside market next to Gaureiyaghar and the Rajaji, told me – even though I had not solicited his opinion – that the Van Gujjars, being “backward”, did not even know how to care for their children. Such opinions, I later found, were institutionalized at all levels. Outside rural circles, Indian academics furthered such prejudices by blaming the depressed condition of the Van Gujjars on their lifestyle

and lack of education (see for instance Goel et al. 2014, Jeelani et al. 2015), instead of trying to see how Van Gujjar experience was shaped by their intimate, albeit unequal relationships with forest guards, forestry experts, and so forth, all people denying equal citizenship rights to them, some even doing it on the ground that the Van Gujjars are backward.

The developmentalist discourse, which is truly a discourse about lacks and lacking people, frame marginalized people like the Van Gujjars as a social problem. Once marginal lifestyles are problematized as such, the next logical step is to find appropriate, and mainly technical solutions (cf. Escobar 1995, Ferguson 1990). In this regard, developmentalism is not only similar but complementary to scientific forestry. As the two sides of the same coin, environmentalism and developmentalism try to purify the opposition between culture and nature (Latour 1993). Both discourses build upon clearly defined oppositions, forests and fields, civilized and uncivilized, primitive and modern, wild and domesticated. Both suggest the proper location for human societies is outside forests (rather than instigating participatory forestry initiatives, for instance). This justifies models rehabilitating, or incarcerating, forest dwellers in resettlement colonies. Such discourses reproduce dominant epistemologies and subaltern positions too. As modalities of “speaking the truth”, these discourses do not give a voice to forest dwellers. Finally, these discourses are tools of modern statecraft that contribute to buttress state-making within jungles and forests.

The third discursive genre – salvage anthropology – opposes the previous two in its attempt to revive indigenous traditions. For example, salvage anthropology seeks to revalorize traditional ecological knowledge as a means to do advocacy on behalf of forest dwellers. Scholars working in this perspective explain that cultural traditions are meaningful and rational. For human ecologists, culture is also group adaptation to a specific ecological setting or niche.



Therefore, tradition might become a source of alternative forest management practices, “saving” traditional knowledge reflecting the ethical commitment of the anthropologists toward the populations among whom they work (Wolverton et al. 2016). However, to study Others and focus on their “difference” reproduces essentialist representations of marginalized peoples, leading to insoluble questions about “authenticity” (Nazarea 2006).

The rhetorical construction of “traditional knowledge” as something as endangered and “natural” as nature itself poses a number of conceptual problems. First, this frames forest dwellers as having lived in isolation from the rest of society. Such approach treats tradition as pristine, but regularly overlooks complex politics of knowledge production that exist even in so-called traditional societies (*Ibid.*). Traditional knowledge has long been adapting to the penetration of capitalism, processes of empire and state formation, and ecological change (Agrawal 1995). Subsequent chapters investigate epistemological changes affecting traditional forest dwellers and show how knowledge production is changing within forests. Second, the framing of knowledge as “traditional” suggests that forest dwellers' mental schemes are aligned on sustainability goals, but this claim about certain people being “ecologically noble savages” is contested (Hames 2007, Holt 2005, Alvard 1993). Third, preservation of traditional knowledge is not always so popular with the forest dwellers themselves, especially when their demands focus on getting constitutional protection, state recognition of their land rights, and access to welfare programs.

For all of these reasons, I believe there must be better ways to expose the historical deployment of forestry regimes and the marginalization of forest dwellers that ensued. New historiographical conventions must be found to emancipate subaltern subjects from conventional narratives depicting them as powerless people bound by tradition. Based on my analysis, Van

Gujjars have adopted strategies proving that they are creative actors although evolving in an unequal context. And this is why in the following chapters this thesis insists on the need to rethink established notions about state and society.

My analysis shows that forest dwellers do not embody an unchanging tradition. Change has been constantly required for them. Forest dwellers have pioneered new strategies to negotiate the power regimes governing state forests. They were neither passive victims silently going through the grinder of history, nor communities standing closer to nature (closer than whom?). Tribals and forest dwellers have proven themselves to be savvy political actors capable of influencing how forests were imagined and managed. Forest peoples quickly became conversant with the state and its schemes without letting themselves being overdetermined by them. Their modalities of establishing contact and cultivating relationships with state workers, including persuasion, collusion, and evasion, are an important focus of this dissertation that is also at the heart of the notion of forest government.

Drawing on the Subaltern Studies that put in question historiographic conventions in order to write “better histories”, my thesis asserts that Van Gujjars – though not a dominant group – were present at their making, engaging state-making in meaningful ways. I still remain cautious of the pitfalls of essentialism however, and acknowledge that the voices one “recovers” from the marginalized are not necessarily truer than the voices of domination. Between dominant and subaltern registers, a discussion is engaged, suffusing language with ambiguity, and rendering cultural analysis all the more necessary, if complex.

## Data Analysis

*The history of subaltern social groups is necessarily fragmented and episodic. There undoubtedly does exist a tendency to (at least provisional stages of) unification in the historical activity of these groups, but this tendency is continually interrupted by the activity of the ruling groups [...]. Every trace of independent initiative on the part of subaltern groups should therefore be of incalculable value for the integral historian. Consequently, this kind of history can only be dealt with monographically, and each monograph requires an immense quantity of material which is often hard to collect.*  
[Gramsci cited in Green 2002]

In my critique of the historiography of Indian forestry, I pay attention to the “small voices of history” (Ranajit Guha 1987). I read the archives searching for “traces” representing subaltern subjects like the Van Gujjars as ingenious actors who are engaged in ongoing struggles that define their conditions of existence, rather than being the passive victims of timber exploitation or conservation policies (Chakrabarty 2000: 93). In contradistinction with the most radical interpretations of Thompsonian historiography, however, I do not posit that subaltern subjects live in an “autonomous domain” located in the far margins of society. My focus is on the relationships between state and society in the context of forests and jungles.

During my fieldwork, I have asked my informants to teach me about the regional flora, identifying specimens with them; I have drawn genealogical trees connecting hundreds of siblings and many generations; I have attended political rallies and organized workshops about the Forest Rights Act. Participant observation during my regular multiple-day stays among families and a ten-day migration trek have also given me insights into the everyday routine and challenges of the Van Gujjars. All these experiences inform my analysis of the state archives and sixty interview recordings that supply the bulk of the textual evidence cited in this thesis.

*Against it, along it: learning to feel the archival grain*

A number of challenges await the scholar who wishes to conduct archival research in India. In addition to the hurdles posed by limited opening hours and expensive permit requirements, as of 2013, the National Archives of India still did not have an electronic search engine. As a result, I wasted countless hours flipping the pages of annual index books piling at the corner of my desk in the large research room. To browse through all the occurrences of a single keyword over a period of 150 years, I had to open 150 index books and look for the same entry 150 times. Different state departments have also produced separate indexes, and this too multiplied search time. Lastly, my queries for seeing indexed documents would often not avail because, I was told, the concerned departments or ministries had neglected transferring their physical records to the National Archives – in other words, there were lists of unavailable documents also. These missing records were probably deteriorating in improper storage somewhere, anywhere.

There are additional complexities to consider when studying state archives in India. These archives are notoriously recorded in a “prose of counter-insurgency” (Ranajit Guha 1983). This specific idiom typically is sympathetic to ruling powers, whether colonial or nationalist. And this prose internally organizes the archives' text so as to distinguish and segregate different types of subjects: subjects posing problems to state administration are placed on one side, whereas disciplined subjects of power stand on the other side (*Ibid.*). The use of hyperbolic adjectives and suggestive adverbs rendered deviance from the accepted norm more visible and the normative background was itself constructed as smoother than it really was. “Winners” wrote history according to conventions of their own making – disguising history as a self-congratulatory text – and their archives tendentiously represented whoever was different from them: nomadic forest

dwellers, for example, were described as having lower morality by chroniclers who were convinced that they themselves stood at the apex of civilization. To the Van Gujjars, who are mostly illiterate, even the formal aspect of the written archive is alienating (though this never meant that Van Gujjars could not develop their own understanding of written documents, see Chapter 2 and 6).

A written document that moved beyond a certain threshold of “historicity” to become part of the national archives surely embodied the discursive conventions typifying domination. Therefore, the archives cannot be trusted to provide an impartial historical account. As a system of filling and preserving documents, the archive is an arcane instrument of power, a device organizing the “normal” in opposition to the “abnormal”. As the main instigator of the Subaltern Studies, Ranajit Guha compelled researchers working across a variety of disciplines to read the archival text “against the grain” in search of fragments belonging to discredited traditions. Like Gramsci before him, he thought these fragments could upset dominant historical accounts and render historiographical conventions less acceptable. “Decoding” the archive in this way showed it to be an idiom and a syntax of domination and command, while also showing that Indian society never was homogeneous (Prakash 2000: 179). “Decoding” did not only serve to revive the voices of subaltern subjects (in ways congenial to Foucault's excellent suggestion that a “genealogical” analysis must reinscribe dissent, ruptures, and frictions into history-writing, thus permitting the “insurrection of subjugated knowledges” [2003]). Decoding permitted questioning the categories of power and their boundaries.

To think that the archive puts its own contradictions and internal debates on display would be naive, however. “Recovering” traces of subaltern dissent within authoritative accounts might not always be possible. Archive production is a power-laden process; every moment of its

inscription “interrupts” the authorial capacities of subaltern groups. For them, it is inherently difficult to translate their experience into a language that has not already been dominated by the powerful. The subaltern cannot speak, argued Spivak (1988), and this is particularly true in archival practices over which subalterns generally have little control.

As such, the archive reveals more about dominant voices than it does about alternative and marginal point of views. One could then be tempted to read history “along the grain” to gain a better understanding of the structure of feelings, the anxieties, and the expectations of the dominant classes, as Ann Laura Stoler did through her studies of colonial rulers and ruling systems (2009). And surely reading history along the grain might provide a vantage point onto systems of domination. By contrast, to write history from below might call for more assertiveness, but also more speculation. The task for the researcher is to convey a “thick” narrative in spite of the numerous omissions and silences that punctuate the archives (Zeitlyn 2012, citing Pels 1997). About this point, Zeitlyn wrote: “With care and assiduity, it is possible to understand people from archives in ways never intended or envisaged by those creating or maintaining the archives” (2012). As the contributors to the Subaltern Studies before me, I am of the opinion that “reinserting” subaltern stories within dominant conceptions of history puts the legitimacy of the latter at risk – and this endeavor should be pursued as a decolonization strategy everywhere where inequalities and injustices endure.

There are more analytical problems inherent to the study of subaltern, “silent” voices, however. The researcher cannot simply “fill the gaps” of dominant historiography through interviews and critical reading of archival documents, because neither supply a pristine reflection of the past. Written and oral testimonies can remain alive and open to reinterpretations for a very long time (Cohn 1980, Ranajit Guha 1989, Zeitlyn 2012).

*The politics of interviewing: recruitment, performance, and subversive language*

The archives are powerful devices encrypting history and suppressing subaltern voices, but this does not mean that interviewing subaltern subjects provides unadulterated historical accounts. Interviews are political too. In the spirit of Stuart Hall and Raymond Williams, I contend that popular voices, mediated by specific cultural idioms, are much more deeply implicated in mechanisms of domination than is generally admitted.

Interviews are shot through with politics. For example, my snowball sampling invariably led me from an individual Van Gujjar whom I met by chance – on a road or along a river – to his paternal uncle (a figure of authority in the kinship system), from a woman working around the house to her husband and then to a cousin or uncle representing the family's lineage, and then on to a faction leader, an organic intellectual expert in articulating the pleas of the Van Gujjars, to, at last, the local headman. I never intended to resist this force of attraction pulling me in the direction of the local figures of authority. On the contrary, I learned much by letting this mechanism operate and guide my research in the field. In this way, I could observe the everyday formation of authority within the community and its performance through interviews.

Nonetheless, I would make efforts to keep in touch with each link of the chain just described. Over one year of fieldwork, and during shorter visits in 2015 and 2016, I revisited the same people again and again and built trust. Less prominent informants found reassurance in the fact that I had been briefed by their elders, leaders, and headmen. Because of this, they did not feel their participation in the research was insulting or an act of defiance to local authorities.

More purposive sampling raised suspicions, as revealed by an anecdote involving Gaureiyaghar's leader, Firoz. At the end of my second meeting with Firoz in 2013, I asked him whom I should interview next. I had no idea at the time that Firoz wanted some sort of

exclusivity over the research. I quickly learned that access to and control over information is a delicate issue for forest dwellers whose livelihoods depend on extra-legal and illicit agreements with the FD staff. Some Van Gujjars did not want to speak, others feared what could be said about them, and still others, like Firoz, wanted to keep control over what his constituents said, and what outsiders knew.

Snowball sampling worked well, but it did not grant me equal access to all Van Gujjars. Women were particularly difficult to recruit due to existing gender norms. Gaobasti resident Alam Din once told me that he would introduce me to a woman whom I should interview, but every time I asked him to fulfill his promise, he found ways not to. My relation with Alam Din was exceptionally good, and before I met him, I had interviewed his wife, who had been an NGO liaison worker for years. I had thought Alam Din would be more open about women participation to the research, but when I put pressure on him, he would shut me down: “Women don't speak well”, he once said. In Amnadi, in a similar context, Faruk's father, Gulam Din, told me: “Our women have no knowledge. They are ready [to fight] with a stick, but they are not ready to speak.”

Van Gujjar society is divided along kin, status, and gender lines, a reality that was mirrored by the interviews. Van Gujjar politics permeated both the recruitment process and the interviews themselves. Meeting me, my informants also tried to assay my level of education, our cultural differences, and whether I had good contacts among the NGO sector and state institutions. Van Gujjars were always interested to hear about what I had learned during my meetings with “big people” in the city. My informants would also regularly seize the opportunities which my visits created to spell out their demands to the state, demands that they hoped I would convey on their behalf. The open-ended interviews elicited recurrent themes,



making it clear that, to the Van Gujjars, answering the questions of a foreign anthropologist was a political performance and a strategy putting their entitlements, as citizen of India, to education, healthcare and so forth, at stake.

Recording and transcribing interviews, I have also noted tiny linguistic markers that indexed subjection and subjugation. For example, the Van Gujjar regularly reported exchanges between the FD personnel and themselves in which terms of abuse and denigratory language were used. Apparently, the Van Gujjars employed the polite addresses of Hindi for FD officials whereas the latter responded abruptly and with condescension. Having heard FD officers interpellating Van Gujjars with a language register that is reserved for children and animals, and noting that FD workers would indirectly report about their dialogues with Van Gujjars in the same way, I think this double standard was well established, and reflecting power imbalance and everyday oppression.

Otherwise, silences, omissions, and feigned ignorance were mainstay during interviews. What people could say or not depended on their social status – not everyone could speak openly about their experiences as forest dwellers. Eliciting details about disputes within the community or altercations with the FD was particularly difficult, as the Van Gujjars preserved a facade of good relationships. Official policies also framed the interviews. Prevalent laws, illicit practices, collusion, bribery, and extra-legal payments created a geography of silences covering large topical areas. For both forest dwellers and the FD staff, certain topics were best avoided.

Academia has its own silences to. As Ranajit Guha once wrote: “historical scholarship has developed, through recursive practice, a tradition that tends to ignore the small drama and the fine detail of social existence, usually at its lower depths” (1987). Combining archival research, interviews, and participant observation, I tried to make sense of the Gujjars'

challenges and show how their everyday worries, behavior and conduct, actually offered a critical reflection of the political context of forests and jungles.

Likewise, the political message that silences convey should not be lost to academic requirements of expediency and productivity. Dutta and Pal have expressed their conviction that: “Dialog with the subaltern is constituted as a mediation that brings subaltern narratives into mainstream structures/sites of knowledge” (2010: 364). Documenting experiences of subalternity effectively renders them more visible but at the same time this politicizes social research conducted among subaltern subjects. Producing new knowledge or rendering knowledge public is political. Meanwhile, creating dialogue with subalterns is rarely sufficient to challenge the authorial pretensions of cultural elites, including academics and experts. Sustained engagement is required, but one year of fieldwork was certainly not enough time for me to develop a new language adequately denouncing the social, political, and environmental injustices victimizing the Van Gujjars. My annual visits to the field were thus part of my ongoing engagement with Van Gujjars, and I am hoping that the best outcomes of my research activities and activism still belong to the future.

### **Organization of the chapters**

This dissertation has six chapters (the first being this introduction) and a conclusion. Chapter 2, *Unnatural Powers*, problematizes various conceptions of power, attempts by state institutions aiming at reforming people and nature, and community life at the intersection of state-making and state programs. Anthropological definitions of state, governments, and governmentality are reviewed, and questions are raised about the flow of power across concrete as well as imaginary boundaries between communities, societies, and other human institutions

such as modern bureaucracies. Drawing on Foucauldian notions, I revisit certain discourses playing a crucial role in defining governance as top-down and framing traditional Indian communities as living in harmony with nature. One of the main objectives of Chapter 2 is to investigate how people experience the bureaucratic state, and how they engage bureaucrats, state schemes, and bureaucratic technologies on an everyday basis. It is argued that subaltern experiences of the state are mediated through frequent – albeit unequal – interactions with state workers, participation in informal networks, unofficial exchanges, and illicit transactions. This social intercourse blurring the lines between state and society also transforms people’s cultural representation of the state as a power institution, and this in turn inflects how they conduct themselves and mobilize. Chapter 2 therefore challenges and contradicts common depictions of states as monolithic entities and communities as independent and autonomous.

Chapter 3 reviews the genealogy of the policy framework of Indian forestry and forest conservation in India since 1865. The 19<sup>th</sup>-century context behind the epochal shift from a colonial obsession with land improvement and agricultural expansion to a concern about forest “conservancy” and scientific forestry is explained. Chapter 3 also explains how state forest policies in India have “territorialized” the jungles on the subcontinent. The *Raj* took many steps to territorially organize very large tracts of Indian woodlands, and technologies such as mapping, tree enumeration, species classification, monitoring, and policing, have been instrumental in achieving this goal. However, state ownership of forests and colonial resource management has affected different Indian communities in contrasting ways based on whether they belonged to gazetted villages, were lease-holders, or forest dwellers, and depending on other social and ecological factors too. Chapter 4 genealogically reviews the colonial forest policies of 1865, 1878, and 1927, the first national policy of 1952, the later policy reforms of 1988, the Wildlife

Act of 1972, the Conservation Act of 1980, and the Forest Rights Act of 2006. Through this review, I describe the changes and continuities which have marked these policies as well as the colonial and postcolonial contexts in which they were embedded. Whenever possible, I give special attention to implementation of state forest policies in places and regions where the Van Gujjars dwell in order to set the stage for the remaining chapters.

*The Lambardar's Gift*, the fourth chapter, focuses on the last third of the 19<sup>th</sup> century and the beginning of the 20<sup>th</sup> century, the period during which the ancestors of my Van Gujjar informants are reputed to have entered the area of my fieldwork, the Saharanpur and Dehradun districts of the erstwhile North-West Provinces and a constellation of hill kingdoms crowning colonial Punjab to the North. I analyze the political economy of colonial policies and demonstrate that Van Gujjar pastoralists have been inexorably marginalized by state policies starting about 150 years ago. With deserved insistence, I highlight the role played by traditional Van Gujjar representatives – called *lambardars*, or headmen – in carving out, inside jungles, a space for their people, as how these ambiguous headmen negotiated the constant financial pressures of the colonial regime, the growing number of forest enclosures, and the conflicts with settled populations in princely jurisdictions (re-kindled by colonial appropriation of natural resources). The *lambardars* were responsible for reporting to the colonial authorities and collecting cattle taxes. As such, they played a central role in applying, interpreting, and sometimes curbing colonial exactions. Careful examination of the archives, however, make it blatantly clear that the fees imposed on the Van Gujjars were heavier than those raised from other transhumant herders grazing in the Shivaliks, and much heavier than those paid by settled villagers. Therefore, I argue that the Van Gujjars contributed to finance forestry in substantial ways, an unacknowledged fact that ought to be highlighted in Indian forestry history. I contend that both for their fiscal

contribution, and because they lived within state forests, pastoralists like the Van Gujjars were pauperized, but also had a direct influence on silvicultural operations and departmental dynamics. Other discourses have also underpinned this marginalization of the jungle pastoralists, such as desiccation theory, which is analyzed in depth in the last section of this chapter. Desiccation tried to confirm dubious links between independent processes like cattle grazing, deforestation, soil erosion, river siltation, floods, and unpredictable rainfalls. Desiccation also justified special controls on cattle and for criminalizing the pastoralists. In sum, Chapter 4 retells how Van Gujjars came to occupy a place that was construed as anomalous and thus could be subjected to fiscal discipline, but the chapter also shows that the Van Gujjars were not passive victims of a colonial juggernaut causing unprecedented environmental change and hardship for them.

The fifth chapter is titled *The Lopping Rules* and investigates how forestry restrictions applied to Van Gujjars' uses of forest resources, especially leaf fodder. The study of the lopping rules and their evolution reveal the foresters' interests in defining forests as a territory, lopping as a technique, and the Van Gujjars as a race of habitual offenders or criminals. Whereas the chapter makes it clear that state discourses and the institutions of the “ethnographic state” have prejudiced Van Gujjars through identification, definition, and classification techniques, it also conveys the specific perspective of the nomadic herders about themselves and their lopping, a perspective that could be used to inform better policies.

The sixth chapter, *Nurturing Desires for a Sedentary Life*, seeks to understand contemporary Van Gujjar perspectives about their own mobility (pastoralism, nomadism), reform – or, as it is known in India, rehabilitation –, and sedentarization. This final chapter revisits conventional anthropological theories regarding pastoralists, nomads, and mobile people, theories

that promoted sedentarization as desirable whereas they primitivized so-called nomadic “customs” and “lifestyles”. The chapter also inspects institutional and political changes in Independent India that have reinvented the formation of authority among Van Gujjar, realigning their leadership with agendas of settlement and agrarianization and encouraging local leaders to instill among their constituents desires to live and organize as rural entities. I analyze Van Gujjar feelings and experiences through their own narratives about the wild and the uncivilized, and devote a section of the chapter to the study of the animal metaphors that Van Gujjars use for speaking about their own condition. Whereas the chapter revolves around questions of citizenship, social justice, and access to state services such as healthcare, education, and more, my objective in writing it is to better understand how Van Gujjars have come to frame these questions for themselves and think about better futures.

Lastly, in the conclusion, I synthesize the contribution of this thesis to the study of traditional forest dwellers in India. I summarize how the concept of jungle government offers an adequate lens to look into the specific power struggles that occur within jungles construed as zones of exclusion and anomaly. Finally, I discuss the prospects of community development for India's forest dwellers in a critical manner, drawing on lessons learned in the previous chapters.

## CHAPTER II

### Unnatural Powers: Engaging the State, Communities, and Forests

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Entrusted with the task of writing a working plan establishing the orientations of the forestry operations of the Doon Division for the 1940s, Conservator Sen recalled that 30 years earlier, in 1909-1910, “it was decided to constitute the Thano forest as a training ground and experimental area for the Forest Research Institute and College [at Dehradun]” (1941: 49). With this purpose in mind, the Thano forest, an area of 7,513 acres, was brought under a separate plan, the supervision of which was devolved to professor Robert S. Troup. The professor worked assiduously “with a view to applying the uniform method experimentally over the whole area [...] to produce a regular sustained yield up to the maximum capacity” (*Ibid.*). According to Troup's obituary, penned by forester-cum-historian E. P. Stebbing, Troup had lived a man of “common sense and true Scottish caution, allied to a keen brain”, “a fine type of what the Empire Forester should aim at, a keen observer of jungle lore and a good big game shot” (Stebbing 1940: 218-219). In the eyes of his peers, professor Troup had achieved fame as both a man of science and a seasoned trophy hunter; through his life achievements, he had uncompromisingly embodied the colonial ethos.<sup>29</sup> Troup boasted solid credentials which bore witness to his “colonial difference”

29 Hunting stories and their material traces, hunting trophies and so forth, memorialized colonial privilege. They also signaled the radical status difference between the native tracker and the British *shikari* (Urdu for hunter, see Rangarajan 1998, Sivaramakrishnan 1999, Saberwal et al. 2001). Hunting stories highlighted the mastery of the colonial hunter while “explaining away” the indispensable role of the native trackers in finding game (Shresth

(Chatterjee 1994). Foresters like Troup also shared a positivist faith in science that filled them with immoderate confidence. Their self-assurance was matched at the time by a growing certainty, among colonial administrators, that Western science truly enjoyed superiority over its indigenous counterpart (Arnold 2000).

Troup's goal was to institute the Thano as an experimental circle. The word “circle” referred to a bounded space governed by a specific silvicultural regime. The Thano circle was set apart from contiguous forests for the specific purpose of scientific experimentation and monitoring. Hence its alternative name, the Experimental Circle. As a general rule, each circle comprised within a forest division covered a gigantic land mass, but the diminutive Thano was an exception. Carved out from a forest division totaling 177,613 acres, the Thano area spread over 7,518 acres or 4.23% of the entire division (Milward 1904: 2). Nonetheless, the Thano enjoyed a particular status because it was envisioned as a “miniature” of an order yet to come.

The ideal that the Thano was predestined to materialize was that of “the normal forest”, an abstract space where trees can shoot straight up at the average speed known for their biological species.<sup>30</sup> In accordance with this idea of a dream forest, the Thano circle was divided into twelve “equiproductive” sections, also known as “periodic blocks”. One of these twelve blocks was to be felled every twelve years. The complete cycle of exploitation would last 144 years and then start over at the end of this period. The foresters had hoped that the application of the best silvicultural principles of the era would guarantee natural regeneration, and even ensure

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2009: 300-302). A similar schema applied to most narratives concerned with colonial forestry: Western technoscience, which the colonial forester embodied, was viewed as the motor of Indian environmental history, whereas, by contrast, the labor expended by forest dwellers remained invisible, though it too shaped forest ecology. Moreover, forest dwellers paid tribute, fees and permits. However, their fiscal contribution to forestry was rarely, if ever, officially acknowledged (see Chapter 4). As previously stated in the Introduction, my thesis intends to restore historical and ecological significance to Subaltern actions, and thus make sense of contributions “from below”, which official forestry have traditionally kept secret.

30 See also Scott's discussion of the *Normalbaum* principle in German forestry, pp. 14-15 and *passim*.



a profuse, healthy regrowth. To this effect, professor Troup had prepared a detailed schedule listing all the surgical interventions that needed to be performed on the tree crop at every stage of forest succession.

The projection that the “normal” forest could be turned over within 144 years was optimistic. *Sal* (*Shorea robusta*) was the dominant marketable species and the linchpin of the timber industry in the area then known as the North-West Provinces (N.W.P.). Botanical surveys performed in the N.W.P. during the 19<sup>th</sup> century showed that, locally, *sal* took upward of 160 years to reach the desired girth of six feet. It was known that stands of *sal* growing at more favorable latitudes reached maturity in a shorter amount of time, but adverse climatic conditions, the frequent incidence of frosts, and poor soil types stunted their development in the N.W.P. Troup and other like-minded foresters still expected the twelve periodic blocks of the Thano to deliver timber with clockwork regularity, at a faster rate than botanists thought would be feasible. The foresters believed in the positive effects of expert silvicultural manipulations and “selection and improvement fellings”, in other words operations aiming at separating the best timber-bearing trees from the chaff.<sup>31</sup>

Needless to say, timber harvests in each periodic block were also programmed to coincide precisely with the moment when the crop reached its peak economic utility, all according to perfect planning. Trees attaining a girth of six feet at shoulder height were regarded as optimal. Waiting for further increment in the bole increased the risks of losing valuable trees due to unnecessary exposure to the elements, whether frost, wind, fire, diseases, rot, depredations by various pests, molds or, indeed, foul play. The foresters aimed at realizing “maximum

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31 As defined in Champion and Seth's *General Silviculture for India* (1938: 342): “The difference between improvement fellings and the selection system is that in the former no exploitable size is fixed for the felling of sound and mature timber. Rubbish of all sizes must only be removed with a view to building up a healthy and full stocking.”

sustainable yield” even if that meant working on a tight schedule. After all, only a good annual yield would prove the mastery that man-the-forester had achieved over nature.

The internal organization of the Thano was geometrically perfect. Twelve equiproductive “coupes” required cutting the trees at intervals of twelve years. The presumption behind this was that a masterplan that looked right ought to function well.<sup>32</sup> The bigger picture was that once the Thano had sustained competitive levels of timber off-take, it would serve as a model replicated on a larger scale across many different forest management units (cf. Scott 1998: 225 and 257-8). The Thano was a pledge to a futuristic kind of forestry. Its goals thus extended beyond profit maximization. The Thano was predestined to become the beacon of forestry operations in North-West India, a monument to scientific and technological advancement. Success at the Thano would validate scientific forest management to visiting scientists, students, and the world. The stakes of the experiment were high. Success would confirm that what was known about forests enjoyed the indisputable status of the truth.

As heralded in a retrospective account by Conservator Sen, the tragedy was sealed when the “fellings [...] were seriously handicapped by the epidemic outbreak of *Hoplocerambyx* in 1912, which became very serious between 1916 and 1918 and continued for many years with gradually diminishing virulence. Thousands of trees of all sizes had to be removed.” (Sen, *op. cit.*) The invasion of the borer beetle ruined the crop, eventually leading to the cancellation of the experiment. The forest never reached its monumental ambitions. It became neither a museum showcasing the achievements of modern forestry, nor a testimony to the capacities of the new forest rulers.<sup>33</sup> Extraction did not follow the schedule of 144 years. In the end, none of the data

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<sup>32</sup> This idea being found in Scott 1998: 225.

<sup>33</sup> Bruno Latour has highlighted that science is the product of “cycles of accumulation” during which a wealth of empirical evidence gets hoarded in “centers” of knowledge production, such as laboratories and museums (1987). As this evidence is compiled, organized, and rearranged into meaningful series, concrete applications are likely to follow.

collected by Thano management spoke of the “normal forest”, and the scientific interest that it had initially generated quickly vanished.

The decision to terminate the Thano experiment coincided with the beginning of an aggressive extraction regime championed by Conservator Champion (1923). His successors would later criticize him for grossly overestimating the forest's carrying capacity. Champion's management aggravated the situation in the Thano, and the forest took decades to recover. When experimentation began in the Thano, no one knew the true potential of that forest; as the experiment abruptly came to an end, however, it must have been obvious to anyone that this was not the time to increase the extraction regime, because of the *Hoplocerambix* plague. The plunder to which Champion gave license might be expected under colonial management, however. Yet, this turn of events still begs a few questions: was this fiasco avoidable? Was modern forestry bound to fail? Regardless of previous answers, what can the Thano teach us about state programs and modern governmentality?

### **Failed Schemes: What they Hide, What they Reveal**

The above story provides an apt illustration of the “high modernist” schemes examined by James C. Scott in the book *Seeing like a State* (1998). In his opus, Scott argued that state experts have always been wrong to think that they could govern complex entities, societies, and ecosystems, solely based on broad generalizations considering that the latter smudged over many important details and local variability. Scott argued that governmental activities such as top-down planning and large-scale social engineering were doomed to fail because they were predicated on an abstract representation of the world. Being impervious to local understandings and practices, state schemes ignored the myriad ways by which small-scale systems adapted to

environmental changes, this fine-tuning regularly achieving better outcomes than expert planning. One of Scott's key points was that blind commitments to oversimplification – especially by authoritarian regimes – were likely to result in catastrophe. According to him, public scrutiny, citizen participation, and decentralization were important provisions insuring that society's needs could be met. These conditions also kept ambitious modernizers in check or at least prevented them from causing too much harm.

It is tempting to see the Thano as an icon of failed state schemes. After all, the Thano management applied hard-and-fast formulas seemingly disconnected from local conditions. Signs forewarning that the forest was not responding well to silvicultural manipulations were willfully ignored – by the same token revealing the hubris of the colonial foresters. The Thano experiment ended in utter frustration and, to make things worse, serious environmental damage was caused. Many would thus, like Scott, be tempted to impute the shortcomings of the Thano to the ill-conceived optics that had (mis)guided it. One could even say that the foresters had their eyes stuck to the wrong end of the telescope through the entire duration of the experiment.

The ocular metaphor is key to Scott's opus. He argued that state forestry, like other forms of “high-modernism”, suffered from “tunnel vision” (*Ibid.* 11, 13, 47, etc.).<sup>34</sup> He contended that state forestry was characterized by a synoptic view, one that was unable to look farther than economic utility. As he phrased it, “the utilitarian state could not see the real, existing forest for the commercial trees” (*Ibid.* 13). According to him, “scientific forestry” was globally defined by three components: narrow economic orientations, “radical simplification”, and common roots in

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34 I disagree with Corbridge (2005) who critiqued Scott on the ground that his “states see too much”. According to Scott, states do not see too much. Rather, they *assume* too much based on insufficient knowledge, and thus fall short of reaching their ambitious targets, the effects of which can be disastrous at times. This notwithstanding, Corbridge's discussion is useful, as it signals how, in any given context, it might neither be excess visibility, nor simplifications, but invisibility (of violence, of deprivation, of population's needs, or, indeed, of people's accomplishments) that is the aggravating factor of social suffering.

Germany (Vandergeest and Peluso 2006). On these three counts, Scott's critique seems valid for India. At the very least, it fits conventional representations of colonial forestry on the subcontinent. The principal architect of the Forest Department, Dietrich Brandis, was indeed a German forester schooled in his home country. Fiscal ends dominated forestry operations throughout British tenure, and they remained central to forestry after the country gained its Independence. That this modern forestry was predicated on simplifications can also be observed in the important environmental externalities that it caused, habitat fragmentation, biodiversity reduction, and carbon release, for example (see next chapter).



**Illustration 8** – “Dietrich Brandis, *The Founder of Forestry in India*”, *The Indian Forester*, 1884, 10 (8): 342.

According to Scott, “thin, formulaic simplifications imposed through the agency of state power that led to geometric, mono-cropped, same-age forests also led to severe ecological damage” (1998: 309). Several observers have argued likewise, commenting that India was a textbook example of environmental degradation caused not in spite of, but because of strict state control (Mosley 2006: 927). However, it should not be forgotten that what Scott called “simplifications” actually were powerful “methods of enclosing and partitioning space, systematizing surveillance and inspection, breaking down complex tasks into carefully drilled movements, and coordinating separate functions into larger combinations” (Mitchell 1991: 92). These methods entailed radical change in the scope of intervention of state schemes within forests. Simplifications partly explain the monstrous effectiveness of forestry in India like elsewhere. In this context, simplifications appear to have been a source of power first, and a cause of failure only much later, and probably only according changing state visions. Colonial forestry concentrated most powers in the hands of very few administrators, and this was because ideologically and materially forestry strictly imposed order onto unruly forests, creating and maintaining clear boundaries between official and informal practices, expert and lay understandings, legitimate rights and unlawful practices (*Ibid.*). Meanwhile, the study of such technologies of power rendering state influence concrete and effective even in the peripheries of the empire should not obfuscate the fact that popular movements could also subvert, blur, and sometimes reinforce boundaries between state and society, experts and lay people, culture and nature.

It is a truism that the colonial Raj simplified complex biological processes to rules-of-thumb in hope of maximizing forest exploitation. After all, colonial foresters regarded as “normal” forests whose yield was regular and predictable, *ipso facto* naturalizing the machinery

of timber production. State foresters privileged commercial exploitation, and pursued it on a scale that had never been attempted before by local populations (Tucker 1982, Ramachandra Guha 1983). Timber was easily marketable, easy to account for, and fetching a good price on the market. Furthermore, timber was traded as a commodity, which was coherent with the conceits of British and European political economy.<sup>35</sup> Timber possessed all the qualities required to satisfy the economic and ideological ends of the colonial state. It supplied primary resources to improve existing infrastructure, fueled the industry, and cashed in substantial rents. Magnified revenues and improved infrastructure strengthened colonial state-making and legitimized it at the same time. On both the material and symbolic planes, the focus on timber production, maximum yield, and modernization would reduce alternative forest uses and meanings, however. The economic imperatives of forestry put blinders on this industry, to the general neglect of forest dwellers' ecological knowledge and how biodiversity was appraised by them.

To assist with timber production, the colonial state had demarcated exclusionary spaces prosaically called “state forests” (Pratap 2010, Sivaramakrishnan 1999). From the very beginning, access to these bounded entities was severely restricted. Native populations were excluded from state forests according to two independent premises: firstly, it was believed that the state apparatus was in the best position to develop fully the economic potential or “utility” of the forests (a proposition that Independence altered only slightly to include that the state ought to manage forest resources in the general interest of the nation); secondly, proper scientific management demanded as little external perturbation as possible. Nineteenth century colonial knowledge of forest ecology mainly drew from experiments conducted in controlled settings,

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35 The independent Government of India upheld the focus on state revenues after 1947. Between the 1960s and 1990s, fast-growing exotics like eucalyptus were preferred to native species for the same economic and modernist reasons that explained the British penchant for timber. The next chapter investigates these policy choices in more depth.

botanical gardens, enclosed plantations, and even small islands (Grove 1995). Considering this, the desire to enclose forests on the Indian subcontinent should not come at a surprise. Enclosure, separation, and boundary-making were integral to the colonial vision for forestry, and these technologies also epitomized modern regimes of knowledge/power (Foucault 1977, Mitchell 1991).

However, India's jungles had little in common with the test-tube settings in which forestry experiments had traditionally been conducted. Traces of human uses and habitation could be found across a majority of jungle areas. Corroborating this, the colonial archives are replete with discussions about the permissible level of natural resource use by Indian populations and debates regarding the impact and legitimacy of forest grazing, fuelwood collection, and customary access in general. Being quite small, the Thano forest could be cordoned off from human intrusion reasonably well (though epidemics and plagues were not stopped with equal ease, as indicated above); entire forest divisions spanning tens of thousands of hectares of land could not, however.

Today, it is estimated that 275 million people in India depend on their access to various forest resources to achieve basic food security, and this number is known to swell in times of dearth, drought, and famine (Sarin and Springate-Baginski 2010, Kumar et al. 2015). To forest-dependent people, forests provide more than just timber. A wealth of forest products contributes to their livelihoods (Belcher and Kusters 2004). Problematically, after clear cutting, state forestry usually “rejuvenate” old-growth forests by manicured plantations producing less firewood, foliage, fodder, thatching grass, edible plants, medicinal herbs, and biological diversity in general as compared to old-growth forests. As such, plantation forestry deprives forest dwellers and forest-dependent populations of the resources that are crucial to them, and this impacts them



and their environment negatively (Reddy et al. 2010, Joseph 2014). In this context, one could say, following Scott, that simple state schemes have indeed impoverished the environment. Likewise, simple forestry schemes have victimized populations who already ranked among the most deprived of the Indian nation.

In Scott's analysis, authoritarian states exhibited a tendency to impose an abstract order onto their “never-been-modern” jurisdictions, and routinely dismissed, erased, and even harmed who did not fit the idealized mold (Latour 1993).<sup>36</sup> How could Scott's critique of high-modernist state schemes help studies equally concerned with popular mobilization, subjective experiences of modernity, and modalities of conduct within forests, however? How well does this framework reflect popular and everyday forms of state-making and collusion between subaltern subjects and state staffers equally aiming at changing how forests are governed, however uneven their powers might be? The opening chapter of *Seeing Like a State* casts forestry as a parable expounding the disastrous (though often unintended) consequences of the forceful application *any* abstract blueprint over target constituencies and jurisdictions. Scott suggested in his account that modern forestry furnished an appropriate model to question, for example, centrally-planned, social-engineering schemes, or attempts to “reshape society to create a more suitable population” (1998: 92). Illustrating with extreme cases like agricultural collectivization in Russia and villagization in Tanzania, Scott deftly traced the correlation between simplification and state violence, asserting that officials showing a crass ignorance of local specificities routinely put local populations in harm's way. In India, however, the persistent presence of forest-dwellers within state forests contradicts state territorialization or the idea that the state ruled uncontested

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36 Scott made the persuasive argument that ultimately it is what is standing, willfully ignored, in the blind spot of the state, that is the most likely to cause the demise of any of its schemes. Obviously, it is easier to identify causes of failure *ex post facto* (after the fact/retrospectively), than it is *ex ante* (before failure has occurred), and so I think this kind of analysis is not always possible.

over the allocation and distribution of the natural resources (Nilsen 2012, Chhatre 2003, Sivaramakrishnan 1999, 1995). During past decades, if not centuries, forest dwellers have defended their customary forest rights against all odds. They have engaged with colonial officers and civil servants meaningfully while struggling to maintain this form of access. These social dynamics are something that this thesis contends with, or rather, seeks to make sense of, because it is unlikely that popular mobilization, which has prompted innovative responses from the state and provoked deeper changes in the managerial structures of its bureaucracy, could have produced any impact if the state truly had remained insensitive to people, as Scott has contented.

### **Jungle Governmentality**

In a piece enjoining to move “beyond Scott”, Tania Li conceded that “ruling regimes do operate as [Scott] proposes, for the reasons and with the consequences he observes” (2005: 383). With this, she expresses her agreement with the idea that ruling institutions indeed prefer simpler schemes as they seem easier to grasp and administer. Nevertheless, Li disagreed (as much as I do) with the implicit suggestion that modern bureaucracies invariably follow abstract procedures chosen only due to their apparent simplicity, internal coherence, and rationality. It is not true that modern bureaucracies never deviate from the protocols that are supposed to define them. Program implementation routinely departs from its idealized course, either because initial goals are too ambitious, or due to very different motives. Popular pressures also change implementation. For example, when the British demarcated forests and sketched their forestry blueprints, customary users petitioned officials (within the Forest Department as well as other departments of the *Raj*’s administration) to prevent interference with what they considered to be their rights. Struggles for the recognition of customary forest rights and privileges have

continuously challenged the territorial boundaries of the state in India, and they have also questioned the boundaries between state and society. Crucially, most state official and bureaucrats used their arbitrary powers to answer to popular demands through informal arrangements about which their hierarchical superiors might have had only the vaguest idea. These informal agreements contradict theories painting the state as an independent entity from society (see also Mitchell 1991). Empirically observable deviations from official guidelines are so common to all kinds of power regimes that it is indeed surprising that definitions of “state” and bureaucratic rule often do not include them. Exceptions, infractions, and deviation have been routine aspects – and constitutive features, I would say – of state power within forests and elsewhere.

Tania Li drew on Foucault's idea of governmentality to show that states have never existed in an ethereal “up there”. This is consonant with the work of other scholars who have paid attention to the fact that state officials are not immune from worldly interests, human feelings, and anxieties about failure (Stoler 2002). How officials behaved influenced the *style* of government. The colonial *style*, for example, emerged from the cultivation, among the British, of markers of distinction that emphasized the differences between the colonizers and colonized peoples (*Ibid.*). Hunting is an example of such markers of distinction that was highlighted in Troup’s obituary at the beginning of this chapter. All *styles* of government betray something about the quality of the relationships between the rulers and the governed, for *styles* of government do not present an independent rationality, but are associated with social and cultural processes that run through the fabric of society. Tania Li has equally mobilized the notion of governmentality to expand the “geography” of governmental power, recognizing that non-state actors, including lobbies, civil associations, NGOs, traditional leaders, and other social elements influence state programs in intricate ways. Li's notion of governmentality is polycentric,

organized horizontally as well as vertically, and acknowledging power as being widely diffused through social institutions. Li's posture also signals a refusal on her part to confine power to the political realm, narrowly defined. In most contexts, power runs through technologies, structures, and discourses that affect people's conduct in non-determinate ways.<sup>37</sup> Governmentality therefore concerns the circulation of power through heterogeneous media and decentralized institutions. Governmentalized states are devoid of unitary goals and intentions. Finally, like Foucault, Li defined "government" as an "art" of manipulating incentives, and of disposing things in the "right manner", so as to steer people in an "improving direction", which is itself conveyed through dominant discourses, available material technologies, and myriad signs and representations (Foucault 1991: 95 cited in Li 2005: 388).

Likewise, for Burchell (1991) and Dean (2010), governmentality combines active forces, including discourses, institutional mechanisms, and social ties and identities, that together render people, but also geographical and metaphorical spaces, properly "governable". An important dimension of governmentality, and of Foucauldian analysis in general, *discourses* are considered as possessing the uncanny ability of shaping any phenomenon as a problem requiring immediate governmental action: for example, the perceived lack of timber regeneration in the Thano elicited a response that was deemed appropriate within the paradigm of state forestry. Of course, discourses are not all that there is to governmentality. As just mentioned, various interactions between technologies, institutions, natural processes, identities, and society, are also important in framing what counts as a solvable problem, thereby "governmentalizing" the actions and processes considered as part of the "solution".

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37 Dean (1999) defined government as the "conduct of conduct". For it part, governmentality encompassed an array of forces (technologies, mechanisms, and apparatuses) that also influenced this conduct of conduct. The view that the material and technical aspects of power impact on its everyday forms of expression is now widely accepted (Li 2007, Hull 2012, Mitchell 2012). How to reconcile said view with ethical and subjective practices and norms of conduct remains theoretically challenging, however.

By contrast, in a host of environmental scholarships, governmentality has been adapted to the point of looking strangely “un-Foucauldian” (as noted also by Rutherford 2007). Using neologisms such as environmentality and “eco/green governmentality”, several analysts of environmental policy-making have tried to understand the impacts of hegemonic discourses, global facilities, and state-sponsored initiatives on social and ecological indicators (Darier 1999, Luke 1999, 2009, Goldman 2001, Agrawal 2005, Birkenholtz 2009). The main interest of this brand of environmentality studies has been showing that global environmental initiatives and top-down schemes transform people's conduct, infiltrating everyday domains of life. Recently, several ethnographers have criticized this specific conception of eco-governmentality because, to them, it is predicated on a conception that discourses, institutions, and disciplinary society unilaterally change people's sense of Self or subjectivity, operating from the top down, and encountering little resistance in those subjects whose identities they affect (Cepek 2011, Winkel 2012). Even authors careful enough to mention that governmentality studies should not privilege official, written sources, and keep investigating the active politics that surrounds state programs, remain bent on investigating regimes “produced by experts”, that allegedly render life governable (Oels 2005). The notion of jungle government which I am using here seeks to strongly reaffirm the role of marginalized subjects in shaping governmentality within green spaces. What is at stake is a better recognition of the capacity of those who are indeed dominated to still govern themselves and even reinvent in creative ways the tools of domination, technologies of power, disciplines, and relations of different kinds already included under the label governmentality.

The major difference between Scott's approach and eco-governmentality scholarships is that the former asserts that modern bureaucracies cannot truly understand the objects of their rule through simple schemes and synoptic views, whereas green governmentality and

environmentality studies intimate that environmental policies, state programs, and hegemonic discourses dictate people's life choices. The issue with both frameworks is the assumptions that they convey about power. Whereas one framework assumes that underprivileged, yet rational social actors will be victimized by oversimplified state schemes, the other suggests that subjective choices are overdetermined by external forces labeled “governmental rationalities”. Both approaches assume that power shapes people, and not the other way around. For my part, I contend that even marginal, subaltern subjects relay and influence power without ever having to act rationally, or make conscious and well-informed choices. The effects of power always remain uncertain, as power circulates through myriad agents. In other words, the relation from state designs and state schemes to power-effects should not be taken for granted. Within forests, a changing governmentality might render certain aspects of life more discernible than others, or it might criminalize certain practices while legitimating others, but this is no reason to dismiss the capacity of the marginalized to “conduct their own conduct” based on their idiosyncratic perceptions of ruling regimes, their norms of legitimacy, and their social encounters with the forest constabulary. The issue, as noted by Rutherford, is that within the “governmentality literature, rule appears as a completed project, simply applied to a passive populace” (Rutherford 2007: 292). More refined green governmentality/environmentality studies should focus on the indeterminate relations between the deployment of technologies of power, on the one hand, and the construction of the Self, on the other, without truncating the analysis to only consider how people might blindly follow incentives or become the victims of various constraints. If the modern state truly had the uncanny ability to control people’s environments and dictate how people lived their lives, of course governmentality analysis could limit itself to the interpretation of the blueprints of defining state projects, and infer power-effects solely based on these power-

laden textual artifacts. However, none of the blueprints prescribing state interventions reads like a guide to subjugation and/or the formation of subjectivities. All kinds of social and cultural factors intersect with everyday conduct, identity formation, and subjectivation. State schemes can be subverted and remade in the image of popular expectations. This is an aspect of policy implementation that calls for more attention.

The adequacy of the governmentality framework for studies about the postcolonial world has also been a matter of academic debate for some time (Nichols 2010, Bhabha 1983). Postcolonial scholars have shown some reticence to conceptually using the state as a shorthand for power because this would mean that modern power is always, and everywhere, rendered manifest in the form of a Western innovation, a state bureaucracy. Though governmentality contradicts this conflation of power with the state that postcolonial thinkers judged unsatisfactory, the notion remains problematic to them because it sums up many kinds of subtle power relations under a single signifier, regardless of the exact structures that maintain these relations (Bhabha 1983, but see David Scott's article "Colonial governmentality" for a worthy attempt at resolving this debate). To many postcolonial intellectuals, governmentality also evokes the image of a well-oiled state machinery, and a form of government that rules through incentives and popular desires. This representation is at odds with inherently violent colonial and postcolonial governmentalities. I acknowledge these postcolonial criticisms because obviously India's jungles were not governmentalized in the same way that European society and nature were. All power relations in jungles have particular histories that are not derivative of an exemplary form of Western state-making.

For the anthropologist David Scott, colonial governmentality was "a form of power" that "was concerned above all with disabling old forms of life by systematically breaking down



their conditions and constructing new ones in their place, so as to enable – indeed, so as to oblige – new forms of life to come into being” (2005: 25). For him, it did not matter whether, or how, or when colonial governmentality deviated from the model provided by Europe's (so-called) liberal regimes. What mattered were the specific style, targets, and aims of colonial power (*Ibid.* 29). But even considerations of path-dependent governmentalities tend to leave marginalized people outside the picture. This is why I prefer using the notion of government, instead of governmentality, to show that Subaltern subjects were neither passive, nor powerless, in everyday forms of state-making. In my opinion, “grassroots politics” and “popular resistance”, often seen as the obverse of “state power”, fail to capture how peoples who are hurt and broken still persist in cooperating and colluding with their oppressors – whether the Forest Department (FD) or smugglers of the “timber mafia” – to make a living in a shared violent environment that is rendering both meaningful and governable. In my opinion, government, a notion that relates to the norms of behavior, conduct, and interrelations between these actors of environmental change, does a better job at describing the focus of my observations about jungle politics.

I also believe that the image of an all-seeing state operating from an ethereal “up there” – a state that sees people without being seen in return, operating without ever heeding the voices, feelings, and the desires of (at least some of) its constituents – must be ruled out to understand jungle micropolitics. During my fieldwork, I noted that governmental practices were shaped by popular perceptions and representations. Politicians, state bureaucrats, and constables of the FD also shared certain views inspired by popular mobilization as a result either of their upbringing or their close contacts with local populations. In one way or another, their conduct was shaped to popular pressures. How people see the state also is a crucial dimension of politics in a democracy as complex as India, even in remote forest zones (Corbridge 2005, Sharma and

Gupta 2006, Gupta 2012). To forest dwellers, intimate knowledge of the state follows from their everyday encounters with police, forest officers, and bureaucrats, as well as their frequent use of state programs and services. State agents too participate to emergent cultural representations of state power when engaging their many social interlocutors and relays of power. Sometimes they seek to render state institutions transparent in a deliberate way, sometimes only to draw attention away from their illicit activities. State officials do not enjoy full control over the creation of a public image for the state, of course, and neither do they are free to act as they please. Politicians and bureaucrats are constantly reminded by their constituents that they should behave well and show “proper conduct” (Rose 1999). As Gidwani puts it, governmentality is a ceaseless flow of information and influence “up and down” cutting across bureaucratic offices and social hierarchies (2008). The ability of state staff to respond to expectations from below, and maintain, if not a membership, at least an access to different communities of meanings, are crucial factors to the good functioning of a state (Vasan 2002).

To depict state power as intruding into the hypothetical “autonomous domain” of recalcitrant forest dwellers without questioning the transformative impact that encounters between state and non-state actors produce on their respective subjective experience would be another simplification. To me, forest communities and state officials exert mutual influence on each other's conduct through direct and personal interactions. Subsequent chapters will investigate specific modalities and manifestations of such dynamic exchanges. My argument is that forest subjectivities and representations of power are formed through sustained interactions between official rulers and their *jangli* constituents. Forest dwellers may oppose state schemes like modernist forestry when they do not correspond to their expectations for a better life, but this does not prevent them from closely engaging with state personnel on a normal, day-to-day basis.

## **Furthering State-Making as an Effect of Failure**

In addition to the above concerns about finding a governmentality framework that is appropriate to making sense of the subjective experience of forest dwellers, I also take issue with the word “failure” that is crucial to Scott's analysis. What did modern states fail to do exactly? In India's jungles, no amount of “failure” has ever managed to compromise state-making. The “state at large” – its expert knowledge, bureaucracy, and myriad agents – never had to roll out of forests, even after major shortcomings had affected every form of state intervention within forests, whether conservation, timber exploitation, plantations, or otherwise. The goals of the timber industry, scientific research, natural conservation, and social development regularly contradict each other. These endeavors have therefore never achieved perfection under India's green cover. Nevertheless, the state never relinquished its grip over its wooded territory. The opposite seems truer: new and more diverse state agencies, whether formal, informal or “participatory”, were added to older ones each time conventional forestry met an obstacle (see Chapter 3). Countless institutions aiming at changing peoples' conduct, some of which are ambiguously called “non-governmental”, owe their existence to a perceived need for improving managerial practices – demonstrating that the state has been reforming, growing, and extending, rather than failing, or retrenching, although it faced resistance and adversity.

As Michael Herzfeld (2005) has perspicaciously noted, to label instances when states fall short of their own objectives as “failures” betrays a rather “uncritical endorsement of the master narrative of Western history”, according to which strong, functional states are the apogee of all political institutions. James Ferguson has also been a pioneer in questioning how state actors maintained their prerogatives, even – or perhaps especially – when programs failed to deliver (Ferguson 1990, see also Li 2005, 2007). In his study of development in Lesotho, he

showed how the state apparatus could entrench itself in underdeveloped areas even when the social programs it administered failed at reaching their targets and improving citizens' lives. Rent-seeking increased in areas targeted by development programs, as did people's dependence on state stipends (both official welfare and illicit benefits). That the state could grow even when it failed to deliver satisfactory results may seem paradoxical, and objectionable. However, from the standpoint of the state itself, institutional growth rarely amounted to complete failure.

There is no disputing the fact that state reports about Indian forestry persistently offered vivid and graphic illustrations of a stark aesthetic. On this point, Scott is absolutely right: the Forest Department's literature has consistently promoted forests conceived as rows of regimented poles, in spite of the many failed attempts at making them a reality. What Scott omits to say, however, is that simple aesthetics only represent a small part of a larger, more ambiguous political performance on the part of the state. Graphic schemes are what state departments want citizens and civil organization to see. State schemes materialize conscious efforts by state actors to make the state transparent in precise, power-laden ways, just like lush strips of forest can be preserved at the edge of the roads for people plodding along not to notice the clear-cuts located just behind, and just like beetles ravaging the crop may offer a temporary distraction so that no one notices the resource plundering that has been going on. No single scheme can offer a clear image of the state; rather, they construct a state mythology and preserve a positive image of state activities.

The everyday encounters that I have observed between forest dwellers and forest officials inspired me the notion of jungle governments, a theoretical construct highlighting the fact that the outcomes and effects of state schemes remain indeterminate. Such government can appeal to the people and rely on the popular support they can garner to carry on with their work

beyond the theoretical point of failure. Popular elements may mend, tinker, and fiddle with flawed state schemes. Participants from diverse communities may uphold an interest in maintaining a direct connection with program administrators. Office holders may have populist or personal interests in pursuing flawed schemes too. To understand how forestry has become governmentalized, reforming subjectivities and altering ecologies, one needs to reconsider state/society binaries. This necessarily calls for a reappraisal of the concept of community as something other than the obverse of state power. Communities are productive sites that can change how states plan their operations, how state programs are conducted, and how people interact. In the following section, I discuss essentialist representations of Indian communities and investigate how communities may unexpectedly rally around the state to achieve their own goals, transforming the style of government and governmental practices in the process. The aim of the sections after this will be to make the notion of the state less familiar, and show through examples how governmental power actually bridges any putative opposition between state and society.

### **An anti-essentialist approach to the Indian Community**

James Scott's critique of colonial forestry liberally draws from the enduring classic *Unquiet Woods* by historian Ramachandra Guha, a scholar who has defined the canon of the postcolonial historiography of Indian forestry.<sup>38</sup> Both in *Unquiet Woods* and *This Fissured Land*, later co-written with ecologist Madhav Gadgil, Guha imparted that the true and original conservationists of the Himalayan forests were small agrarian communities who maintained “a

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38 In a footnote, Scott acknowledged his debt to Ramachandra Guha while also admitting his own “limited” erudition in the domain of forestry (Scott 1998: n.4, p.359). In the same footnote, Scott genuinely discloses that Guha had indeed pointed out to him that his canvas of modern forestry did not pay sufficient attention to the role of local usages and customs in shaping actual management activities. For Guha, colonial foresters could not have ignored what they overtly wanted to control, and peoples continued living in forests. This agrees with my own understanding of colonial forestry. The foresters needed to become familiar and engage with customary users in their jurisdiction. Whether this transpired or not in official forestry reports is a different question.

protective ring” around limited environmental resources, as “religion, folklore and tradition” prescribed they do (Guha cited in Greenough 2001). Alternatively, Gadgil and Guha argued that the heavy-handed forestry operations undertaken under the aegis of the colonial state had prompted a three-pronged political, social and ecological watershed: usurping control over jungles, colonial rulers desecrated communal groves and time-honored, community-based tenure systems preventing environmental degradation (1993: 147).

Guha's framework ascribed positive values to traditions embodied by communities, such as respect for ecological balance. Conversely, state bureaucracies were said to apply an instrumental rationality closely associated with imperialism and global capital, whose shared foundations were the exploitation of humans and nature. Ramachandra Guha explicitly endorsed an abridged Weberian narrative in his writings, one putting emphasis on the negative impacts of an alien modernity that had been forced upon colonized people.<sup>39</sup> Interestingly, discontent against state forestry in India still indict Western culture today, regardless of whether this discontent is voiced by civil society organizations, social activists, or Indian Marxists who seemingly have little time for refined analyses in the “mode-of-production” tradition (Roseberry 1997).

Not eschewing essentialist histrionics, the author of *Unquiet Woods* alleged that “Prior to the advent of colonialism, most Third World societies consisted of a mosaic of long settled and sophisticated agrarian cultures which had a finely tuned but delicately balanced relationship with their natural environment” (1989: 195). Subsequent scholarship analyzing Indian environmental history labeled this view as either the “standard environmental narrative” (Greenough 2001) or the “new traditionalist discourse” (Sinha et al. 1997) because it is partial to

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39 In fact Weber's schema was tripartite, including charismatic authority as a third pole. It should also be noted that each part of this schema only represented an “ideal type” rarely encountered in pure form. Guha watered down this argument by positing two types of authority instead of three, and endowing them with an essence (see Guha 1989: 127-9).

“communities” and takes a strong stance against foreign conceptions of “state” and “science” – all reified notions cast in a binary framework. This traditionalist discourse imagines that small agrarian communities are repositories of Indian tradition who are heirs of a vast fund of ecological knowledge and live in harmony with nature. The colonial state, by contrast, is seen as an inherently destructive power. One of the more assertive proponents of this dualistic view, the ecofeminist Vandana Shiva, holds colonialism to be a synonym for alienation and the domination of nature, whereas small agrarian communities are, for her, recyclers and conservationists “by habit” (Greenhough 2001: 143).

I wish to interrogate these essentialist conceptions and the discourses painting Indian communities as natural conservationists, notably by showing how, through their relationships with early empires, the Raj, and the Indian nation-state, so-called traditional communities could still change and reinvent themselves. My aim in refuting the dichotomous separation of community and state institutions is to better study their mutual interactions. Two subsections follow in which I spell out my argument. The first questions representations of communities living in distinct ecological niches, a theory that naturalize cultural differences. The other subsection makes a case for the use of the notion of subalternity to represent forest dwelling communities in contemporary India.

### *Natural communities and cultures of nature*

Common to Guha, Gadgil, Shiva, and their proponents, is the premise that communities are well-adapted to their environment. According to Guha in the quote above, traditional communities were organized as a patchwork that reflected variable ecological conditions across the landscape. Communities also lived in tune with an environment conceived

of as fragile yet balanced (*Op. Cit.*). Interestingly, the motif of the mosaic evoked by Ramachandra Guha (and earlier, by Gadgil and Malhotra 1983) recurs in Pernille Gooch's *At the Tail of the Buffalo* (1998). There is little doubt that Gooch's interpretation of Indian ecological history is as indebted to Guha's analysis as Scott's was. In addition to explicit references, perceptible theoretical proclivities link the work of these three scholars. Like Guha and Scott, Gooch similarly depicts precolonial communities as organic entities.

Although Gooch readily admits that traditional communities were divided along the lines of gender, status, caste, and labor specialization, she insists that during the precolonial era, community membership gave every person their specific position within the functional web of Indian society. In Gooch's eyes, it was a function of society to structure the lives of its members. To her, precolonial society resembled a quilt of closely-knit communities that relations of interdependence bounded together. Caste played a central role in balancing exchanges and relations between communities. This system of mutual interdependence had a name: the *jajmani* system. To support her claim, Gooch quoted directly from the original study about the *jajmani* by the missionary-anthropologist H.W. Wiser: "In a Hindu village in North India each individual has a fixed economic and social status, established by his birth in any given caste" (Wiser 1936 cited in Gooch 1998: 245). Even though Wiser's views about the *jajmani* had been debunked by sociologists like of Mayer and Srinivas, Gooch chose to retain his argument.<sup>40</sup> She adapted it to assert that "In a North Indian society, defined by hereditary occupational castes, the Van Gujjars occupy the place of the (traditional) milkmen within a regional system, where each community has its strictly regulated place" (Gooch 1998: 246). The phrase "regulated place", here, is crucial.

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<sup>40</sup> The *jajmani* appellation originates in a monograph from 1936 by Wiser. The famed sociologist Srinivas expressed in a 2003 paper that: "Wiser's assumptions [have been] refuted by the political scientist Peter Mayer in 1993 on an extensively researched paper entitled 'Inventing Village Tradition: The Late 19th Century Origins of the Jajmani System'" [See Mayer 1993: 357-95]. Srinivas added that the *jajmani* could only be of recent origin, because the dominant forms of agrarian sociality have never been static, even during precolonial times.



It connotes Gooch's observation to the ecological concept of the niche previously employed by anthropologists studying hill pastoralist cultures (Barth 1967). Gooch's ecological fiction posited that, as long as the precolonial Golden Age lasted, the Van Gujjars retained the exclusive charge of milk production over an extensive region that was integrated economically rather than politically. The necessity of exchange, barter, and trade gave this system of interdependent producers its great stability. Being economically perfect, the *jajmani* had neither room nor need for politics. The contours of the region in which the Van Gujjars traded milk were immanent, roughly conforming to prevailing ecological constraints and the capacity of the Van Gujjars to produce, store, and reciprocate goods and services. According to the *jajmani* thesis, every “caste” – “caste” defined here as a corporate group of professionals within a total division of labor – specialized in one of the many requirements of production and consumption. Similar arguments about castes essentially being an adaptive feature of Indian society, and castes being the social sedimentation of a natural order that was imposed by pre-existing technologies, natural resources availability, and local ecological conditions, have also been made by Guha's associates (e.g Gadgil 1993).

This *jajmani*'s analytical view recalls European conceptions harking as far back as the notion of “natural order” that underpinned Quesnay's *Tableaux économiques* and emphasized the immutable character of 17<sup>th</sup> and 18<sup>th</sup> century Europe (1758). The physician of King Louis XV, also known by the moniker “The Confucius of Europe”, Quesnay was fascinated by Chinese philosophy. He eventually encountered the notion of a “natural order” in Oriental texts, and it became the lens through which he observed his own society. Quesnay was also a proponent of Orientalist theories relating to the “virtuous despotism” of a good sovereign, a theory that John Stuart Mill has equally deployed in defense of the authoritarian style of the administration of the

East Indies. For Mill, as long as native populations did not manifest strong, internal dispositions for liberalism, they should be strongly governed. Publications describing the *jajmani* positively shared the Orientalist overtones of Quesnay's work, although not necessarily his defense of an autocratic colonial rule. The notion that traditional (agrarian) societies were extraordinarily stable and dictated individual behavior remained deep-seated, however. Even British Liberals ultimately thought it was in the order of things that the Indian peasants be shocked out of inertia by foreign agency.

Scholarship in Indian history has shown that precolonial society was highly dynamic. Asiatic despotism and static precolonial Indian society might have only existed in imagination after all. For Nicholas Dirks, the rediscovery of 17<sup>th</sup> century India by historians was essential to debunking the idea that colonialism had disrupted what a static precolonial societies (2001). Before colonization, large empires have gone through processes of state-building and dissolution. Sizable population movements and proto-capitalist developments did occur, including the organization of long-distance trade. Asiatic society did not offer a mirror of an earlier stage of civilization. On the one hand, human progress had never followed exactly the same, unilinear curve. On the other hand, communities were not primordial human organization. Even social categories such as caste, which were believed to crystallize the essence of Indian society, could not resist various processes of change. In a clear rebuttal to essentialist claims about communities, Sundar wrote: “communities are not a natural excrescence of the soil, but come into being through a variety of historical processes.” (2000: 260) An anti-essentialist approach to the concept of community should strive to debunk the idea that the social order, whether represented by caste or the *jajmani* – and either before or after British conquest – was natural and unchanging. In short, the notion of community should be re-historicized and re-politicized.

Another important area of essentialism in conventional Indian environmental historiography concerns the notion that so-called “traditional” communities live in harmony with nature. Those who agree with this premise generally refer to the period that preceded the penetration of foreign capital and colonialism as a long ecological equilibrium. Like the *jajmani* system, narratives about Indian communities living in symbiosis with nature have been invalidated (Sivaramakrishnan 1999, Saberwal and Rangarajan 2003). Precolonial societies transformed their surroundings and created savannas, fields, and other anthropogenic environments (Kothari et al. 2003). Being subject to immanent cultural change, witnessing empires rise and fall, partaking in long-distance trade networks, or enduring drought and famine, so-called “traditional Indian communities” constantly reinvented how they engaged with nature.

The idea that traditional relationships with nature were more harmonious in the past introduces a negative bias in the way policy makers view social change affecting said communities. For example, the biologists and foresters drafting the management plans for the different protected areas and forests in the area of my fieldwork have been suggesting that changing Van Gujjar livelihoods were worrisome because, they said, Van Gujjars only consumed more and destroyed more. The notion that traditional communities, especially tribal communities, entertain a “symbiotic relationship” with nature was endorsed by the Indian Forest Act of 1988. Without a doubt, tribals and traditional forest dwellers deserved recognition for practices that contributed to ecosystemic protection. Questions arise, however, when such claims are voiced without being confirmed or substantiated. Of course, indigenous people should not be asked to prove whether their ecological impact is positive or negative if the same is not asked from the rest of society. Requiring that information about one's ecological impact be made available could create novel relations of dependency, as precious resources, time, and labor would be allocated to

recruit experts scientifically assessing natural resource consumption. The fiction of the “ecologically noble savage” remains strong in discourses about forest dwellers in India, however, and it is not rare to read about people magically endowed with a surplus of timeless environmental values in both scholarly and larger-audience accounts. Such claim that traditional producers should continue to live like they did in the past and be at the forefront of environmental conservation is eminently political, as the following chapters show.

### *Conceptual Issues of Subalternity*

Dominant narratives impose constraints on forest dwelling communities inherent to their representation as ecological heroes or backward peoples who are recalcitrant to change. Forest dwellers have also been maintained in a subaltern position politically, socially and economically. Within forests, timber production was the priority, not the forest dwellers' well-being. For the Marxist intellectual Antonio Gramsci, “Subaltern” was one of many code-words he used to avoid censorship, and it was his substitute for “proletariat” (1971). Building on Gramsci's historical sketches, the Subaltern Studies would adapt this category to include all those who have been subjects of oppression based on their culture, ethnicity, caste, gender, and age (Chaturvedi 2007). Both Ramachandra Guha and James C. Scott have been affiliated with the Subaltern Studies' earlier trends that conceived of Indian communities as an “autonomous domain” located outside the state's purview – the first by direct association, the latter mostly because of a proximity of interest. Ramachandra Guha and James Scott also seem to subscribe to Ranajit Guha's most radical departure from Gramsci's text, disagreeing with the latter's claim that “Subaltern groups are always subject to the activity of ruling groups, even when they rebel and rise up” (cited in Chaturvedi, 2007: 10, cf. Guha 1982). The original members of the Subaltern

Studies collective shared a pointed interest in communities that rebelled against state hegemony. Like these authors, Ramachandra Guha and James Scott adapted Gramscian ideas and Thompsonian historiography to locate the elusive imprint of the Subaltern classes on the fabric of history, an inclination that I openly share with them, though I take issue with this idea that Subalterns possess certain invariable traits, that Ranajit Guha termed “elementary aspects” including, for example, horizontal rather than vertical social organization, strong kinship bounds and territoriality, and a propensity to spontaneous and violent uprisings (Ranjit Guha 1982). These traits are essentializing and I think it is not realistic to expect that all Subaltern groups equally possess or display them.

In scholarly publications, Scott and Guha have emphasized the contradictions opposing modern states and traditional communities. Their distinct character was said to emerge from radically different moral and organizational principles. Building their argument around binaries such as power/resistance, modernity/tradition, and state/society, these two scholars downplayed the role of discourses and technologies of power – such as those shaping forestry and the forests themselves – in creating opportunities for tense, yet meaningful relationships between state representatives and jungle denizens. For Scott, modern states were half-blind. They persistently ignored local contexts that in their eyes were complex and unwieldy. According to Scott, modern states never cracked the codes of local cultures because said cultures would “hide” their true motivations, desires, and aspirations, from state officials. By contrast, Scott’s Subalterns exhibited a rather objective understanding of the structures of domination that confronted them. Being (surprisingly if inexplicably) well acquainted with state procedures, they avoided direct confrontation and risks of backlash (see *Weapons of the Weak*, 1985, *Hidden Transcripts*, 1990). While I tend to agree with Scott, Guha, and early Subaltern Studies that

Subaltern subjects mobilize in idiosyncratic ways, I doubt that they avoided repression so effectively. Subalterns learned about dominant society through popular idioms and rumors. Their modes of protesting were foot-dragging and evasion, instead of more overt tactics (Scott 1985). However, to maintain that modern states governed based on rigid rules and protocols without ever bending them, while Subalterns had the leisure to make informed choices and adapt political strategies, seems a bit naive. Scott's binary framework also fails at explaining the more subjective effects of power relations (see Mitchell 1990). Domination and subjective experiences thereof are transformative in a deep sense, for power rarely reproduce inheritable schemes of governing and resistance or submission.

Depicting communities as naturally opposed to the maneuvers of state power also seems unfortunate because Thompson – an inspiration to Scott, Guha, and the Subaltern collective – did not want historians to dispense with the pains of describing in details the transformation of Subaltern lives and minds at the intersection of larger historical processes, including those associated with state formation (Chandravakar 2012, Sarkar 2012). Thompson clearly understood that resistance was context-based and socially constructed. In the end, the concept of subalternity might only be useful to me because, as a label, it helps me highlighting similarities across different groups denied access to hegemonic positions in society as well as forests. With the word Subaltern, I can denounce lasting inequalities based on political and territorial circumstances. The Subaltern category reunifies and reasserts the existence of subjects who were rarely given adequate representation, even in critical studies (cf. O'Hanlon 1988). The notion of subalternity allows social oppression to be named, to be made visible, and to be compared against other social facts too.

### Subaltern subjects' participation in state-making

During the colonial era, it was mainly people without a definitive allegiance to the state – forest dwellers (“tribals”), private entrepreneurs (“contractors”), surveyors and scientists (“surgeon-botanists”) – who influenced the development of forestry (Grove 1995, Rangarajan 2009, and see also Chapter 3). This amounts to saying that the agents who initially contributed the most to transforming the forest landscape into an area managed for timber production were neither solely nor always officially state workers. The specific contribution of forest dwellers to the formation of forestry came “from below”, informally, and without being given much recognition. Forest dwellers encountered the state through specific agents. Franz Fanon, in his musings on violence, extolled that most colonized people, with the exception of the very top elites perhaps, knew “the state” mainly through contacts with the police (1991 [1961]). Indian Subalterns effectively received an inordinate amount of discipline, policing, supervision and monitoring, and more often than not through well-intended state programs. Yet, within the jungle's compass, forest dwellers could make an impact on forestry simply by occupying the land physically and using customary resources. They also supported forestry rule from time to time when they felt it was to their advantage. Still today, state forest management continues to contend with non-state actors and claimants of customary rights in areas that are remote from administrative cores.

In her writing, Barbara Harriss-White's analysis vividly captures the kind of political and social ties that exist between state workers and Subaltern subjects (2003: 88-90). Harriss-White discerns the contours of a half-hidden yet highly productive “shadow state” encircling the formal state, corresponding to its less regular, less formal workforce. The state's shadow is populated by self-employed, sub-contracting “intermediaries, technical fixers, gatekeepers, adjudicators of disputes, confidants, contractors and consultants” (*Ibid*: 89). According to

Harriss-White, even private militias fall into this obscure category of the “shadow state”, posing a challenge to “the official State’s famous monopoly of coercion” (*Ibid.*, cf. Weber 1958: 78).<sup>41</sup> Interestingly enough, although the shadow state is large, it is largely ignored by the official press, whose definition of the state often only includes formal structures. Yet, this “shadow” provides myriad services to the state, and Harriss-White uses an adequately suggestive language to describe how this shadow “spills” into the lanes (and along forest paths, I would add) around ministerial hubs, incorporating precarious “work staff”, cleaners, office runners, and so on. Within forests, for example, conservation NGOs, loggers, and citizens-at-large (compelled by national policies to disclose information and report poaching and smuggling, or, as job-seekers, applying for temporary employment in silvicultural operations) are discernible extensions of the state’s shadow. Harriss-White rightly argues that the norms and expectations of shadow state agencies influence many of the state's endeavors, if only because state officials need to conform to certain demands of their constituents, lest they lose their fragile legitimacy (*Ibid.*, see also Rose's notion of the rulers' “proper conduct”, discussed above). The enveloping presence of the state's shadow complicates the analysis of processes such as state formation. It also influences how state and non-state actors represent the state as an institution – everyday encounters between state bureaucrats and citizens produces a “state effect”, in other words “the illusion that the state is real” (cf. David Nugent's comment on Gupta and Sharma, 2006: 301).

Since shadow workers can claim compensation and privileged contacts with state officials, it is also fair to say that formal institutions and public monies at times invigorate a less-than-formal economy, providing an income to an irregular workforce and their families. Crucially, these shadow workers do not have an equal stake, as employees of the public sector

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41 Weber's phrase translated as the “monopoly of the legitimate use of physical force within a given territory” (1958: 78).



might, in maintaining the standards of impartiality and neutrality which are expected from state officials. Shadow workers' biographies travel with them, and their direct relationships with state workers result in the blurring of another Weberian distinction, this time between private life and work in a public office. Pressures from below, and everyday life in the shadow, can impinge on the delivery of state schemes, and make office workers deviate from central directives. The shadow state suffuses official practices of government with specific expectations, aspirations, norms, and obligations; it also brings state programs closer to life outside official structures, vernacularizing them. Recognizing the shadow means taking into account considerations of kith and kin in a world described as that of bureaucratic anonymity and alienation. And while the members of the shadow state might need the formal state to eke out a livelihood, the formal state requires all this labor from workers behind the scenes to achieve its ends.

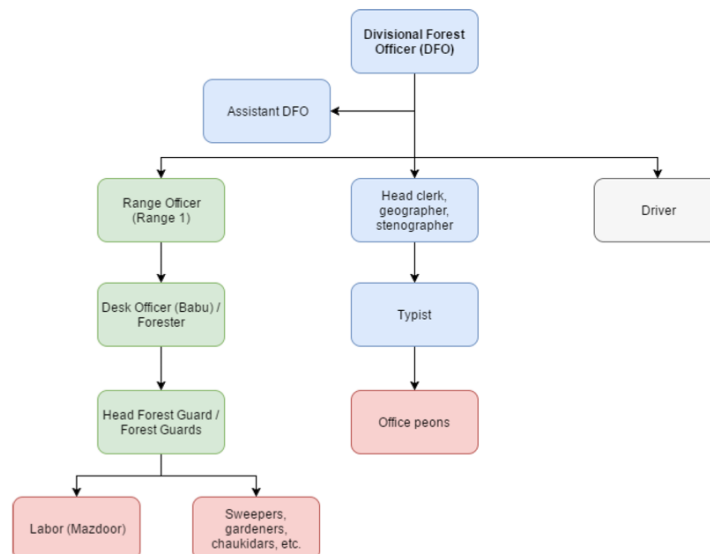
### **Elementary Aspects of the State**

Recognizing that more theoretical sophistication is required to better understand interactions between state programs, people, and forests, I have identified additional theoretical problems raised by the considerable number of interconnections that exist between the state apparatus and forest dwellers, besides from considerations about subalternity and the shadow state outlined above. I wish to highlight that marginalized communities succeed at demonstrating agentive power when they engage bureaucracies and paper technologies such as the census, claim forms, and other kinds of state-sanctioned titles, deeds, and permits. Whereas Scott considered bureaucratic protocols and central planning as exclusionary practices also contributing to provoke state failures, I wish to question, instead, how communities engage state personnel and state policies, how they subject themselves to state controls and conventions on an everyday basis, and how they participate in stake-making. Moreover, I would like to question the power effects

produced by state internal organization, competition between departments, and ideological divergence between state workers and public servants at every level of the bureaucratic hierarchy. Therefore, rather than taking power from the top down, I endorse a bottom-up view of state practices. I argue that this is necessary to gain a clear understanding of what a state is and what its schemes do – socially and politically – even as they fail to meet the needs of their targets.

### *The Cracks in the Building: Internal Conflicts Within State Bureaucracies*

The Indian Forest Department (hereafter, FD) is a big bureaucratic machine, one that is hierarchically ordained and territorially distributed. The FD operates under the direction of the Indian Ministry of Environment and Forest (MoEF). At the ministerial level, an impressive number of advisory boards draft and evaluate policies relating to a gamut of portfolios. On the MoEF agenda figures biodiversity protection, climate change, community capacity building, afforestation, and so on. In contrast, the FD's structure is summarized by this simple flowchart:



**Illustration 9** – Organizational Flowchart of the FD (Division Office and below).

This organizational flowchart suggests that the FD's internal organization is smooth and functional. In practice, however, state departments are not perfect machines, and neither is the state as a whole. One of the first to seriously question the valence of the state as an analytical category, Abrams influentially wrote that discourses representing the state as a bounded entity are “at most a message of domination—an ideological artifact attributing unity, morality and independence to the disunited, amoral and dependent workings of the practice of government” (1988: 81). Within the MoEF, fractures become apparent whenever the members of distinct advisory boards working on policy buzzwords begin to compete for funds, recognition, and conflicting agendas, some of which might be inspired, funded, or co-initiated with the assistance of international agencies. In comparison to the MoEF, the FD gives an impression of being better integrated, and more cohesive. This impression is imparted mostly due to its military structure and its territorial grounding. Nevertheless, this department is just as fragmented as the next state agency.

First of all, the FD's personnel necessarily belong to either of two distinct categories, whether the administrative force commanding forestry operations or the constabulary corps patrolling forests. On an everyday basis, FD workers from either category perform their duties with relative independence. Bureaucrats and constables are also estranged from one another by their distinctive practices, training, mandates, career paths, and interests. Moreover, officers working in different regions may have distinct manners of implementing the directives which they get from above. Officers on the ground often take pragmatic decisions reflecting their ambient context, the location, and the scale of the works which are put under their supervision. This ultimately renders state orientations less unitary and homogeneous. Even from the standpoint of a single state department, therefore, state workers can have a direct impact upon

policy implementation. State workers may give orders from above a different *style* and substance, even though departmental structures strongly encourage obedience, goading, and coaxing personnel with the lure of internal promotions. As such, the “rationality” bounding a state department is fuzzier than it appears.

Being composed of a large number of semi-autonomous fragments, modern states can harbor conflicts. State servants attached to distinct duties, being provided with different means and capacities, and enjoying unequal access to information and other crucial resources, are likely to disagree on matters of implementation. This can lead to internal disputes which also affect everyday state operations. For instance, forestry policies aiming at fostering “normal forests” in India were hotly debated by a cohort of top-level FD officers in the last decade of the 19<sup>th</sup> century. Top forest officials entertained divergent views about forestry policies chiefly because they did not share the same opinion about whether or not the customary rights of the native populations were legitimate (Ramachandra Guha 1990, 2001). Consensus never was a strong requirement of state policy-making, however, as senior administrators could veto forest laws even though controversy about them endured. Historically, however, the imposition of legislation which was unpopular among foresters and lower-level state workers often resulted in improper implementation.

It should be noted that the implementation of state and forestry programs is not only affected by conscious and principled opposition from workers holding different opinions about state schemes and their prospects. State servants at different levels of the hierarchy may ascribe contradictory meanings to policy initiatives, and interpret the law in their own idiosyncratic ways. This implies that distinct state agencies can simultaneously uphold contrasting views about a single policy text, and this situation can produce varied and unpredictable outcomes across

different jurisdictions. If the primary task of a policy-maker really is to pen the legal documents guiding governmental actions, disciplinary measures, and reforms, his duty is made impossible simply because of the internal constraints inherent to complex organizations. For instance, while working in the field, I could clearly see a split between lower-level state servants who shared a lot in common with the populations among which they worked (see Vasan 2002), and more distant administrators who were more prone to impose brutal reformatory schemes onto society at large.

In theory, discord and disorder within a hierarchical organization pose the risk of efficiency loss; in practice, however, spontaneous decisions contradicting official policies might ease implementation. Street-level functionaries frequently act as mediators between forest dwellers and their own hierarchical superiors, though habitually distorting communications in both directions. Also, low- and middle-level officers can maintain some degree of secrecy about the steps which are necessary for them to “implement” state schemes. They might resort to evasion and falsification, acting as a buffer preventing confrontation between their superiors and the public, but they might also impose harsher and prejudiced treatments on local populations without reporting it. Finally, those working at implementing policies on the ground alter state directives following their own understanding and interpretation of what government is, and it should accomplish. The individual goals pursued by state functionaries do not matter so much as the effect that their actions produce. Their occasional concessions to local populations allowed the state's legitimacy to remain intact despite routine digressions – the idea being that no one would openly challenge “the state” while subtly subverting the delivery of its programs – whereas unfair decisions reinforced preexisting social stratification.

This is not to say that state workers have always succeeded at preventing *all* conflicts from occurring within or between state agencies. Historically, individual state departments have

vied with each other for limited resources, land, tribute, labor, and so forth. As a result, policy orientations could be shifted; compromises needed to be struck (see Rangan 1996, Saberwal 1999, Ramachandra Guha 2001). These conflicts which were waged within governmental institutions themselves contradict the purported homogeneity of the modern state and the rationality of policy-making and enforcement.

Unfortunately, the social sciences have traditionally paid less attention to “resistance” within modern bureaucratic apparatuses, even though it produced detailed studies about rivalries between traditional figures of leadership and colonial authorities. This could be due to the fact that resistance has been defined as a popular element antonymous to the so-called efficient organization of modern institutions. Nevertheless, a great deal of friction could develop inside the cogs of a bureaucratic machine in the course of its daily operations. Habitual responses to such tensions on the part of state functionaries included work-to-rule tactics, excessive zeal, and bureaucratic obduracy. Excessive zeal remains perhaps the most ambiguous of the three, as it can easily be disguised as rigorous application of the law and trademark efficiency, despite being a strategy to delay day-to-day operations (Herzfeld 2005). Alternatively, evasion and dissimulation, whether licit or not, have been other symptoms of increased resistance inside the bureaucratic routine. For example, forest access has regularly been granted to forest dwellers by officers who posed as “compassionate” and “understanding” of people's needs. These officers regularly pretended granting special permissions was a matter of life or death. Although semantic opposites, obduracy and evasion both signaled increased resistance to state policies from the part of state officials. But again, the dissident behavior of state functionaries only engaged individuals, and thus the public image of the state could be preserved in spite of all the conflicts simmering inside its structures.

Secrecy and concealment have been key to the exercise of government within forest areas. On the ground, forest officers maintained a positive image of the state through the creation of a “public secret” – widely known, rarely spoken out loud – according to which “the state” was neither so stringent, nor bent on making people suffer, considering that access could be granted to anyone who greased the palm of the officials (Mathews 2008). “Public secrets” have mediated, but also obfuscated the intimate relationships linking the state and civil domains. These tacit discourses also offer an inverted image of what Janasoff termed “civil epistemologies”, defined as the cognitive processes by which educated publics scrutinize and criticize state and expert planning in order to change it. Forest publics – including forest dwellers and some state servants – instead turned a blind eye to the inherent problems of state management, whether freely or under restraint. Self-deception would just be another cognitive process informing governmental actions. Collectively, state staffers, shadow workers, and civil constituents would ignore and even conceal the irregularities affecting state program delivery for personal gain, or because they were obliged to do so. These secretive politics inform the generally ambiguous and cunning style of jungle government and the cognitive processes underlying it.

In a similar vein, a premium was attached to remaining silent during day-to-day forestry operations. For example, newly recruited staff within state institutions might neglect to report the discrepancies and systemic deficiencies that come to their notice. For new recruits in the bureaucratic force, overlooking irregularities might be the rational thing to do, insofar as reporting them risks antagonizing senior staff members who have grown accustomed to their system, as flawed as it might be. To say it differently, institutional/bureaucratic epistemologies can very well promote obfuscation and ignorance (Kirsch 2013: 153). Van Gujjars too maintain a politics of silence, although it is not as strongly institutionalized as within the state apparatus.

These forest dwelling pastoralists often plead ignorance when queried on sensitive matters, pretending that, since they do not possess a formal education, they cannot provide precise answers. This they say to avoid further questioning. This shows that resistance, silence, and the display of ignorance too are central to the uncanny alliances between office holders and their *jangli* constituents.

These observations bring me to reconsider the easy connections which are conventionally drawn between visibility and power. Within academia, the most popular interpretations of the Foucauldian “power/knowledge” dyad is glossing over power using the shorthand of the panopticon – essentially an absolutist state represented by a prison guard that sees everything and controls an incarcerated population from its dominant position.<sup>42</sup> Shallow panopticism suggests that state power is coextensive with the state's ability to see and to know. For Foucault, however, the panopticon only was an architecture, a design, and a desire, even, whose effects could never be deduced from simply looking at its obvious outline. The same goes for state schemes: their purified aesthetics might not reveal much about the subjective experience of them by those concerned. State aesthetics are a message of domination, not a valid description of the power-effects produced by state programs during their implementation. It should be remembered that Foucault's interests laid in matters of subjective reform, or subjectivation, and the dissemination of power through the social body through changing practices and conceptions, rather than official designs and state policies.

This is partly why in this dissertation I examine the micropolitical relationships that shape policy implementation “from below”, meaning that forest-based struggles take place under the “concrete illusion” of a strong state. “Jungle government” is about forest dwellers and low-

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<sup>42</sup> Foucault said that he himself never produced a theory of power; rather, he described the “circulation” of power through different bodies, populations, and social institutions (1988).



ranking officials and the mutual influence they exert on one another through everyday interactions, shady, informal, and extra-legal exchanges, and illicit trade. These transactions, which are rampant in peripheral resource areas, curb the reach of official state programs, but then create new types of constraints and obligations dialectically influencing people's conduct – changing how people behave, or seek to change others.

Jungles and forests are complex political arenas, and fertile soil for shifting alliances between unlikely collaborators. For example, cultivating a “proper” relationship with a beat guard, a *munshi* (“accountant” or “comptroller” in Hindi), or a range officer is life-enhancing for forest dwellers – even if that relationship remains fraught with abuses and inequalities. Among the Van Gujjars, any representative of “traditional” or “familial” authority will gain status and be able to affirm his privileges after having formed a productive alliance with a state functionary. Through such connections, they and their kin, other allies, or constituents might become less amenable to prosecution, enjoy better access to the forest, or be kept “in the know”, receiving appropriate warnings ahead of policy changes and before forest inspections by “less understanding” authorities and experts. For their part, state officials build their careers searching for ideal postings among friendly, cooperative locals, namely those who pay lavish homages and offer substantial bribes to men in uniforms. Either side in this governmental relationship has some understanding of the other's situation, and everyone shares some common ground, however fragile it might be. The intimate knowledge of a forest system and its laws, as well as proficiency in a common language to talk about it, help cementing alliances too.

Mutual understanding does not imply the existence of a single perspective or truth, however. In the same vein, Foucault did not ignore the fact that there is just as much power in illusion, deceit and ignorance, as there is in knowledge; spreading lies can be as “powerful” as

telling the truth (Foucault 2008: 34, see also Matthews 2011). It has never been Foucault's objective to prove that the arts of government required “true” knowledge. Neither did the philosopher argue that state schemes would either fail or succeed based on the accuracy of their vision. Instead, Foucault questioned the power-effects associated with discourses operating *as if* they were true. Discourses simply had to be convincing enough to change subjective feelings and actions to “effect” or “relay” power. According to Foucault's “critique of knowledge” (*Ibid.*), forestry is neither oppressive because it is false, nor is it oppressive because it is true.

For James C. Scott, totalitarian state schemes predictably failed because they kept society in a prostrate position while ignoring the “true” requirements of social life. The above discussion sought to displace the monolithic state, speaking instead of power and government as comprised of everyday practices, sophisticated technologies, social webs, and cultural meanings, and showing forest regimes as shaped by internal conflicts and bottom-up pressures. It seems necessary to study power as it flows across state and non-state boundaries. Lastly, I have realized that it is not enough for the “ethnographer of the state” to point fingers at the cracks in the edifice; the description of the everyday formation of the state should directly contribute to a critical redefinition of what the state is, and what it is to govern.

### *States of paper*

Modern bureaucracies employ a battery of paper technologies to bring law and order to human relations – forms, questionnaires, treaties, and contracts furnishing some widely known examples. To study these technologies reveals points of contact between the state and its constituents, refuting the “two-worlds” hypothesis according to which state and society abide to starkly different principles. State records are often presented as tools of domination due to their

historical complicity with colonialism, however. Indeed, written technologies have been catalysts of state consolidation, not only of “modern” bureaucracies on the Indian subcontinent, but also of the British Raj itself. Uninitiated but also unwilling to learn princely etiquette, the British held oral agreements in distrust; ultimately, they were able to minimize courtly intrigues via the imposition of written contracts, agreements, and affidavits whose emission they largely controlled (Cohn 1987). The British Raj simultaneously colonized local scribes' expertise. Subsuming their labor within their governmental apparatus, the British greatly transformed the function of the literate elites in India (Raman 2012).

Written documents provided an unparalleled resource to expand state bureaucracy and police. The British sanctioned the use of penalties and coercive measures to protect private contacts and investments in the colony, without which the worth of otherwise lucrative deals would have been less than the paper on which they were written. Bills, memos, and orders also circulated between power offices, materializing and mediating social relationships between colonial officers. For bureaucracies, written words, sign representations, and sign systems were primordial political tools. Documents could travel easily, and therefore allowed governments to function “at a distance” (Latour 1987, Agrawal 2005). Documentation did not solve the problem of geographical distance once and for all, but certainly reorganized power relations. As Hull remarked, “face-to-face relationships, conventionally conceptualized as the most unmediated form of social relationship, are the product of associations mediated by visiting cards and chits” (2012: 20). This was true inside and, to a lesser degree perhaps, but still, outside state bureaucracies. Although being primordial to state institutions, official documentation never was totally exclusionary. Actually, one of the potent properties of written documents was the speed at which they could percolate within the social fabric. Paper “descended” upon society as

obligations to report to governmental institutions increased. Paper also “rose” from the ranks of society as written petitions and similar documents provided people with new means of raising their voices and politically affirming themselves.

At every level of government – starting with the village level, or even below, at the household level –, authority has eventually become synonymous with one's position within the uninterrupted streams of paper generated by the bureaucratic apparatus of the state. Even Subaltern subjects far removed from central power offices could sum up some of their most difficult moments in life as struggles to access a piece of paper which, by virtue of its official stamp, confirmed their ownership rights or rights of any other kind, as well as their identity, mediated by paper. For marginalized producers like the Van Gujjars, permits bearing an official seal of approval were essential to their livelihoods, and as such these permits attested to one's worth and legitimacy. My informants would also tell me that without these permits, they would be nothing. Permits eventually became a token of power both within bureaucratic structures and outside, among community members, flagging emergent connections between these two interdependent domains.<sup>43</sup>

Understanding bureaucratic paper production also requires cultural interpretation because the meaning ascribed to the orders issued by state institutions can change through their lifespan, as different individuals and groups manipulate and circulate them. Documents can be “enacted” in a political performance with the intention to convince, coerce, or intimidate (Hull 2012: 166 citing Mol 2002). Influential community members among the Van Gujjars have become experts at deploying a vast array of papers in order to gain the attention of their audience

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43 The most politically active of my informants possessed their own seals reading “member of X committee” or “village authority”. Some even asked me to provide them with new seals after they had attended the workshops about the Forest Rights Act which I had organized in collaboration with the folks at the All-India Union of Forest Working Peoples (AIUFWP).

– whether these papers are claims of property loss, governmental promises of rehabilitation, or otherwise. A convincing performance on their part might be noted by the press; it may elicit new guarantees by elected members of government at the village, the district, or the state level; it may see old promises renewed. Papers beget papers, and their meanings flow from the performances that bring them to life, as well as their relation with other papers – i.e., their intertextuality.

In his “ethnography of the state” conducted among street-level bureaucrats working for the Immigration Department of South Africa, Hoag (2009) observed the following paradox: state functionaries routinely violated protocol, subverting and vernacularizing state documents using local languages and adapting them to prevalent social norms, and yet by doing this they would strengthen popular support for state institutions and adherence to state discourses. Bureaucrats reinterpreting state schemes mediated exchanges between an otherwise uncollaborative and non-disclosing population and their unpredictable hierarchical superiors, and this contributed to state-making too. Then, it must also be the case that state documents are more versatile than often thought. Papers can hide social intercourse between state workers and their constitutions and, as such, they are hieroglyphic.

It is generally assumed that bookkeeping, audit technologies, and easier access to written records will render the bureaucratic state more accountable and transparent, “empowering” citizens to scrutinize its every move (Shore and Wright 2000). While it is true that paper technologies have the capacity to shape social and political relations, it is less certain that they ultimately empower citizens.<sup>44</sup> In reality, paper transactions can lead to the exact opposite, as red tape hikes transaction costs between different stakeholders, while also excluding the

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<sup>44</sup> Miller (1990) argued that accounting technologies have been crucial to the exercise of state power since the 17<sup>th</sup> century, a time during which global commodity flows and anxieties about the “balance of trade” began to transform how state formulated their governmental objectives.

uninitiated, the illiterate, and the uneducated (Gupta 2012). For decades now, persistent calls to increase state transparency and accountability have only served, as Strathern remarked, to mask the interplay of real (albeit shady) interests and official indifference to the actual problems of democratic governance (2000). It has become routine for many state and non-state actors to ostentatiously brandish programs that “look good on paper” but conceal less-than-legitimate activities. This strategy perpetuates the illusion of a strong, functional, and accountable state too.

For these reasons, paper bureaucracies can be burdensome and discourage spontaneous political mobilization. Paper may reproduce boundaries making the state a (more) watertight compartment, especially when executive powers are controlled by a privileged group and their official forms, stamps, and seals (Cohn 1996, Dyer 2008). Nevertheless, documentary evidence can pose a threat to the state's activities. It may become difficult to honor extra-legal obligations to one's clientele in paper-dominated spaces, since the most crucial negotiations must not leave a paper trail (Matthews 2011). In patron-client relationships, official discourses, public declarations, and state-sanctioned publications might be used not to disclose, but to cover illicit practices. Interestingly, state officials are not alone in encouraging the production of surplus discourses and documentation as decoys. Van Gujjars themselves under- or over-report their gains and losses to evade taxation on the one hand, and to obtain extra compensation for loss they incur on the other. Like other small-scale producers eking out marginal livelihoods, nomadic herders work with conniving and understanding scribes who will concede to register their demands even though the numbers and the proofs supplied do not add up – everyone knowing that there is a good chance that the forest dwellers' demands remain unanswered. Whereas Nicholas Rose coined the phrase “politics of adequacy” to describe the struggles underlying the selection of a number commensurate with the objectives of a politically active group, whether it is a minimum

wage or the result of the ballot, he has put less emphasis on the fact that this “adequate number” does not need to correspond to an empirical reality (1991). In power contexts based on secrecy and connivance, the “right number” may simply be a useful fiction materializing a political agreement between different parties – in this case, state staff and herders. Moreover, these “politics of adequacy” might not be confrontational: they may simply signal that a “common ground”, a mutual understanding, or a shared vision has been reached (cf. White 1991).



*Illustration 10 – Inside the FD’s district office (c) Pierre-Alexandre Paquet.*

Despite sustained efforts to durably adapt paper technologies to social ends, these technologies have remained contentious, however. In a study mapping power at the margins of the state, Das and Poole have analyzed that paper technologies can create important tensions within society (2004: 15). On the one hand, requirements compelling citizens to use uniform

questionnaires for communicating with state agencies are testament to the bureaucracy's distance vis-à-vis the citizen. The paper protocol flags state violence, as filling and filing forms replace compassion and the actual delivery of state welfare, disaster relief, and social amenities.

On the other hand, papers can become intimate, infiltrating everyday life, and contradicting the sort of anonymity that a paper protocol is supposed to create. People can start describing themselves as they have been described on paper. People may attempt to gain visibility through documentary practices and self-identification as members of a target group which is eligible for positive discrimination policies, for example. Papers can be an important medium of social inclusion (Cody 2009). In any case, working with documents can change subjectivities. Voluntary identification on the census and other state documents will reproduce preselected traits, whereas mobilization around state categories might also alter their original meaning (Cohn 1996, Dirks 2001, Bayly 2001, Gupta 2005). As technologies of power, papers are capable of prompting certain types of behavior, but the outcomes associated with paper technologies are never predetermined, considering that they might be subverted when used. What is interesting to note, however, is that popular responses may be obtained without coercion. To illustrate, letters and petitions regularly travel from the bottom up, rising towards ministerial offices, sometimes a parody of bureaucratic practices, but still a practice that is deeply engrained in popular politics today. Furthermore, people subject themselves to the state machinery by remaining attentive to the proliferation of forms and questionnaires that might bring, to them, promises of better days to come. Forms remain mechanisms of power because they might incentivize certain choices. Their results are never finite or overdetermined, however. That depends on how papers are enacted and how subjects conduct themselves too, all matters of social relationships which correspond to a certain style of government.



The experience of the Van Gujjars illuminates many of the points just mentioned. The Van Gujjars are convinced that the territorial offices of the FD brim with records that identify them as forest dwelling citizens having lived in state forests for centuries. Being subjected to routine inquiries and periodic monitoring, Subaltern subjects like the Van Gujjars have been persuaded that the state knows virtually everything about them. From the Van Gujjar perspective, the fiction that the state is omniscient is sustained through frequent contact with petty officials, police officers, and forest guards who often know the Subaltern by name – or even more intimately. And as cattle taxes are paid and bribes given, expectations grow, and the Van Gujjars believe that there exist a paper trail to prove that their access to the natural resources is legitimate. Van Gujjars also believe that the contents of archival documents can explain their marginalization. Unfortunately for these Van Gujjars, however, documents may persist in time, but not everything ends up being written, especially when there is so much about jungle government that has remained informal. The conditions of paper production also change over time, leading to serious gaps in knowledge and interpretation.<sup>45</sup> For example, even when state archives offer glimpses of a Van Gujjar past, their language appears as coded. The colonial records present the Van Gujjars as a dying and hopeless race, an Orientalist expression which has historically discriminated against the pastoralists and forest dwellers. What has been lost since is the curiosity, the ordinary paternalism, and the occasional compassion of the British that was not often recorded in the written form. Within the colonial archives, it is mostly the harsh words that remain, and the prejudices, which endure to this day.

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<sup>45</sup> Hull is my inspiration here (2012: 5). However, Hull seems to suggest that papers gain an independent existence when they outlast the process of their production. To me, papers have little existence unless they are constantly re-enacted – for example, when FD officials and Van Gujjars meet to renew permits and other mutual obligations –, which is why I am cautious not to lend an ontology to the products of the bureaucratic machine (for a different analysis of the relations between power, paper, and ontology, which is closer to my own, see Stoler 2002).

Popular and sentimental investment in state programs, materialized by applications sent to different levels of administration, and the quest for recognition as citizens, have also changed Van Gujjar mobilization over past decades. State scribes, ministers, journalists, and scholars have translated the pleas of the Van Gujjars into demands fitting the provisions of state programs, encouraging Van Gujjar participation in civic life, but also extending the rationality of the so-called modern state. Instead of trying to make sense of the subjective feelings of abandonment currently experienced by Van Gujjars, many observers have simply justified the expansion of state programs. The issue with this is that the outcomes of decades of state abuses and inaction now get translated in a way that lends support to furthering the domain of state intervention.

Apart from the fact that papers do not faithfully reflect decades of abuse, there are additional reasons why a Van Gujjar would be ambivalent towards paper technologies. Being illiterate for the most part, Van Gujjars commit every sentences to memory, but they know that they cannot trust all readers. To sign, they rub their thumb in ink and imprint it on the paper, as a criminal would (Cody 2009, Skaria 1999). Moreover, papers are to them the sour reminders of broken promises, although it is understood that papers can pressure authorities. For these reasons, the Van Gujjars hoard their old letters and permits which are the proof of their customary rights – until these rot in a metal box in the corner of the hut. Then, whenever needed, Van Gujjars can hire mediators, scribes, and the occasional anthropologist to write a letter to the court or a known official. But these documents are coded too: they elicit the terms of the state welfare while remaining silent about the specifics of Van Gujjar experience. As a result, the meaning of these records may simply be found between lines or in the margins.

James C. Scott saw in the neat, stark lines of many state projects and blueprints an aesthetic that betrayed authoritarian power. Drawing on the experience of the Van Gujjars, the local and everyday, I rather seek in subsequent chapters to understand how different types of relations, technologies, and documents get deployed as part of an ambiguous political performance which sometimes reveals real concerns shared among various actors of jungle government, while sometimes concealing illegitimate practices.

## **Conclusion**

This chapter began with the story of the Thano forest over which the British foresters wanted to apply a perfectly geometrical program treating trees as passive objects and forests as the machine to produce them. The consequences of their actions were catastrophic on all counts, and ultimately the failed scheme was abandoned, but not before the timber of the Thano had been plundered. To make sense of the experiment in the Thano, I based myself on James C. Scott's analysis of the failure of ambitious, large-scale, reformatory schemes conducted under the aegis of an authoritarian modernist state. As good as Scott's framework is at summarizing some of the most objectionable facets of this kind of state governance, the explanation it provided for how various subjects of power behave – everyday, inside jungles, in dealing with authorities – or even, how state authorities treat their subjects, seemed partial to me. Thus, the main objective of this chapter has been to revisit the binary notions of state and society, or power and resistance, which stands out starkly in Scott's opus, in works that have influenced it, and in others that were influenced by it. Mobilizing the ideas of numerous scholars who have conducted ethnography of “the state” – within forests as well as in other settings –, I have tried to take a different look at the relationships linking marginal producers and state actors. I have also looked beyond value-laden

judgments dismissing as “failures” schemes that fall short of their own objectives, instead following Ferguson and his intuition that failed schemes are not necessarily incompatible with state-making or the entrenchment of state bureaucracies in new locales.

This chapter has also highlighted the strengths and weaknesses of governmentality as a lens to look at power relations, recognizing that governmentality itself is a polysemous notion, used differently by a different scholars. On the side of its strengths, as highlighted by Tania Li, governmentality provides a more nuanced picture of power relations where the state is not suspended “up there”, administering populations from the top-down, while traditional communities continue to exist in symbiosis with nature, resisting any transformation that state powers might seek to induce. The reasons which have made me fashion this argument come from my field experience itself: in the jungles where I have worked, social interactions embody the forestry code, rather than the other way around. In these wild settings, the hegemony of forestry is never guaranteed, and everything is open to negotiation and maneuver. I wanted to describe how varied and disparate strategies such as work-to-rule tactics and evasion signaled resistance to state schemes, but also mediated their implementation, because I wanted to illustrate the many possible ways people live with, withstand, and sometimes challenge official policies.

At the same time, I wanted to get rid of preconceptions of community as being aloof from or opposed to state-making. To this end, I have not only critiqued theories that naturalize traditional communities seen to live in harmony with nature, but also introduced notions such as subalternity and the shadow state which firmly posit communities in dialogue with state power. These concepts show very well how forest dwellers maintain an open conversation with state officials and develop relationships based on interdependence and reciprocity, although they are most likely to remain at the losing end of these exchanges. I have also described how paper

technologies and the written word mediate social intercourse: census, claims forms and other such artifacts are used by bureaucrats and state dwellers alike to assert their respective prerogatives and rights. It was shown that several different meanings can be ascribed to a given piece of paper over any length of time, and that this polysemy can only be resolved as people engage each other and “enact” or “deploy” papers before different audiences.

In sum, the above presentation has portrayed the state as being more porous and fragile than is often assumed. It has argued that state schemes are not inflexible, especially when bureaucrats and forest dwellers have mutual interests in altering them. These are all very important points for the study of forest politics and jungle government. What this underline is that the two entities of state and community often work together on common grounds – and their joint actions, though rarely officially acknowledged, and even masked by existing rules and blueprints, change society and the environment. This is what makes their interactions “governmental”. There are I think important lessons to be drawn here before investigating further the relationships between people and forestry or the state. Forest dwellers should not be viewed as mere victims of stringent forestry policies. Behind the curtain of official narratives, policies, and paper documentation, jungle government operates through stylized interactions, performances, and illicit exchanges that mediate access to and claims over what lies under the green cover, as well as knowledge about all those things.

## CHAPTER III

### A Genealogy of the Indian Forest Acts 1865-2006: Policy-writing and Forest Territorialization

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#### **Conventional narratives and the choice to write a genealogy of Indian forest policies**

My research assistant, Monoo, was a college student from Dehradun. He had been introduced to me by a distant relative of his who taught at a local university. To me, Monoo was an invaluable source of cultural insights. He also kept our conversations with the Van Gujjars going long after I had exhausted the questions listed on my questionnaires, which I always tailored to each individual we interviewed. Never being one to engage in confrontation, Monoo shared his personal views only so long as they did not clash with those expressed by our informants. Liberally providing examples taken from his own experience and drawing comparisons putting the Gujjar stories in context, Monoo contributed a wealth of information to the research and extra hermeneutic devices too.

In particular, I remember Monoo relating the following story in response to a statement by one of our informants who said that the “rangers” had every right over timber. Monoo said: “It is true, the Forest Department (FD) enjoys so much control. If a tree dies on a street corner anywhere in the city, it will dry, and the wind will inevitably break it, isn't it? Still, no one can cut it. The risk that a tree falls on someone is always there. And we all know that,

legally, we are not allowed to touch a fallen tree, even if a life is at stake. In India, it is illegal to come near timber, never mind the circumstances. What we should do is call the FD and wait for their workers to come and pick up the tree themselves. Only the FD has the right to remove a dead tree, essentially because it is timber.”

What Monoo's account emphasized was common sense in U.P. and Uttarakhand. In both states, the rights of the FD over timber were considered as being indisputable. Likewise, all local forests are understood to be the exclusive property of the state. In the following pages, I inspect these popular conceits in the light of India's forest policies. I interrogate the mechanisms, rules, and processes that have inspired such strong convictions about state forests and state property. For several reasons, I delve no further than the period preceding the drafting of the first forest policy, dated 1865. I justify my decision based on the fact that the precolonial archives are scarce, incomplete, and difficult to interpret (Sivaramakrishnan 2009). This seems to hold true even for archives regarding Saharanpur, even though this region traded with Delhi and its Mughal rulers (Bayly 1988). But the main reason why my genealogy of policies begins during the colonial period is that, according to British chroniclers, the Van Gujjars did not enter the region of my fieldwork before the British did. And even when the Van Gujjars entered the region, their small numbers did not attract much colonial attention.

Before the British could thoroughly map the territorial boundaries of their East Indian dominion and before they began patrolling these boundaries and counting the number of people crossing them, “nomads, itinerants, shifting cultivators, and other vagrant, unsettled sorts” did not receive so much scrutiny (Ludden 2003: 1063). Imperial rulers would encourage agricultural expansion when they felt they could reap increased tax revenues. At other times, these precolonial rulers conducted military campaigns and had forests razed to secure a landscape



judged to offer cover to their foes (Rangarajan 1994). But still, the imperial powers did not problematize mobility in the same manner or to the same extent as the British (Ludden 2003). Rather than discouraging mobility, the erstwhile powers sealed alliances with unsettled, “*jangli*” communities living at the periphery of their realms.<sup>46</sup> This configuration of power was critical to many precolonial states that lacked the means to either curtail mobility or impose sedentism. Studying this question from a cultural perspective, Ajay Skaria aptly coined the phrase “politics of wildness” to describe not only the tensions that existed between agrarian societies and tribal communities thriving in resource-rich peripheries, but also the oddly similar, belligerent, and “wild” attributes which their respective leaders boasted during precolonial times (Skaria 1999). Before colonization, leadership would not let itself be tamed, savagery fitting in elaborate cultural narratives and being an expression of power.



**Illustrations 11 & 12** – Folios showing imperial hunts. Left, *The Chronicles of Akbar (Akbarname)*, late 16th century; right, *the Mahabharata*, 1800-1850. Both are from the New York Metropolitan Museum of Arts’ Collection.

<sup>46</sup> The word *jangli* is polysemous in Hindi. It sometimes means “from the forests” without other meaning intended, but the meanings “wild” and “uncultivated” can be implied too.



Technologies of government such as boundary-making and permanent settlements were perfected under colonial rule. More than any previous ruler, the colonial state, notably through its ethnography, described peripatetic lifestyles as criminally deviant. Its policies aimed at subduing and fixing the workforce in place (Dirks 2001, Ludden 2003). Furthermore, the British Raj enclosed forests for timber production and the new boundaries affected peoples' mobility. A divide was created between the agrarian world and jungles through discourses and technologies. This transformed the political landscape of resource access and control. Colonial settlements made the collection of agricultural rent a priority. Inside jungle areas, however, the priority of the colonial administration was the natural resources, not the people. The caesura between cultivated and wild lands did not succeed at extinguishing the kind of micropolitics that I call “jungle government”, however. Intimate connections existed between forest dwellers and forest bureaucrats based on frequent informal exchanges. *Jangli* and agrarian communities also had contacts. These relationships were *governmental* in the sense that they influenced the conduct of whoever lived or worked within jungles falsely described as empty of human habitation and devoid of human activity. Crucially, I argue that the micropolitics associated with the everyday, informal encounters between forest dwellers and state workers within forests had a different feel than the micropolitics of the village and the agrarian world specifically because the British saw a difference of kind segregating fields and forests.

As mentioned before, another reason to review forest policies from the colonial period onward is the uncertainty surrounding the actual presence of Van Gujjars in the region of my fieldwork before the colonial period. My reading of the archives suggests that the Van Gujjars did not migrate to present-day Uttar Pradesh and Uttarakhand before the British had established there. If ancestors of the Van Gujjars had visited the region before colonization, they had either

done so in insignificant numbers, or so infrequently, that they were barely noticed (see next chapter; see also Dangwal 2009). My work is concerned with the micropolitical relationships emerging from the exploitation of forests, with a focus on the place of the Van Gujjars within this political system. It therefore makes sense that I begin my policy review at a period when, on the one hand, the colonial powers started to define forests as bounded entities to be ruled by a colonial institution – the Forest Department (hereafter FD) – and, on the other, Van Gujjar pastoralists began to be portrayed as violators of the new forest boundaries.

Indian forest policies aimed to “establish jurisdictions and borders that define exclusionary rights” and, as such, were “paradigmatic” expressions of struggles over the distribution of forest resources at the time (Vaccaro, Beltran and Paquet 2013). Scientific forest management blossomed in Europe and its colonial territories from the nineteenth century onward. Modern states mobilized forestry to enforce their territoriality and used “fence and fines” as deterrents to people increasingly seen as trespassing valuable state property (Brockington 2002). For the past 150 years, foresters have doubled as policy-makers in India (and law-makers, essentially), arguing that centralizing forest controls were imperative to protect an environment seen as threatened by overexploitation, unchecked consumption, and wasteful usage by local populations. On the contrary, Monoo's tale at the beginning of this chapter faults the state for capturing India's jungles through one of its arms, the FD, and for stripping locals of their rights and agency. Arguably, these official and popular points of view are difficult to reconcile. This is largely reflective of the protracted struggles shaping jungle governmentality and government in India to this day.

It is not my intention here to come to the defense of either position, to be pro- or anti-forest policy, pro- or anti-people. No one can deny that, since its creation, the FD has ousted

many groups of forest-dependent people from forest zones. Whether this has been accomplished through legal maneuvers, economic pressures, direct threats, or violence, the outcomes have remained the same for jungle denizens, and the most obvious of them has been dispossession. Meanwhile, environmental concerns have grown in India as well as globally, and there are reasons to hope for more appropriate and enlightened policies capable of addressing environmental degradation without necessarily victimizing forest dwellers. There is no point in trying to disentangle ecology and society at this point; their mutually constitutive relationship has been equally acknowledged by those who see human populations as having a negative impact on their milieu, and those who argue that access to forests is an inalienable birthright, that should be protected as such. My genealogical approach in this review recognizes the interdependence of society and nature and weaves episodes of social, political, and ecological turmoil into a comprehensible narrative. I have opted for a genealogical approach to show how social unrest and grassroots mobilization (“power from below”) have impacted policy- and state-making over the past 150 to 200 years. The questions that I try to answer genealogically are the following: How could a perceived issue with the timber supply lead to the creation of bounded entities called “forests”? What impact had everyday politics and conduct on policy implementation? How were forests territorialized (i.e. given a territorial organization that was markedly different from that of, say, agricultural areas)? How were they governmentalized (i.e. invested by a regime that linked many interdependent processes such as the conduct of forest dwellers, vegetational growth, and wildlife management, to other issues of state-making)?

One specificity of the genealogical approach is that it looks at the succession of historical events through the notion of struggle. It considers colonial and postcolonial forestry within broader streams of ideas and contentious politics that defined forests *qua* territory and

tools of state-making. My account also follows the unmistakable continuities that extend from one forest policy to the next, but pays even more attention to paradigm change and modification of dominant territorial conceptions over time.

Early calls to examine policies through an anthropological lens deemed that policies were an important object to study because they “affect our lives and also affect the lives of people that anthropologists have traditionally studied all around the world” (Nader 1974: 292-3). Anthropological methods are adequate particularly for scrutinizing the subjective impacts of policy implementation. Shore and Wright encouraged studies based on qualitative and comparative analysis showing how similar policies produced different effects in different contexts (1997). Shore and Wright also wished to move beyond simple particularistic views. They called policies an “organizing principle” structuring social relations at a more general level (quoted in Wedel et al 2005: 37). Drawing on Foucault, Emily Martin argued in the same vein that, whereas the repressive dimension of policies has been given much emphasis, the genuinely productive effects of policies still deserved more scholarly attention. Policy analysis should therefore study how policies positively transform human life, compelling people to develop novel forms of behavior and self-discipline that are never simply a sign of their passive subjection (Martin 1997: 195).

Meanwhile, policies are documents worth studying in their own right because they “encapsulate the entire history and culture of the society that generated them” (Shore and Wright 1997: 7). As such, they convey textual evidence of past intellectual debates and struggles. This remains true even though bureaucracies usually couch policies in a language concealing the contested origins of the latter’s “under the cloak of neutrality” (*Ibid.* 9). Anthropologists should work from their privileged perspectives to remove this cloak and “explore the cultural and

philosophical underpinnings of policy – its enabling discourses, mobilizing metaphors, and underlying ideologies and uses” (Wedel et al. 2005: 34). This is admittedly a much bigger task than solely reporting on the particular effects of policies. A genealogical policy should thus convey, through analytical writing, a sense of the sociocultural context in which specific policies are born. Policies are never produced in a vacuum. They reflect ethical, social and political concerns defining the contrasted lives of the rulers and the governed, as well as matters (and manners) of policy implementation and enforcement.

Policy decisions reflect particular historical problematizations of society and nature. One problem that the British identified with Indian nature was the timber supply; this problem was defined through forestry sciences that called for enclosures and regulating human activities within them. As in most countries in the world, forestry policies in India sought to influence people's behavior through a distinct territoriality (Vandergeest and Peluso 1995).<sup>47</sup> The review below uses the lens of territorialization to illuminate how land uses and land users were defined in policy statements imposing order through marking discrete territorial zones on the land. A word is thus needed, at this point, about the territorialization framework.

### **Aspects of forest territorialization in Asia: law, science, and society**

Sack seminally defined territorialization as the “attempt by an individual or group to affect, influence, or control people, phenomena, and relationships by delimiting and asserting control over a geographic area” (1986). Paraphrasing the influential article about territorialization

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<sup>47</sup> Due to the lack of space, I do not discuss the international ramifications of conservation here. It could be argued that “modernization” and more recent shifts of governmentality belong to global reforms orchestrated through the agency of transnational organizations and NGOS, not only within forests, but across all kinds of settings. My focus here is in knowing how scientific forestry has shaped local power regimes. Important debates about the global travels of conservancy and forestry can be found in Cohn 1990, Rangan 1994, and Sivaramakrishnan 2009. Yes, as Sharma and Gupta have remarked, at the regional and local scales, which are the scales that define my study, global governmentality can be transfigured and difficult to recognize (2006).

by Vandergeest and Peluso (1995), Brockington, Duffy and Igoe characterized this notion as “the demarcation of spaces within states for the purposes of controlling people and resources” (2008: 13; see also Igoe and Brockington 2007). More recently, Bassett and Gautier spoke of territorialization as “the production of territory to regulate populations and resources” (2014). These definitions highlight boundary-making and zoning as central to assessing the respective rights and responsibilities of whom or what stands on either sides of shifting territorial boundaries. Whereas the first definition relayed here emphasized the actions of territorial agents, whether “an individual or group”, the agentive or intentional aspect is less prominent in subsequent definitions. Each definition, however, follows obvious political fault lines when and where they are expressed as boundaries (Pellegrino and Neves 1994, Lefebvre 1974). There are inherent benefits in using territorialization as an analytical framework. For one, territorialization displaces the traditional focus of anthropology and sociology on human institutions, power hierarchies, and vertical structures. This displacement helps discern how the geographical disposition of people, technologies, and things also patterns social relations, creating distinct disciplinary effects (Foucault 1979, 2007). Also, besides ideologies and discourses, territorialization also considers the relentless “boundary work” that is required for rendering concrete and effective conceptual and geographical boundaries.

South and South-East Asian forests occupy a predominant place within territorialization scholarship (Vandergeest and Peluso 1995, Sivaramakrishnan 1999, Chhatre 2003). I believe this is due to the visible impact that was made by colonial and authoritarian states on the spatial organization of this region of the world, especially within jungle ecosystems and timber-producing areas. In their study of Thailand, Vandergeest and Peluso (1995) have observed that territorialization in this country had occurred in three distinct phases. In the first phase, colonial policy regrouped all unoccupied land carrying the promise of timber (including

some waste land) into the new category of “state forests”. In theory, these lands were to be brought under the exclusive control of the Royal Forest Department of Thailand (RFD), an institution founded in 1896 with the express goal of governing the newly constituted forests. However, this policy did not unfold exactly as planned. Vandergeest and Peluso's account stressed that, for decades, landless cultivators would still capture forest parcels simply “by act of possession and use” (*Ibid.* 408). Concrete boundary enforcement only began in the 1930s, marking the beginning of the second phase of forest territorialization in Thailand. During this phase, the RFD physically inspected state forests. All the land that was still unoccupied was re-demarcated with utmost precision, and then given the more definitive status of “permanent forests”. Along with this precise demarcation, patrolling technologies rendered encroachment detectable. Based on this account, it appears that forest demarcation in Thailand was finalized at a much later date than it had been in India. In India, demarcation was already afoot in the 1860s. It could be interesting to seek the causes that have led to divergent trends in forestry in these two colonies, and find out whether popular mobilization played a particular role.

The third phase of forest territorialization in Thailand is defined by Vandergeest and Peluso as logically following from the two preceding phases, resulting in more “scientific” land classifications corresponding to the forest composition, soil types, harvest regimes, and economic possibilities. By placing the legal dimensions of forestry first, Vandergeest and Peluso's analysis prioritized state claims over forest ownership. According to them, technical demarcation and more complex zoning only followed initial efforts by state administration to create legally enforceable forests based on notions of “eminent domain” and “right of conquest” (Guha 1989, Kumar and Kerr 2012). In comparison, Vandergeest and Peluso attributed a subsidiary and tardy role to the development of forestry sciences and technologies.

Meanwhile, the British foresters appointed to Thailand's RFD were trained in India, where a standard scientific curriculum had been introduced. In India, forestry boasted all the pretensions of a science from day one. This is why Sivaramakrishnan defined territorialization less as the colonization of the territory through purely legal and administrative strategies (which essentially is Vandergeest and Peluso's proposition), than as the contingent deployment of innovative technologies capable of demarcating forest boundaries, scheduling silvicultural operations, controlling vermin, and suppressing fire over an uneven landscape (Sivaramakrishnan 1999). These different analyses complement each other and should remind researchers that the colonial lawfare over forest property corresponded to concomitant developments in the fields of sciences and technologies.

In India, the state claimed forests as its exclusive property around the same time as it demarcated concrete boundaries on the ground. Masonry pillars were erected around forests by the fledgling Forest Department, a clear step in the way of materializing the ownership claim of the British state over timber-bearing areas. Interestingly, however, the Forest Department responsible for this demarcation of the forest territory had been created in 1864 under the mounting pressure of a scientific lobby of surgeons and botanists providing increasingly compelling evidence of forest degradation and lobbying for state controls (Grove 1995). And even before forestry could consolidate its science, trials had been made to appoint conservators of forests whose duty were to protect the timber supply in India through market controls and monopolies, but these trials had aborted prematurely (see below). In this context, claims of "state property" and "eminent domain" cannot be disentangled from related developments in the domains of science, technologies and colonial political economy.



As a final precautionary remark, the review below boldly emphasizes the “space” occupied by forest dwellers and tribal groups within the policy landscape. By this, I refer to the capacity of these groups to influence policies both before and after their official adoption. This is slightly different from the study of “the place of the native” understood as the confinement or “rooting” of people into a place-based identity, and the critique thereof (Appadurai 1988, Malkki 1992). Historically portrayed as illegitimate users and encroachers, the Indian forest dwellers have been constrained either to confront the forest establishment or collude with it to carve their access rights and protect their sources of livelihood. It has been suggested that the continued presence of forest dwellers within state forests meant that the territorialization of the latter had ultimately failed (Vandergeest and Peluso 1995, Chhatre 2003). In the following pages, I take a different direction. Drawing on the theories outlined in the previous chapter, I resolve territorialization as the sum of the ongoing struggles occurring both within the bureaucracy – between different office holders, for example – and between competing interests on the ground, including forest dwellers, rather than the creation of a space of uncontested rule.

Six forest policies have successively defined forestry orientations for the whole of India. They were respectively passed in 1865, 1878, 1927, 1952, 1988, and 2006.<sup>48</sup> Several other reports and additional (non-forest) rulings concerned with environmental conservation and wildlife protection also influenced the policy landscape. I have tried to address them all, but could not give them equal weight due to space constraint. I have made efforts to include references that add a provincial flavor to my presentation. Also, the Indian epicenter of forest policy-writing in India is Dehradun. It is in this city, the hub from which I led all my research

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<sup>48</sup> The last of these, the Forest Rights Act (FRA), is a particular case. It prescribes novel forms of management and redefine forest boundaries. Most characteristically, it was not passed through FD agency. Some could disagree with my assertion that the FRA is a “forest policy” in comparison to, say, the 1988 National Forest Policy. I still introduce the FRA here for in my opinion it could deeply impact the orientations of forest management in India.

activities, that the FD was born and the first forestry college opened. Therefore, the formative debates of Indian forestry which I am investigating in the following pages have a strong connection with the sites of my fieldwork. In subsequent chapters, I retrace with great details the genealogy of a regional, and quite specific forestry regime, that personally engaged forest officials and traditional Van Gujjar pastoralists.



**Illustration 13** – *Originally called the Imperial British Forest School, the Forest Research Institute in Dehradun was the biggest brick building in the world at the time of its construction. It building covers 2.5 hectares and is set in a 450-hectare estate. Source: Google Commons.*

### **The age of timber: premature “conservancy” and market controls in Madras (1806-1823)**

In 1806, the East India Company (EIC) appointed its first forest official in India. The career of Conservator Watson in Madras shows that the idea of “conservancy” gained currency for strategic and economic reasons. Though Watson's Madras is far from being contiguous to the area of my fieldwork, his tenure there indubitably shaped ulterior iterations of forestry across India (cf. Guha 1990: 71). Here, I review Watson's career to show the internal contradictions lying at the heart of state forestry. Watson's time in office represented one extreme of a “double movement” alternating between direct governmental intervention and a *laissez-faire* attitude, in which the seemingly unstoppable development of international markets was embedded at the

time (Polanyi 1944). In retrospect, Watson's conservatorship ended abruptly, and the pendulum swung back against state authority as animosity grew against the direct interference of its administration.

The priority mandate of Conservator Watson was the supervision of the supply of teak wood for the British Royal Navy shipyards (Ribbentrop 1900: 69, Stebbing 1922: 70-1, Shiva 1988: 60; Grove 1995: 396-8). Madras presents a peculiar case because the principles of scientific forestry and silviculture were still largely unknown in the Western world at that time of Watson's nomination. Most of Watson's contemporaries still deemed that India's timber reserves were inexhaustible (Guha 1989: 35, Stebbing 1922: 61). As historians have noted, however, in Madras, shortages of hardwood had already been experienced, which had upset colonial agendas as well as the local economy. The conservator had been assigned to the duty of finding a remedy to this plight before it became chronic. Watson had served as a police captain prior to being summoned to the conservatorship. Considering the standards of the time, the fact that Watson had no training in forestry did not raise any suspicion. As far as his duties were concerned, Watson was less preoccupied with tree regeneration than the establishment of a monopoly to fulfill the demands of the naval industry. He therefore legislated to grant governmental agencies exclusive felling and marketing rights over the teak reserves of Malabar and Travancore, which were then parts of the Madras presidency.

As mentioned above, Watson's conservancy represented an extreme in its genre. For the time Watson remained in office, landowners, smallholders and tenants were stripped of many of the forest rights that they had enjoyed earlier. Through legal fiat, Watson had transferred the ownership of every single tree in the Madras presidency to the state. Only state-sanctioned agencies were allowed to collect, process, and sell timber. Watson's decrees made few distinctions

with regard to the tree's species, value, stage of growth, or location. According to the forest historians referenced above, Watson made it illegal for farmers, peasants, and agricultural laborers even to pluck unwanted seedlings that, perchance, had sprouted amid their fields. Watson's policies were far-reaching and their impact was soon resented. Commercial interests, traders, and merchants felt alienated from the timber market controlled by the state. They thus leagued with the native landed elites and voiced their disapproval of Watson's methods. Their outcry did not go unheeded. Watson's position was abolished in 1923 by the central administration represented by the Governor of Madras, Thomas Munro (Ribbentrop 1900, Stebbing 1922, Negi 1994).

It is in the order of things that Munro, free-trade advocate extraordinaire, revoked the conservatorship. A multitude of traders, landowners, and forest workers were involved in timber extraction, but Watson had neglected to garner their support. This early episode of forestry (and its precipitous conclusion) reveal how maintaining political allies mattered as vitally to colonial forest management as the legal procedures to "protect" the trees. Watson believed that he could easily settle the question of ownership through state monopoly. He overlooked the fact that forest ownership was a political, as much as a legal, question (Ribot and Peluso 2003).

Munro's position stood at the pole opposite from Watson's conservancy. In his minutes of 1822, Munro expressed hopes, naive ones perhaps, that "By abolishing the monopoly, private rights will at once be secured by each man looking, as formerly, after his own [...] and the inhabitants will easily adjust their respective rights when they are freed from the intervening authority of the Conservator" (1881: 184). Being far removed from the daily reality of forest dwellers, the Liberal Munro had not noticed that an important proportion of forest users had deserted their jungles, as they did not possess sufficient capital to withstand 17 years of

governmental interference within forests.<sup>49</sup> As the former inhabitants did not return to reclaim what had been rightfully theirs, merchants, traders, and landlords filled the void that was left after the termination of Watson's conservancy. According to commentators from the Forest Department, these merchants exploited the jungles to the hilt, causing unbridled destruction (Stebbing 1922).<sup>50</sup> State monopoly had violated people's rights to the yield of the land, yet the disorderly removal of central controls only added insult to injury, as it allowed exploitation to go unchecked, resulting in further degradation of the green cover.

What this historical vignette shows is that, even during the colonial period, efforts to bring the forests under control could be interrupted. Different governmental philosophies, including *laissez-faire* attitudes, came to clash with one another, and this had direct repercussions on policy-making. Watson was not the only conservator of forests that India had before the FD was founded. There were other localized efforts to put conservators in charge of timber production across the different colonial provinces during the 1830s. Watson's example was perhaps the most glaring, and it made it very clear that there was no unanimity on conservancy among the EIC's administrators. Another important point is that the first generation of conservation rules targeted timber instead of forest areas. It could be argued that Watson could not have envisioned forests as bounded territorial entities. Forests became territorialized much later, after the completion of the Great Trigonometric Survey, when the Raj was endowed with a technical apparatus capable of locating with outstanding precision the position of people and things within the colony. Besides the trigonometric survey, several other independent censuses, revenue, and topographic studies were completed, adding to the possibility of representing the

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49 Theories of property relations have noted that institutional breakdowns following in the wake of ambitious state reforms shuffle actor positions and affect the distribution of land rights (Ostrom 1990 and Bromley 1992).

50 This accusation of destruction should be taken with a grain of salt, however. This statement is usual and expected from a forest conservator like Stebbing.

territory in its finest details. These mammoth undertakings mobilized specially trained personnel such as clerks and administrators, but also traders and scientists – thus sharply raising the level of expertise within the colony. Comparable expertise and technologies did not exist at the time when Watson took over timber management in Madras. Survey works including “walking chains”, meaning inspecting transects of a predetermined length and enumerating trees to later derive averages and give forecasts concerning forest productivity, were not yet routinized practices in 1806. Later in the nineteenth century, however, the Raj gained its distinctive territorial and sylvicultural views of the forests it was colonizing.<sup>51</sup>

To summarize, the initial concern of the East Indian colonial administration was to ensure a steady supply of hardwood, but this did not immediately materialize into territorial enclosures. Only commercial rights, access to markets and market places were manipulated. Some of these control strategies are still in use today. Some transit duties on timber even had precolonial origins. Thus, in spite of later territorialization, crucial connections were maintained with earlier legal frameworks that addressed revenue concerns. As the following section shows, however, the nature of policy-making took a radical turn after the forests underwent a thorough process of demarcation. Initially, a lacuna in proper knowledge and technology inhibited forest territorialization, but improved mapping technologies eventually overcame these limitations. Then, jungle politics and state claims would increasingly become intertwined with the process of territorialization that unfolded.

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51 Based on Braun's analysis of an emerging “mineral” perspective on Canadian territory in the 19th century (2000).

### **Initial views of the Raj on an uncivilized landscape (1815-1857)**

Colonial entry into the wooded thickets of the North-West Provinces (NWP) at the beginning of the nineteenth century represented a complex undertaking. The boundaries of the NWP were delineated by the British between 1815 and 1849 (Tucker 1982). In the aftermath of the Gurkha Wars, the colonial powers imposed “revenue settlements” upon local populations. In agricultural areas, fiscal engagements were obtained from individuals, village authorities, and landlords (the so-called “*zamindars*”, some new appointees and others keeping a time-honored position). Each settlement followed an express inquiry into local customs and revenue systems, but the revenue officers nonetheless retained a wide margin for interpretation.<sup>52</sup> Contrary to assumptions, the revenue settlements rarely, if ever, adopted one-size-fits-all solutions. Pacified landlords, rajas, and kings retained their status as the symbolic lords of the land, though they were stripped of many of their prerogatives, and had to pay tribute to the Raj. This and local politics would further diffract territorialization efforts.

Large sweeps of agricultural, waste, and jungle lands stayed in the hands of a motley assortment of landlords (“*zamindars*”), village authorities, and private landowners. Throughout the colonial era, approximately one third of the Indian subcontinent remained the official property of some 500 “native princes” (Tucker 1988). This dispersion of ownership contradicts the conventional narrative concerning forest demarcation, which expresses that the Raj had thrown a blanket claim over *all* forest lands, extinguishing most if not all competing claims of forest ownership in one sweeping gesture. The story, I argue, is more complex.

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<sup>52</sup> Their findings are summarized in the Gazetteers of India. However, the Gazetteers do not provide an authentic representation of the past. They rather read as a colonial synthesis of inquiries aiming at assessing property tax to be levied from the Indian population.

Rajas and *zamindars*, village authorities and other lessees empowered by the colonial settlements were entrusted with the tasks of land improvement, agricultural extension, and tax collection on EIC's behalf.<sup>53</sup> Before the rise of forest conservancy and later during its infancy, clearing lands was still unequivocally considered an "improvement", especially when the stretches of land that were "attacked" were infected by malaria and vermin, a situation allegedly depressing local demographics and the economy (Tucker 1982). Consider the Majri grant located not too far west from the town of Dehradun. It was noted in the first forest management plans of the Doon Division how the estate (leased to a certain Mr. Lyster) was infested with malaria until it was "improved", its terrain leveled and drained of stagnant waters. Writing after the conclusion of the works, Conservator Fernandez remarked that by then, "the place [was] by no means among the least unhealthy in the Eastern Dun, and even Europeans consider[ed] it healthy enough to live there during the worst season of the year." (1888: 10). It appears that even an officer of Fernandez's rank, who was well-acquainted with forests to boot, remained convinced that Europeans were unique because of their standards of land improvement. Likewise, land grants were apportioned to like-minded people who would agree to improve the land. This says a lot about the mechanisms that were at play, alienating native populations from the land. The natives of India were painted as people who did not work the land and who would be doomed to continue living in a feral or underdeveloped state if left to their own devices.

That each small step taken to ameliorate the quality of the land appeared significant to the new rulers also reveals something about their conceptions of order and industry. The colonial administrators tallied land improvements because they legitimated the goals of the Raj. Improvements were concrete. They rendered the land more hospitable to agrarian life and

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<sup>53</sup> Rangarajan (1994: 150) relates the fascinating history of deforestation during the precolonial period for military as well as agricultural purposes. The zamindars were instrumental in extending agriculture at that time too.



increased its legibility from a British perspective. They were also instrumental in maintaining a cultural boundary between the “civilized” and the rest, a division on which the colonial edifice was built (Ranajit Guha 1997, Ludden 1994). The territorialization of an ideological opposition between the cultivated and the wild comforted the ideals of order and improvement which were so dear to the Raj, without ever questioning the autocratic nature of the colonial administration.

Initially, the British saw India's jungles as inhospitable and filled with the miasmas of malaria. Their views were only slightly different towards the Doon forests because the climate of the valley was more temperate and its timber fetched good prices. Until late in the tenure of the East India Company, however, little was known about jungle ecology in the subcontinent and even less about the latter's inhabitants. The British attached utmost value to the fields and settled life for economic, aesthetic, and moral reasons (Grove 1996: 65). Timber was an important commodity in the colony, although for long it lacked a coherent management system. Until the mid nineteenth-century, the thickest jungles were deemed capable of sustaining the demand in perpetuity. When the British first laid eyes on the Shivalik hills however, all they could see was a maze of ravines and precipices patchily covered by inaccessible greenery (Grenfell 1896). On the subcontinent as a whole, it was thought best, especially by traders, to avoid extensive regions under tree cover; tales abounded about man-eating tigers and *dacoits* lurking behind the cover of the vegetation. Before 1864, the date on which the FD was instituted, timber was supplied through *ad hoc* networks of local labor, contractors and venturing traders. As long as this system worked to the satisfaction of the demand, the will to know more about the forests was weak, and this precluded the production of specialized knowledge in the domain of forestry.

Generally speaking, the British imagined that whoever inhabited the hamlets found at the outskirts of the wooded tracts of the country were inordinately primitive, lawless and

unproductive (Sivaramakrishnan 1999: 36, Rangarajan 1994: 161). Seeing them eking out a living based on small-scale agriculture, a few meagre cows, and the natural bounty of the forests, they reported on them mostly in derogatory terms, construing them as wild and uncivilized (Skaria 1997, Fabian 1983). To their alien eyes, these were people who were lacking the industriousness that they, the British, credited to themselves. The native population of India had not greatly “improved” the land, they had not formed recognizable state organs, and they did not engage in long distance trade. From a British point of view, the Indian native lived without many of the grand things that they celebrated European civilization for, and as such their condition could be greatly “improved” (Arnold 2005). For many years, the British only recognized Indian forest denizens by virtue of their so-called “lacunae”. Even later, when the forest had become sites of a burgeoning economic activity, prejudices against forest dwellers endured, their presence seen as a hindrance to the well-rounded exercise of scientific forestry and modern industry.

Even before formal demarcation of forests, the opposition between fields and jungles provided a first powerful dualistic principle structuring colonial imagination. For as long as the colonizers viewed the jungles of the subcontinent as “wastelands”, agricultural extension and forest clearings hardly posed an environmental problem for them (Sivaramakrishnan 2009: 316). But these views would change in the nineteenth century. Still, the story explaining how the British eventually began to “valorize” the forests in the nineteenth century cannot be dissociated from the work that they conducted on arable land. The same ideals of order and improvement structured colonial developments in both arenas. However, the emphasis on agricultural extension and commerce, road and canal works, spurred timber demand, which in turn resulted overexploitation, the realization that the natural resources were limited, and the recognition that some form of management had become necessary.



**Illustration 14** – *Hunting tigers in the Doon Valley, 1858*. Source: Google Commons.

### **The birth of the forests: timber requirements and colonial anxieties (1850-1865)**

For most of the nineteenth century, the British contractors, owners of timber leases, made the law in the forests of the Indian “far west”. Once thought to be impenetrable, these increasingly fell under the axes of a horde of hands hired by private entrepreneurs. Many ventures marketed timber simultaneously, paying minimal duties to use the lines of export, whether by roads or rivers. Timber operations were disjointed and *ad hoc*. More trees would be cut in a year than could be transported. On occasion, the fallen timber was simply left to rot in inaccessible areas (Guha 1989). In his memoirs published in 1875, the Commissioner of Dehradun, G.R.C. Williams, corroborated: he had seen for himself that forests in the Doon were “everywhere studded with stumps” already before the FD began managing them (cited in Fernandez 1888). The contractors, prospectors, and speculators had enough trees logged by the middle of the nineteenth century that the problem of overexploitation had become blatant – and had become a problem of government too. For the first time, the British administration

commissioned surveyors mandated to appraise the remaining capacity of the forests. What had been feared was confirmed before long: the tree crop, having been abused for decades, had begun to display unmistakable signs of fatigue.

Reports of the period established depletion as a fact, and forest conservancy was strongly advocated.<sup>54</sup> The historian Richard Grove has pointed to the often-overlooked fact that “many colonial states were peculiarly open, at least until the mid-nineteenth century, to the social leverage and often radical agendas of the contemporary scientific lobby at a time of great uncertainty about the role and the long-term security of colonial rule” (1996: 7). Whereas the conventional narrative about colonial forestry in India emphasizes the legal abuses inherent to this system, forestry would still resolutely, if paradoxically, take the outward form of scientific management, a science that was in contradiction with private markets and the uncalculated deforestation caused by them. Forestry quickly became the site of intense governmental activity against some powerful economic interests. There were debates about the conditions of survival of the empire and the role of the colonizers as the adequate agents of its administration. It is not a coincidence that forestry took such a solid footing in mid-nineteenth century India, a period of widespread colonial anxiety (Grove 1995, Grove and Damodaran 2006, Sivaramakrishnan 1996). At the time, colonial administrators lent an attentive ear to scientists advocating for a rationalized form of forest management. There were mounting uncertainties concerning the future of the empire, that the Sepoy Mutiny in 1857, since renamed the First War of Independence, had galvanized. Periodic panics among the British services and latent anxieties structured colonial moods and how their various technologies of rule were deployed (Wagner 2012, Bayly 1996).

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54 Cleghorn's report seems to have had the most influence, cf. Grove 1995.

Historically, timber has contributed substantially to shaping colonial political economy, though its role has long remained unacknowledged. Timber exploitation sent out useful probes at the margins of the empire. As historian Mahesh Rangarajan remarked, “Foresters were often the new face of an alien power, whose control over the countryside extended far beyond the cultivated lands into the hills and jungles” (1994: 147). Through its extended networks, timber exploitation generated revenues and natural resources that opened the way to infrastructural developments. In the vicinity of Dehradun and Haridwar, the Irrigation Department alone required tens of thousands of pieces of timber year after year for its canal operations (Fernandez 1888). The timber industry had contributed to maintaining colonial power and shaped the empire in visible ways. The *Pax Britannica* would have meant little without an efficient transportation system serving both military and commercial purposes. The capacity of the colonial rulers had been epitomized at first by its naval superiority and then by its railways, two timber-based ventures. Crucially, colonial issues with forest management came to the fore when it was decided to lay down the railway tracks (Rangarajan 1994: 148). The railways were conceived as a strategic infrastructure in the aftermath of the Mutiny of 1857. This event had driven home to the British the necessity of reinforcing its institutions and infrastructures, and the expansion of the railways seemed unavoidable in this context.

The FD forester and forestry historian Stebbing would concur: “The Mutiny taught the British the danger of isolation due to the want of facilities for rapid communication, which were practically non-existent throughout the country. A tremendous impetus was given to railway construction, and this impetus was severely felt by the forests” (1922: 295). In the same pages, Stebbing goes on to say that “if only to move the military” the railway was essential.

At its zenith, the Indian railways commanded a yearly production of one million wooden sleepers (Guha 2001: 214). Various estimates indicate that the Indian railway network expanded from nil in 1849 to 80,000 kilometers of tracks within the first 60 or 70 years (*Ibid.* and Stebbing 1922: 353). Due to the toll already taken by the naval construction, hardwood was lacking. Pine was available in large quantities in the hills and the North, but in its natural state it was not resistant enough to be used for railway sleepers. The discovery of an antiseptic treatment for pine wood changed this, causing as a windfall the imminent opening of the Himalayan hills to deeper penetration by the timber industry (Guha 1989: 38). At that moment, however, the British faced a conundrum. Poised to axe down the hill forests in response to an unprecedented timber demand, the Raj had received warnings by its surgeons and botanists that absence of regulation caused overexploitation. Thus, forestry did not develop to serve the industry one-sidedly; governmental anxieties about the availability of natural resources and the perennity of the Raj shaped this science to a great extent. By this I mean that the philosophies justifying the need for forest governance based on the principles of political economy responded in priority to strategic requirements, social unrest, popular agitation, and ecological degradation. Colonial conceptions of political economy, thoughts of order and improvement, new techniques to govern forests, as well as emerging concerns about society, commerce, and revenue requirements, presented the crucible over which scientific inquiries and technical innovations pertaining to forests became meaningful.

### **The age of regulation: a first forest policy on timber extraction (1865-1878)**

It is in this context that the FD was born in 1864, merely a few years after the British Crown took the administration of the subcontinent out of the hands of the East India Company, allegedly to restore order and prevent further insurrections. The first forest policy was passed a year later in 1865. The self-titled “Government Forests Act” or “Act VII of 1865” authorized local governments to demarcate as “state forests” all so-called “waste lands” that had been left out of previous revenue settlements. Following demarcation, “local governments” – as the administration of the provinces and presidencies were called – would be recognized as the legitimate managers of these forests.

All things considered, the dispositions of the first forest policy were not exhaustive. In fact, the governmental principle of intervening as little as possible guided the policy. The policy header reasoned that “government” could be compelled to introduce new rules “from time to time”. Implicitly, the preamble to the Act of 1865 averred that new rules should be added only in extraordinary circumstances. Just a few years after the insurrection of 1857, the British still strongly felt that this was indeed an extraordinary time during which the Raj experienced a crisis of government; yet, what is colonialism but an enduring extraordinary situation?

The rules of 1865 restricted cattle grazing within demarcated forests. Activities like marking, girdling, felling, and lopping were also regulated within the new enclosures. The policy prescribed fire control and called for a closer watch over the customary collection of “non-timber products” (with explicit mention of: leaves, fruits, grass, wood-oil, resin, wax, honey, elephants' tusks, horns, skins and hides, stones and lime). The transit of timber remained subject to duties as always. Finally, local governments were allowed to punish infractions through a system of fines, confiscate timber obtained without permission, and seize the tools employed to cut timber

illegally. In brief, the policy empowered states and presidencies in matters of regulation, oversight, and sanction of timber extraction within expressly demarcated forests.

The implementation of the Act produced uneven levels of success and compliance. Forests that were most urgently needed for timber were roughly demarcated, but difficulties in enforcing the legal provisions of the Act ensued. The customary rights of villagers and forest dwellers showed such “diversity of character that it [had been] impossible to include them, for purpose of reservation, in any one definition”, said Law Member Henry Maine when introducing the bill of 1865 (quoted in Guha 1990). The lack of definition over customary forest rights posed a real problem to the new forest rulers. Recognizing all customary rights would withdraw extensive resource areas from direct state control. However, to extinguish competing rights, whether customary or private, forest administrators would have to prove beyond all reasonable doubt the superiority of scientific forestry compared to native customs. Within the state bureaucracy, no consensus emerged about what actions were necessary for the protection of the timber industry, or what actions could be taken without violating the sacrosanct principle of private property. Also, land usurpation posed the risk of sparking rebellions, and the colonial administrators could not easily dismiss this idea. An important faction of FD officers nevertheless pushed for tighter controls, especially after realizing that the bill of 1865 was applied quite imperfectly, meaning that native peoples continued to enjoy unrestrained access. The act of 1878 would thus be born from the demands of these foresters bent on establishing more severe controls.



### **The age of legal conformity: tighter rules and yet more ambiguity (1878)**

The year 1878 saw a second forest policy come into force, one with a more defined scope, and more teeth. Whereas the previous Act of 1865 only had 19 sections, the new bill counted 83, which were organized into 14 thematic chapters. At the heart of the 1878 legislation was the twofold objective of clarifying the procedures of forest demarcation and further marking the distinction between private property and customary access, the latter being considered of dubious legitimacy and worth canceling. Because of the sudden exhaustiveness of the new legislation, and given that the British used it to curtail customary access, several analysts have described the Act of 1878 as an exceptionally blunt instrument of forest dispossession. This Act has been said to epitomize the victory of the “annexationist” faction of the FD, a group comprising foresters and land administrators who rallied behind the authority of Conservator Baden-Powell, who championed the idea of extinguishing customary forest rights for conservation (Guha 1983, 1990; World Bank 2005; Hazra 2012; Satpathy 2015). Numerous scholars have asserted that the Act of 1878 had enabled the FD to throw a blanket claim over the entire wood reserves of the subcontinent, alienating most if not all forest-dependent peoples (Jha 2010, Banerjee 1997). I find this interpretation exaggerated at least on one count. Given that the first forest bill was passed in 1865 in direct response to the plunder that was perpetrated by private timber contractors, regardless of forms of ownership, the 1878 bill was not a radical novelty. It is obvious that the motivations behind the act of 1878 were not very different from those that had justified earlier controls over timber exploitation. Still, it is true that after 1878 large tracts of woodlands were confiscated by the state that had previously been held in common or customary use (Springate-Baginski and Blaikie 2013). When the 1878 bill was introduced, state forests extended only to 14,000 square miles of land. A decade later, in 1890, the Raj had

demarcated 56,000 square miles of reserved forests and 20,000 square miles of protected forests. By 1900, these figures had respectively increased and decreased to 81,400 and 8,300 square miles, once more demonstrating that at the turn of the century colonial priorities were skewed towards timber production, and conservation remained a secondary concern (Guha 1983: 1941). The rapid forest takeover is often regarded as an effect of the 1878 state forest policy, but this view confuses a chronological relation with a causal one. The FD was created in 1864 but it lacked the necessary manpower to declare all forests state property on the spot. That demarcation proceeded slowly at first is a reflection of the FD's institutional limitations, rather than any legal barriers that the Act of 1878 needed to overcome. Now, more than a century later, it is impossible to prove whether the FD would have refrained from depriving forest dwellers from access and resource rights if the bill of 1878 had *not* been introduced. To say the least, the ultimate effects of the bill remained ambiguous. In fact, outright dispossession was never legalized, even by the Act of 1878, but that did not stop several officers from the FD from swiftly taking over forests despite legal and moral reservations from colonial administrators across departments.

Meanwhile, the original (1865) legislation had ill-defined crucial terms including “forests” and “demarcation”. Legal complications had arisen due to this lack of clarity, resulting in disagreements and “misunderstandings” within the FD, rivalries with other departments, and either evasion or conflicts involving forest dwellers and state staffers (Chhatre 2003, Sivaramakrishnan 1999, Saberwal 1999, Rangan 1997). The FD also felt bogged down by the constant tug-of-war with customary users and powerful landlords. There simply was no one-size-fits-all solution to solve the contest of rights against rights. Also, there is supporting evidence that officers on the ground did not follow official directives, but their own interests instead. British administrators remarked that “gradually stricter forest administration placed the rights of villagers

absolutely at the mercy of forest underlings”.<sup>55</sup> However, senior-most officers still thought that policy enforcement was too lenient. They suggested that the “forest subordinates” allowed villagers in forests to avoid confrontation, cultivate a clientele, and collect bribes as part of the ‘spoils’ of the job. They believed these “malpractices on the part the forest underlings” could be prevented if salary were increased among petty officers working in remote areas.<sup>56</sup>

The Act of 1878 also clarified the procedures of forest demarcation. Previous forest settlements were discarded and forest demarcation was done *anew* after the adoption of the Act of 1878.<sup>57</sup> That this time- and energy-consuming undertaking was so suddenly deemed necessary tends to confirm the hypothesis that the Act of 1878 was officially meant to clarify a situation that had gotten messy. Taken at face value, the idea behind the new act was to settle forest boundaries once and for all and to put the lid on issues of trespassing and litigation. Since the new demarcation had to be final, inquiries into customary forest and village rights were more thorough. This was thus a period of intense contact between forest prospectors and local populations.

Another common, albeit inexact, interpretation of the 1878 bill is that it simplified forest ownership. Far from homogenizing jungles under one “blanket” category of state property, the Act of 1878 officially led to a more fragmented territoriality. The new legislation carved three different categories out of the overarching idea of “state forests” – namely, reserved, protected, and village forests. This tiered framework set legal limits to what state workers and native populations were allowed to do in each forest zone. Generally, the social sciences have focused on the politico-legal implications of these three basic categories (see for example Pratap 2010 and

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55 These debates are recorded in the Proceedings of the Revenue (Forests) Department, File 32, Lucknow National Archives, 1884-5.

56 *Ibid.*

57 The divisional management plans of the FD for the region where I have worked mention that forests were demarcated once in the 1860s and again in 1879.

Saxena 1997). However, regulations also varied from one state to the next, and according to forests types, making any generalization difficult. Additional territorial boundaries also superposed the reserved, protected, and village forests, altering the forestry regime prevailing within them. Again, the forest administration applied a logic that was similar to that of other territorial jurisdictions in India, as described below. My analysis shows that all layers of forest territoriality – types of property, local history, jurisdictional divisions, and technical prescriptions alike – interacted to condition forest rights *de jure* as well as *de facto*.

The first category, reserved forests, was created to regulate timber production. Customary access was heavily restricted in these forests. In comparison, protected forests, the second category, were “open” to villagers for grazing and collecting firewood and forest products such as fruits and herbal medicines (though access fees applied). The third category, village forests, was by far the most ambiguous. On paper, the Act vested powers of “government” over village forests to the village authorities themselves, whether represented in the person of a leader, by a council of elders, or a lord. However, the bill also defined village forests as particular kinds of “reserved forests” assigned to the villages which needed them for the products these could procure. This phrasing, in particular, was equivocal. “Reserved forests” were by definition cordoned off to villagers. What is more, the Act specified that the state – and not village authorities, whose powers were underspecified – could draw special rules and set conditions for obtaining firewood, fodder, or other forest products from village forests. As the state also retained the power to cancel village forests at will and use them for purposes that did not benefit villagers, one actually wonders which powers of “government” were devolved to the villages in the first place. In any case, the 1878 Act never promoted village forests as a prerogative of autonomous

village republics (cf. Wade 1988). In fact, village forests were rarely if ever implemented (Pratap 2010, Springate-Baginski and Blaikie 2013, Satpathy 2015).

As a result, most communities requiring access to forests to satisfy their daily requirements of firewood and other produces were never allotted a “village forest” of their own. Today, 90% of notified forests in India are under the control of the FD; the remaining 10% are divided between village and private forests (Hazra 2012: 25, Pratap 2010: 239, Saxena 1997: 2, Guha 1990: 78-79). The FD did not officially recognize customary rights over forests in the nineteenth century; rather, the term “privileges” was used to describe timber rights, and from the point of the view of the FD, this implied that such privileges were revocable allocations. The FD also rejected any proposition entitling villagers to an area that they could use as their forests. As reported in debates questioning village entitlements to timber in Uttar Pradesh and present-day Uttarakhand in 1885, the Chief Conservator saw it problematic to bestow access rights over a forest region that was large enough to sustain village requirements in perpetuity. This, he believed, would not only diminish the returns of forestry, but also deprive villagers of the following lesson: forests were not their own property to manage, but an indispensable resource for the Raj's *mission civilisatrice*.<sup>58</sup> Forestry was always at least in part a disciplinary science instructing local populations about impending scarcity. Another complex issue was the relations of dependence between forest officials and native forest users. FD officers knew by experience that they could more easily govern dependent populations if they acted as gatekeepers that could, whether out of benevolence or rather whimsically and ambivalently, allow access to the forests' cornucopia. Awarding tangible forest rights to local populations risked denting this form of authority and discretionary powers which the foresters seemed to enjoy.

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58 Revenue (Forests) Department, 1884-5, File 32, Lucknow National Archives.

Epistolary exchanges between FD officers and revenue administrators describing the situation in the hills of the Chakrata Division (northwest of Dehradun) around 1884-5 indicated how cattle grazing was allowed “by the Forest Officer in the first class forests of Koti and Konain under certain conditions, though the villagers have no right whatever to this grazing.”<sup>59</sup> In this context, “first class forests” corresponded to the category of “reserved forests” described above. Notwithstanding the fact that “first class reserved forests” were officially out of bounds for grazing, the cited passage intimated that access was tolerated, though this was not considered an inalienable right. This roundabout application of the law actually conditioned the everyday interactions between forest users and colonial foresters.

Colonial foresters have historically disagreed among themselves about the adequate application of the forest categories contained in the Act of 1878. Some foresters demarcated “first class” forests in which quality timber was found, although not intending to completely exclude villagers from those areas.<sup>60</sup> Revenue officers who had heard about such discrepancies vehemently condemned them. Top-level authorities among the FD often disregarded such discrepancies, however; for them, they were imputable to the “forest underlings”, who “misunderstood” their mandate. Nevertheless, it was generally believed that appointing a “judicious” forest officer, a reasonable man with a “good temper”, could help the local administration of forestry.<sup>61</sup> In practice, lower-rung officials working among forest dwellers saw it a necessity to enact different kinds of settlements, and conduct themselves in certain ways that the local populations would respect. What this means concretely is that, in spite of the clear tripartite forest division into reserved, protected, and village forests introduced in 1878, forest

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59 These are the words of Conservator Fisher in Serial 9 of File 32, Lucknow National Archives.

60 Revenue (Forests) Department, 1884-5, File 32, Lucknow National Archives.

61 *Ibid.*

territorialization still varied according to various “external” factors, such as the inclinations and social ties of the officers on the ground, instructions they received from above, and the number of staff that were dispatched to patrol forest boundaries (Vasan 2002). For all sorts of reasons, territorial FD workers applied the rules with discretion (this will be discussed more in Chapter 4). Interestingly, on rarer occasions their superiors – genuinely or reluctantly – sanctioned a more liberal interpretation of the territorial regulations, especially when it contributed to mitigating conflicts with local populations, although they hoped that such deviation could be avoided in the future.<sup>62</sup> Lastly, everyday negotiations with the beat guards and higher-level state authorities had a definite influence not only on people's livelihoods, but also on their mental representations of the state (Gupta and Sharma 2006, Gupta 2005, Corbridge 2005). In other words, transactions linking local users, contractors, and traders to state officials and forest bureaucrats at any level of the hierarchy shaped jungle micropolitics, determining how and to what extent a distinct right or privilege could be enacted.

The FD hierarchy diffracted the exercise of these forest rights in a non-linear manner. Officers attached to different offices or occupying different positions within the FD hierarchy often entertained contrasting views. The FD's internal organization reflected its administrative partitioning of the territory into four categories, respectively called divisions, ranges, blocks, and beats, equally representing geographical areas (jurisdictions) and the internal hierarchy of the department. Block officers and beat guards were constables in charge of the patrols on the ground (as well as prosecution, see below), and they were the most closely related with local populations (Vasan 2002); range officers were charged with additional bureaucratic duties; finally, the divisional officer was more of an administrator. The limits of the divisions, ranges, blocks, and

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<sup>62</sup> *Ibid.*

beats to which these state functionaries were attached espoused the features of the terrain (rivers and ridges, most notably): this rendered patrolling on foot and supervision possible. But then, “coupes” within forest blocks were sold at auctions, further subdividing the territory. These “coupes” rights allowed extracting resources from the local landscape, impacting forest-dependent populations and complicating the effects of territorialization. And, as explained in the following section, other sorts of forest classification further organized the territory into a multi-layered system of rules, however fraught they might have been.

### **The age of techno-scientific refinement: nineteenth-century forestry beyond the forest laws**

Nineteenth century Indian forestry never was exclusively a legal issue, or simply an issue of ownership. It was also a scientific pursuit. Colonial experts looked at forests through the lenses of “forestry circles”. These circles (discussed in greater detail in Chapter 5) broadly espoused the contours of the green cover. Their boundaries followed the limits of a vegetation type or a type of forest cover, and each circle was managed according to a distinct silvicultural regime. In the Dehradun Division, 14 distinct types were recognized in the first forest management plan of 1888: pure sal, mixed sal with sain, mixed sal without sain but no inferior timber species, mixed sal with inferior species alone, sain, sissu, khair, mixed sissu and khair, mixed chir, pure bamboos, mixed bamboos, miscellaneous timber trees, shrub, open thorny shrub, grassy blanks, and unproductive areas (Fernandez 1888: 9). For the sake of efficiency, however, this unwieldy nomenclature was simplified to a more limited number of circles. As a result, forest types and circles did not perfectly coincide, the latter always being an approximation of the former. This led to some unorthodox aggregation, and “unproductive areas” such as rocky



riverbeds became part of otherwise economically profitable circles, for example the *sal*-dominated type.

During Fernandez's conservatorship, the circles were given vernacular names, though later conservators preferred to call them according to the dominant forest types, betraying the technical nature of their work and the economic criteria guiding their decisions (for example, besides “sal”, “sissu” and “bamboo” circles, there were “hill protection” and “grazing” circles, cf. Milward and Jackson 1903, Bhola 1923). Zoning by circles allowed the foresters to schedule technical operations with precision and gross more profit. At times, the circles worked in synergy with the legal framework described above. For example, the legally “reserved” forests of the Doon Division were mostly stocked by *sal*, and operations such as cleanings, thinnings, and timber harvests defined them both. The legal prescriptions applicable to reserved forests remained quite general and unchanging, whereas the divisional “working plans” defining *sal* operations were much more detailed. They were also subject to periodic updates every ten years so that they conformed better to the evolving condition of the timber stocks.

This means that, starting from the nineteenth century, forests were territorialized in overlapping legal, administrative and technical zones. Isolating one layer from the others could lead to erroneous interpretations relating to the rights enjoyed, the extent of surveillance, and the range of forest activities allowed within any territorial unit. Still, the 1878 policy was the harshest on non-settled forest users, nomads, and shifting agriculturalists. Reflecting enduring biases against local users, the demarcation process would only record the right of those who kept their fields under “continuous cultivation”. In contrast, seasonal access and use were not deemed legal rights, and such practices were slated for termination on a case-by-case basis (Guha 2001: 215). The new policy also threatened to suspend existing rights to manage natural resources in village

commons. Forest enclosures made it necessary for villagers to seek permission from the FD personnel every time they needed something from the forests, whereas before they had to strike an agreement with local authorities, surrounding villages, and local rulers. This change of governance had the collateral effect of isolating villages one from another, which reified them in a way. Fences were also raised between villagers and nomads. The “ethnographic state” classified pastoral peoples like the Van Gujjars as outsiders to village constituencies, ignoring by and large how nomads were integral to the agrarian landscape, trading goods and information with villagers, and bringing manure to their fields. On the rare occasions when attention was given to the nomads’ access, the skewed views of state officials deemed that nomadic access was subordinate to the good will of the rural polities; in other words, their mobility was framed not as a right, but merely a “privilege” granted by villagers whose sovereignty was better understood and preserved by colonial agents.

Finally, the 1878 bill enabled intrusive scrutiny and the criminalization of forest-dependent lifestyles in general (Springate-Baginski et al. 2007). Forest officials’ right to arrest people without warrant was among the few that were copied from the previous Act without alteration. This was deemed “the one satisfactory power in the [1865] Act, and must be maintained in the new [1878] law; arrest without warrant is absolutely essential” for regeneration (Conservator Baden-Powell quoted in Guha 1983: 1941). For Grove too, it was evident that “the absolutist nature of colonial rule encouraged the introduction of interventionist forms of land management that, at the time, would have been very difficult to impose in Europe.” (*Op. Cit.*) The policies of the Raj towards forest dwellers, shifting agriculturalists, and nomads were paradigmatic in this regard.



**Illustration 15** – *Indian Foresters at Work*. Source: Website of the Food and Agriculture Organization (FAO).

In the end, the attempt to resolve the legal difficulties which had emerged from the implementation of the previous forest act justified the introduction of a more refined forest policy in 1878, but this created new issues as well, for example forest dwellers and so-called tribals were increasingly marginalized. The Act of 1878 remained in use until 1927 when it was slightly modified through an amendment (Guha 1990).<sup>63</sup> Contrary to what Pratap writes, the 1927 legislation did not bring substantial change to forest policy (2010). The only differences between the 1927 and the 1878 laws are contained in the preamble, which was re-written, and paragraph 5

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<sup>63</sup> In the intervening years, the Voelcker's report ("to improve agriculture," as per its title) was an important policy paper circulating at the initiative of the Revenue Department. It mentioned that "the sole object with which State forests are administered is the public benefit". It also stated: "There is reason to believe that the area which is suitable to the growth of valuable timber has been over-estimated, and that some of the tracts which have been reserved for this purpose *might have been managed with greater profit both to the public and to the State, if the efforts of the Forest Department had been directed to supplying the large demand of the agricultural and general population for small timber rather than the limited demand of merchants for large timber*" (my emphasis). The report crystallized raging debates between the Revenue and Forest departments, which astute villagers and politicians exploited for their own gains. However, as the 1927 Forest Act retained no trace of Dr. Voelcker's input, I have decided to neither include this report in my analysis nor to overstate its importance.

of chapter 2, the sole genuine addition. Paragraph 5 dealt with the case of shifting cultivators. The same strategies earlier employed against nomadic peoples were mobilized again against these cultivators. In theory, the state could choose to regularize shifting agriculture, but chapter 5 established overly-stringent procedures that would render this very difficult to do. Local authorities had to approve shifting cultivation first, and then both the FD and the state administration had to consent. Failing to obtain this triple imprimatur led to the abortion of the process of recognition of the right to practice shifting agriculture. As in the case of pastoralism, it was said that “shifting cultivation shall in all cases be deemed a *privilege* subject to control, restriction and abolition by the State Government” (State Forest Act 1927, my emphasis). Chapter 5 was truly the sole innovation of the act of 1927, and it impinged on non-settled populations only. As for the rest, control over timber extraction, transport and sale remained the same, and did control over people.

### **The age of nation-building and modernization: the first National Forest Policy (1952)**

Counting the bill of 1927 – which was only a lightly amended version of the Act of 1878 –, the forest policy promulgated five years after India's Independence was the fourth of its kind. The Act of 1952 did not operate a radical break with the legal framework of the colonial days, however. In fact, the bill of 1927 has remained the legal foundation of state forest management in India to this day. Still today, colonial policies define the rights of state administrations to demarcate forests, regulate activities occurring therein, and punish offenders. The bill of 1952 still flags important ideological changes, for example “green colonialism” – another name for colonial conservancy – was progressively phased out by “green nationalism” (Kumar 2010).

During the postindependence period, the forest boundaries were substantially enlarged as a consequence of the cancellation of the *zamindari* agreements (see below). Meanwhile, Independent India would retain the instruments of forest territorialization that the colonial Raj had pioneered: technologies such as demarcation, enumeration, and actions including cleanings, thinnings, and auctioning coupes, remained instrumental in shaping forests as a unique territorial category. Likewise, the administrative structure governing forest divisions, ranges, blocks and beats, was maintained.<sup>64</sup> The conception of timber-as-commodity also remained in currency, guiding future research orientations and decision-making.<sup>65</sup> This is not to say that forests did not change following Independence; I would argue that jungle politics and ecological processes such as forest succession marked a continuity with previous regimes rather than a rupture from them. Environmental degradation progressed at an alarming pace too (see below). The industrial leanings of the first National Forest Policy (NFP 1952) contributed to this effect, though the blame could not be put solely on the industry (Saxena 1997, Richards and Flint 1994). Swelling demographics also caused environmental change, albeit of a different order and magnitude.

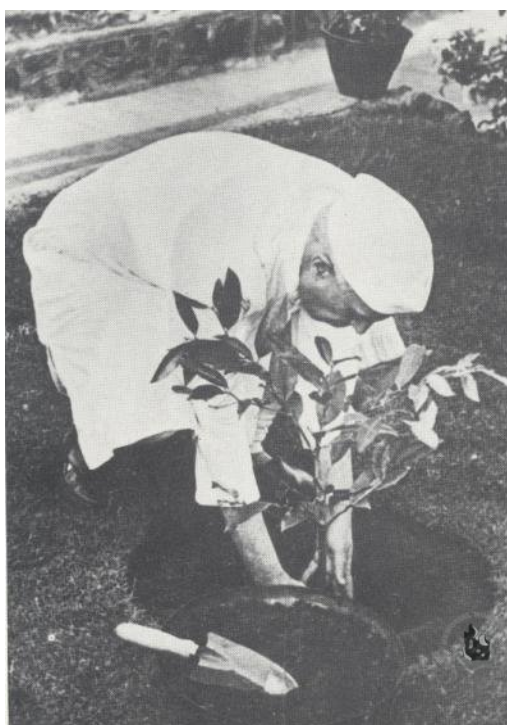
The NFP 1952 coined a new discourse legitimating the transfer of the colonial forestry apparatus to the Independent state. It espoused the nationalist program of industrialization, import-substitution, and central planning. Although legally speaking the NFP 1952 did not overrule the previous forest bills, its wording suffused forest management with the nationalist ethos. The bill encouraged citizens of India to identify with the agenda of state forestry

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64 Later, the 1980 Forest Conservation Act established the need for the central government to supervise the process of forest de-notification. Otherwise, demarcation remained a state prerogative and techniques of territorialization did not change much.

65 Forests were still nonetheless seen as a reservoir of resources. The policy-makers spoke of forests as “the basis of India's strength and wealth; for they comprise[d] valuable timber bearing regions the produce of which is indispensable for defense, communications and vital industries.” (NFP 1952)

and embrace a sacrificial form of nationalism. Citizens were asked to leave forests to the exclusive care of the state and its experts. The independent state probably figured that it had a better chance at winning the hearts and minds of the Indian people than the British, hence their appeal to nationalist sensibilities. The ostentatious celebrations of the “tree festival” (“Van Mahotsav”) was a case in point. The first nation-wide edition of the festival actually took place in 1948, but it was retrospectively enshrined within the National Forest Policy in 1952 (Umashankar 2014: 2). The festival's explicit goal was to make the nation “tree conscious” (NFP 1952). The bill also rationalized: “No forest policy, however well-intentioned and meticulously drawn up, has the slightest chance of success without the willing support and cooperation of the people”. A declared objective of the policy was thus to co-opt “the people” to the goals of centralized forest management.



**Illustration 16** – *Prime Minister Jawaharlal Nehru partake in the festivities of the Van Mahotsav.* Source: Wikipedia Commons.

The Act did not treat all people on an equal footing, however, and official perceptions about forest dwellers remained clouded by prejudice. State officers and politicians doubted the commitment of tribals to modernization. Generally speaking, the Indian modernizers viewed regional, communal, and ethnic belongings as posing a defiant challenge to the unification of the nation. But as Delhi promoted industrial projects in urbanizing core areas while maintaining a firm grip on resource-rich peripheries, it too reproduced certain forms of social exclusion affecting those who considered jungles their home. One could easily understand why the state agenda of resource plunder elicited only lukewarm responses and sometimes reticent feelings from forest dwellers who were excluded from the benefits of economic development.<sup>66</sup> Still, policy makers hoped that they could wean forest denizens away from their “age-old and wasteful practices” with the help of the forest officers in the field and granted that the expansion of the industrial sector *outside forests* would be accompanied by a growth of the demand in the labor market (NFP 1952).<sup>67</sup>

Policy-makers expected all categories of forest users, whether forest dwellers, members of village bodies, or private landowners, to put the “interests of the nation” above their own.<sup>68</sup> But the National Forest Policy clearly discriminated against forest dwellers, putting more

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66 Questioning tribal under-development, Jones argued that “the funds allocated to tribal development by successive governments since independence have been both meagre and greatly outweighed by the value of the resources extracted from tribal areas” (1978:44). Tribal uplift, he concluded, was pure state rhetoric. Jones calculated that four rupees worth of natural resources were extracted from tribal areas for every rupee spent for tribal development (*Ibid.* p. 51).

67 Policy makers argued that weaning people away from forests required “persuasion, not coercion; a missionary, not an authoritarian, approach” (NFP 1952). This language recalls NEFA and Nehru's *pansheel* principles, foundational texts of Indian diplomacy and tribal development (further discussed in Chapter 6).

68 Private owners (especially absentee landlords) were held in suspicion too. According to Indian modernizers, the pursuit of one's interest could lead to “excessive exploitation of forests for personal ends” (NFP 1952). From the nationalist point of view, appropriation of natural resources for individual ends could put the economic development of the nation in jeopardy. Indian policy-makers preferred central planning over a *laissez-faire* attitude. Private landowners became subject to closer watch – or at least, the policy recommended that they should be. The policy also contemplated the possibility of stripping private forest owners of their rights of exploitation if they shortsightedly laid their forests to waste (their property rights would be protected, that state only taking over management of the resources).



pressure on them than on any other segment of society. It would even relay the popular “Himalayan Degradation Theory” that blamed small-scale cultivators in hill forests for accelerating large-scale erosion processes that had a negative effect on agriculture in the densely populated plain areas below. This environmental degradation theory had been the matter of many heated debates since colonial times, but has only recently been debunked as a biased technology of colonial/state power (Ives 1987, Ives and Messerli 1989, Forsyth 2003, Robbins 2004, Blaikie and Muldavin 2004). As Chapter 4 describes in greater detail how the politically influential, and related “desiccationist discourse” has been used as a tool of forest rule and exclusion, I shall not discuss the details of Himalayan degradation – as a partial strategy of exclusion – here. It is clear, however, that in the context of forest management such theories have been more effective as a political weapon against minorities and marginalized groups, forest dwellers, pastoralists, shifting and small-scale agriculturalists, than as a tool to further scientific knowledge.<sup>69</sup>

In several ways, the NFP 1952 inherited colonial blinders (Jewitt 1995). Like previous bills, it was predicated on unproven assumptions, all of which had supported tighter controls of customary forest users. The state continued to be conceived of as the sole legitimate actor in forest management. Industrialization was also presented as the only way forward, in keeping with the economic theories in vogue at the time (Binns 2014). The new forest policy failed to consider agroforestry and other mixed land uses such as shifting cultivation, although the FD's practices were not so different, and required transgressing the field/forest boundaries. In practice, none of the silvicultural operations that the FD recommended – plantations and timber exploitation included – conformed to so stark a binary between the wild and the cultivated. Looking at the constant flow of resources, capital, and labor, which was running between

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69 This is precisely the point of Foucault's analysis: there cannot be any exercise of power without a concomitant search for knowledge. Alternatively, knowledge production cannot be dissociated from the exercise of power.



agricultural areas and forests, the opposition between these two domains has been an impossible one to sustain. Interestingly enough, the Van Gujjars rarely spoke to me in such stark contrasts, and they readily compared their work within jungles to agricultural labor (see Chapter 5).

The agrarian reforms of the 1950s also offer interesting examples of the modern ambitions of the Independent Indian state. At the heart of the reforms was the abolition of the *zamindars*. The rationale behind this move was the conception that princely privileges were oppressive to a marginalized peasantry. The modernizers figured that removing the *zamindars* was a necessary step going forward because they represented a remnant of the feudal order that the British had intentionally preserved. More precisely, they were seen as a political barrier to the creation of a unified India. Concretely, however, the “abolition” yielded only modest results for the peasants and agricultural tenants themselves. Many have imputed the shortcomings of the reforms to their technical flaws. Firstly, India had to pay lavish indemnifications to the *zamindars* in exchange for ownership of the large share of the national territory that was their property (Guha 2007). Secondly, the land ceilings established by the reforms were high and in many instances not strictly observed. Thirdly, the *zamindars* were able to buy back their landholdings, registering their property in the name of relatives, deceased persons, and even fictive characters, and bribing the *patwaris* (Mearns 1999).<sup>70</sup> Investors with sufficient capital also took advantage of the liquidation the same way the rich *zamindars* did. In the end, the land redistribution did not occur to the extent planned, proving that upper class privilege was entrenched in Indian society. Thus, agricultural tenancy endured. This was contrary to the ideal nation dreamed by modernist policy-makers (Ray 1996, Mearns 1999).

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<sup>70</sup> A *patwari* is a land record officer working at the *tehsil* level.

Gidwani's explanation for the limited outcomes of this "abolition" of *zamindari* privileges is compelling. Gidwani looked beyond the technical deficiencies of the land reforms and into regional and local politics (2008: 87). He argued that the strong presence of the rural elites within the ruling Congress Party, as well as the recognition by the party that these elites played a crucial role in mobilizing their rural constituencies, constrained the outcomes of the land reforms. Gidwani could therefore show that rural elites acted as "intermediaries" between the modern state and their constituencies, and this in turned shaped state-making in India.

It seems that the number of intermediaries in the rural and forest landscapes increased rather than decreased as a result of land reforms. In agrarian settings, extension and welfare programs also commenced in the 1950s with a view to modernize agricultural techniques and increase the wellbeing of rural population. A new roster of experts rolled into the rural landscape. Welfare and extension programs were delivered either directly through state experts or through proxies, including subsidized village councils, party volunteers, rural associations, development committees, and so forth. In any case, these "intermediaries" were in charge of relaying state programs to their rural constituencies. New discourses circulated, also altering the language of power. In this context, the landowning classes were destined to play a pivotal role as the shadow workers of the state, vernacularizing state programs and sometimes subverting them, modernizing their symbolic capital as they did. The political outcome of the abolition of the *zamindari* for the agricultural tenants and laborers was therefore not emancipation pure and simple. It would be more accurate to say that peasant dependence was reconfigured in relation to the new programs, their underlying discourses, and their providers, rather than extinguished altogether. While some providers were newcomers to rural areas, older facilitators remained in their traditional seat as relays of power and powerful cogs in the state machinery.

These were transition years for rural production and rural governmentality, but what then about forests? Did the transition to an Independent state have any impact on jungles? The revocation of the *zamindari* agreements entailed the transfer of large forest estates to the FD. Other large forest holdings were disbanded because land reforms capped the maximum size of land properties. As a result, the FD inherited considerable forest allotments across the different states of the union. Between 1951 and 1998, the sum of all state forests augmented from 41 million hectares to 67 million hectares (Springate-Baginski and Blaikie 2013, Saxena 1997). The final result of these massive property transfers was that the category “state forests” came to encompass 23% of the national territory (Sarin 1995).<sup>71</sup> These figures are consonant with land use change around Dehradun and Chakrata around that period, where the land reforms and abolition of the *zamindars* increased the extent of state forests by 150% (Richards 1982). Even more important is the fact that forest boundaries were an impediment to the formation of modern political and civil institutions such as village councils and cooperatives within forests. Because forests were not governed by the same laws as the rest of the agrarian landscape, forest dwellers were insulated from the reforms democratizing access to land titles and public services. The discourse for the unification of national consciousness stopped right at the forest boundary. Paradoxically, Delhi had portrayed the frontiers of the erstwhile kingdoms as barriers to the modernization of the country as a whole, but then one arm of the state, the FD, reinforced boundaries around forests with the objective to manage them unilaterally, isolating Van Gujjar and other forest settlements in the process.

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71 The land reforms called for the “abolition of intermediaries” as part of a bigger move aimed at breaking the *zamindari* (landlord) estates, including the raja's principalities that divided British India into a jigsaw of colonial territories and princely estates. This abolition entailed a “de jure if not de facto” ban on absentee landlordism and the dismantlement of landlord-tenant relationships through various legal and judicial reforms on a national scale (Mearns 1999: 10).

In this sense, the forest areas remained the “other” of rural development, literally zones of exception and underdevelopment tucked away within a nation undergoing rapid changes. Forest governance changed little during the transition to a postcolonial regime. The NFP 1952 did nothing to reform the unorthodox network of timber contractors, petty officials, tribal headmen, traders and moneylenders that comprised the ranks of the powerful within jungle government. According to the Van Gujjars themselves, Independence did not bring them substantial benefits; in their own idiom, whereas most Indian citizens call Independence “Freedom” (आज़ादी), the Van Gujjars feel that they are still enslaved. After Independence, unsurveyed hamlets within forests were not granted revenue (village) status. Consequently, public amenities could not reach forest dwellers owing to the fact that state programs must be run through an administrative structure that simply does not exist within state forests. In his review of the structural inequalities that the distinction between forests and fields has created, Shah remarked: “In the absence of a secure title to land, adivasis [tribals] are deprived of their rights as farmers—unable to access credit, electricity or agricultural inputs and deprived of benefits of various anti-poverty programs. Since their names do not exist in the land records, they cannot become members of tribal cooperative societies” (2005: 4897). Until this day, forest territoriality has continued to exclude forest dwellers, limiting their access to roads, irrigation, electrification, health services, and basic education.

Nation-building also encouraged profit maximization even though forest dwellers would not benefit. The FD granted permits allowing extractive activities to take place within notified forests and even denotified forest lands to make room for industrial development projects. The FD entertained powerful clients and allies, guiding them through loopholes and red tape while waging a war of attrition against forest dwellers whose “tradition” and

“backwardness” were said to stand against the winds of national reform and modernization. Excessive monitoring, fines, confiscations and obduracy from the part of the FD victimized the forest dwellers and criminalized their lifestyles. It has never been easy for forest dwellers to extirpate themselves from these prejudiced jungle politics. Forest dwellers have often no other option beside collaborating with the agents of the FD to meet their daily requirements and maintain access to forests, the source of their livelihoods. The dependence that people have developed towards FD staffers also altered their conception of the state, and how they conduct themselves everyday, governmental concerns that I deal with in more details in following chapters.

The NFP 1952 reproduced a kind of exclusionary territoriality that prevented the democratization of forest ownership, leaving unchallenged many elements of colonial jungle governmentality. In the eyes of the fathers of the nation, unity called for strong, centralized institutions, not jungle republics. But the FD used their centralized powers to perpetuate a kind of governance that was oppressive.

Crucially, the FD retained more coercive power within the zones of exception under its jurisdiction compared to the land authorities in the countryside, an upshot of the revolutionized governmentality there (see Chapter 4). This is perhaps what Sivaramakrishnan had in mind when he wrote that the study of boundary-work around forests is particularly revealing of the most authoritative aspects of state-making (1999: 273). The comparison with rural areas, where questions of welfare and state benevolence predominate, makes this all the more obvious. Since the betterment of the living standards of the forest dwellers was never an explicit duty of the FD, it ended up being no one’s responsibility. The nationalist discourse of the NFP 1952 restated old forms of exclusion and created new ones. Industrialization and modernization may

have been the two emblems of the postcolonial era, but the issues of development were addressed unequally on either side of the boundary between forests and fields. For forest dwellers, this lack of recognition meant more exclusion and underdevelopment, which in turn made their “backwardness” become a self-fulfilling prophecy given how territorialization worked to their disadvantage

### **The age of environmentalism: nature's protection through the 1970s and 1980s**

The next forest policy heralded new forms of territorial governance, but it was not proclaimed before 1988. In the meantime, a number of legal innovations were introduced during the 1970s and 1980s which are worth considering because they buttressed resource management controls in specific domains, particularly with regard to plantations and wildlife protection. Within decades after Independence, more than 3 million hectares of forests disappeared in India (Bowonder 1982). The regulatory framework was thus enhanced to respond to this environmental degradation in the 1970s and 1980s. Top-down policy-making and boundary enforcement remained the chief strategies of state agencies, however. Some boundaries moved, for example when forests became wildlife parks. But additional forests would be denotified to make room for development projects, in continuity with the previous era. Extraction continued with vigor and the exhaustion of the resources remained a concern. How forest dwellers turned to authorities outside the FD to fix their “comparative development” issues is a topic that I broach in Chapter 6. Here, I trace the global ramifications of environmental policies in the 70s and 80s and show how environmental governance was “scaled-up” in past decades.

*Indian Environmentalism: Fear of the Poor at the Man and Environment Conference (1972)*

Although there was no need for this, the tropes of backwardness and improvidence were given a new shine in 1972, this time on the international stage of the Stockholm meetings of the United Nations (UN). The late Indian Prime Minister Indira Gandhi featured prominently among the heads of state addressing the UN delegates at the milestone *Man and Environment* conference. In her prolix speech, she professed her unconditional love for nature. Her understanding was that her sensibility could somehow be a legacy of Emperor Ashoka's concerns for wildlife, which he had expressed twenty-two centuries earlier, at the height of his precolonial empire. Gandhi's comment was meant to reveal the authentic roots of Indian environmentalism, glossing over the colonial period. To put it mildly, Gandhi's interpretation was contentious. Colonial forestry could not be so easily bracketed out as an insignificant interlude in Indian history. Most of the specialized institutions and technologies of forest management that are still in use in India were introduced during the colonial period, as already mentioned, and these were paramount to the development of cognitive categories such as forests and wilderness in India.

In her speech, Gandhi also referred to other priorities of her government: development, the advancement of science and technology, as well as demographic and social issues including birth control. Notoriously, she asked: "Are not poverty and need the greatest polluters?" Similar litanies indicting the poor as a major cause of ecological degradation were popular during the colonial era too, an epoch when Malthusian theories enjoyed fame. These theories faltered momentarily in the heydays of Independence, only to regain traction towards the end of the 1960s, not only in India, but worldwide. At the beginning of the 1970s, computer modeling predicted scenarios of exponential population growth and ecological collapse at different scales. Reports like that of the *Club of Rome* would agitate the specter of

overpopulation, producing much impact on policy-makers and world leaders (Meadows et al. 1972, see also Ehrlich 1968). In her own way, by pointing finger at the poor, Gandhi expounded an argument that was prevalent among political elites, and a remarkably persistent feature of Indian environmentalism (cf. Guha 1989).

*New concerns within old boundaries: the Wildlife Protection Act (1972)*

It is not a coincidence that 1972 was also the year of the ratification of the Indian Wildlife (Protection) Act, an act designed to protect wild animals added to new lists or “schedules” of endangered species. The agenda of wildlife protection has always enjoyed a high profile in India, the land of the *Jungle Book* and home to species of charismatic megafauna such as elephants and tigers whose populations have been an equal source of concerns for precolonial rulers, British shikaris, and Indian elites. Among the prominent changes that wildlife protection brought to forestry operations was the transfer of large sweeps of woodlands to wildlife parks and sanctuaries. This confined timber operations to smaller zones representing only a portion of the total timber reserves in India. In terms of training and attitude, however, the FD did not change much. Biodiversity protection was only one more motive to exclude forest dwellers. The Management Plans for Rajaji National Park, the flagship of environmental conservation in the region where I have completed my fieldwork, showcased this when, for example, it blamed Van Gujjar children for making a ruckus around the dera<sup>72</sup> and supposedly frightening the wild animals.<sup>73</sup>

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<sup>72</sup> Hindi for camp, a Van Gujjar habitation.

<sup>73</sup> In comparison, highways and railways are not described as a source of noise pollution, though the management plans note other of their negative impacts, such as habitat fragmentation. One might think it would only be fair to weigh the impact of turbulent youngsters against other causes of noise pollution in the management plans.



The Wildlife Act continued to rely on earlier territorialization procedures. Even the categories that it brought under a unique legislative framework – sanctuaries, game reserves and national parks – were of an older coinage. Various areas labeled sanctuaries during the colonial era had been princely hunting grounds before that, flagging a long history of restricted forest access. It is true that the new Act formalized the procedures to create of additional exclusionary spaces, but the rationale for this was not new. Moreover, conservation projects still had to vie with the timber industry. The dilemma principally burdened the FD because this institution was now put in charge of the two opposed agendas of timber production and wildlife protection.

Except for the creation of endangered species lists, the Wildlife Act neither introduced novel territorializing technologies (and at any length the endangered lists were unwieldy tools for this purpose), nor did it change the top-down and exclusionary methods of the FD. For the Van Gujjars, the creation of a wildlife conservation zone like Rajaji National Park in the 1980s could significantly transform everyday practices (see Chapter 6). Nevertheless, wildlife protection, although transforming forests into parks and imposing stiffer sanctions on activities such as hunting and poaching, relied on territorial technologies that already existed.



*Illustration 17 – The Rajaji National Park. Source: RNP Website.*

*The age of social forestry: the National Commission on Agriculture (1976)*

The report of the National Commission on Agriculture (hereafter NCA) published in 1976 probably had deeper repercussions on forestry than any wildlife protection program. The Wildlife Act of 1972 more or less confirmed a preference for tried and true forestry techniques, such as enclosures and protected areas. By comparison, the Commission on Agriculture was governed by an aggressive vision that was to redefine forest management for the future. The first goal of the NCA was to streamline timber extraction across the subcontinent. It therefore proposed to bring uniformity to the transit duties claimed on timber. It made permits mandatory for all types of cuttings, including those on private land. The NCA recommendations materialized quickly as states passed “Tree Protection Act(s)” or equivalent rulings. State corporations were also founded in most states to serve as unique dealers (buyers-retailers) for an array of valuable wood species and minor forest products. Various goods therefore fell under a state monopsony imposing price controls and supplying the industry with subsidized wood.

The second axis of intervention of the NCA distinguished between commercial and “bona fide” timber, a relapse of an old dual conception that opposed industrial and so-called backward systems of production.<sup>74</sup> On the one hand, the NCA recommended speeding up timber production within notified state forests through a regime of clear cutting and plantations using exogenous species selected for their fast-growing properties, the best example being eucalyptus (Saxena 1992). On the other hand, it was the Commission's point of view that villagers contributed little to regenerating forest resources, and even degraded them, and should therefore not feel entitled to enjoy forest products “for free” (NCA 1976 cited in Saxena 1997). This

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<sup>74</sup> In plain English, the Latin locution “bona fide” translates as “in good faith”. In the forestry context, this phrase refers to forest products collected for domestic uses. These are distinguished from commercial purposes, implying that in “bona fide” procurements there are no exchanges between hands, no sales, and no purchases. More implicitly, “bona fide” collection is not supposed to compete with timber operations.

statement, again, concealed the actual labor and care that forest users performed to maintain a forest cover that was adequate for their purposes. Also concealed were their ambiguous relationship with the FD, whose agents often pressed forest dwellers for unpaid labor and “gifts” in exchange of access with impunity. Considering that nothing was ever for free in the forests, the views of NCA were prejudicial to forest-dependent populations which it painted as primitive, indolent, and illegitimately reaping the bounty of nature.

Regardless, NCA championed its own understanding of “social forestry”, two words that until now have remained a staple of forestry debates. NCA encouraged villagers and private landowners to plant trees on their land (whether this land was private or held in commons). Technical support and seedlings were to be provided by the FD to promote private and village plantations. The Commission predicted that these plantations would mostly be of the mixed and endogenous kind. After all, villagers required a panoply of products from the forests to meet household needs, and thus required such biological diversity. As such, “social forestry” was conceived as a complement to the monoplantations that were grown on an industrial basis by the FD. The social forestry sector did not receive adequate subsidies at the get-go, however. Therefore, social forestry could simply neither produce enough, nor rapidly enough, to supply the local demand. People continued to depend on access to the state forests, which they fought for and negotiated with increased difficulty. Social forestry only got into gear when given a fillip by the rocketing prices of forest products, which reached unprecedented highs in the late 1980s and early 1990s (Saxena 1997: 10 and 57). The cracks in social forestry began to show when it was found that the participants of social forestry programs had mostly stocked their fields with marketable timber species instead of the more diverse and endogenous trees that were customarily obtained from state forests (or at least from forests that had retained some degree of

ecological integrity). Whether this was the result of a mimicry of state forestry practices by social forestry entrepreneurs themselves, or had been caused by external players hijacking the programs and persuading plantation owners to provide them with timber, is hard to tell.

In any case, social forestry added an incentive for rural elites to privatize village commons whenever they could (*Ibid.*). Only big landowners could afford to turn their fields into a plantation as this was a long-term investment that took decades to pay off. Rural elites generally were less dependent on local forest products, and state subsidies carried the promise of increasing their chances at making a profit from timber produced as a commodity. To become truly social, social forestry would have needed substantial revision. Across India, a majority of villagers did not have sufficient lands to sow plantations. The largest landowners could more easily capture the benefits associated with social forestry. Meanwhile, forest dwellers enjoyed no form of social protection from the effects of environmental degradation and impoverishment entailed by rapid succession of clear cutting and exotic plantation on the woodlands that was their home.

#### *Forest oversight further centralized: the Forest Conservation Act (1980)*

The Forest (Conservation) Act was passed in 1980 in a context dominated by the continuous decline of India's green cover, in spite of afforestation efforts and plantation programs. Bowonder estimated that between 1951 and 1974, India had lost 3.4 million hectares of forest (1982). Relatedly, Flint and Richards noted in their study of Northern India that the total carbon content sequestered within forests across the area of study declined at a steady rate starting in the colonial days; in 1950, the forests contained only 75% of the carbon levels of 1880, down to 55% in 1980 (1991). These numbers are important because recent studies adopt a very low threshold for defining what a forest is, and as Davidar *et al.* have demonstrated, this regularly

occludes the fact that considerable degradation has continued to occur within forests in the postindependence period (2010). For example, both Ravindranath *et al.* (2008) and Tian *et al.* (2014) have adopted the international FAO definition for forests which include all land with <10% canopy cover, and thus found twice as much forests in India as other studies (a complication that Tian *et al.* have acknowledged; for further reference see Hansen and Reed 2000 and Klein Goldewijk *et al.* 2007).

Spiking timber prices (as mentioned above) and periodic shortages had been worrying the central Indian administration in Delhi ever since the nation became independent. Another concern of the time was extensive forest denotification for roads, railways, powerlines, and similar development projects across the states of the Indian union, projects encouraged by populist politicians, that added to the expansion of industrial zones and urban sprawls in general. According to Bowonder (1982), infrastructural developments have been accountable for 30% of forest loss in India in the first decades after Independence. In response, India's central government finally passed an act to reclaim the prerogative of forest denotification in 1980. That power had been vested with state governments by the first forest policy in 1865. By 1980, Delhi did not think it worth the risk to have individual states further denotifying forests because of the lure of populist gains or quick profits. This transfer of powers estranged forest dwellers from decision-making ever more, although they had been the first to pay the price of degradation. Since the adoption of the Forest Conservation Act in 1980, individual state governments thus need Delhi's approval to denotify state forest lands. The states of the Union otherwise retained their other forest prerogatives.

## **The age of participation: Joint-Management Forest and the National Forest Policy of 1988**

In 1988, the Indian government adopted its fifth forest policy to palliate the defects of the social afforestation program initiated twelve years earlier at the recommendation of NCA. The NFP 1988 is interesting because it attacked several notions that had been entrenched in forestry. Quite unambiguously, this new policy subordinated economic ends to the imperatives of environmental protection. Some commentators even touted the policy as a “paradigm shift” and a “reversal” in the order of priority that had characterized forestry until then (Pratap 2010, Saxena 1997). However, the FD continued to rule authoritatively, its prerogatives firmly secured by the legal framework of 1927, 1972 and 1980, and in many ways, the “paradigm shift” was an overstatement.

Nevertheless, the NFP 1988 boldly asserted that tribals maintained a “symbiotic” relationship with their jungle. The phrasing was unprecedented in the world of Indian policies. As a result, it generated much noise among social activists who interpreted it as an acknowledgment of the rights held by forest dwellers. Alternatively, the conservation-minded took objection to the phrase; for them, to the contrary, any serious “scientific” study could prove the incompatibility of man and nature. The policy itself failed to demonstrate how the notion of symbiosis translated into concrete actions empowering forest dwellers. In fact, the NFP 1988 only pledged to continue to honor tribal rights which had been previously recognized. Therefore, this simply was a defense of the *status quo* at a time when indigenous rights were gaining international visibility. Not only did the NFP 1988 not vest tribal communities with additional rights, but it also failed to address the prejudices against forest dwellers who, like the Van Gujjars, had not been included on the official tribal schedules (cf. Bhullar 2008 and Chapter 1). In the end, the word “symbiotic” naturalized the assertion that tribals were closer to nature and that their ways of life clashed with

modern science, technical forestry, and economic growth. Performative statements of this kind neither improved forest management, nor benefited forest dwellers in any substantial way. Instead, they comforted program administrators in thinking that the issues of forests dwellers would too resolve themselves naturally, causing inertia.

In hindsight, the biggest innovation of the fifth forest bill was neither the ecological values nor the acknowledgment of tribal symbiosis with nature, but rather the concept of joint-forest management (JFM). However, once again, forest dwellers would be excluded by the scheme's design. JFM crystallized the new orientations of social forestry, but only targeted the resident of gazetted villages. The NFP 1988 advised the FD to involve village communities in concerted efforts aimed at "the regeneration of degraded forest lands through institution building, community participation and access to usufructory benefits" (Nayak 2003). The policy entitled communities in permanent settlements to a share of the revenues generated by the sale of so-called minor forest products (MFP) in exchange of assistance and labor. JFM agreements excluded forest dwellers in unsurveyed hamlets as well as the one and only "major" forest resource: timber.

The minor/major dichotomy harked back to the colonial era (Jeffrey and Sundar 2003). The ideology underlying it was that traditional communities neither had an inclination for trade nor any commercial right. Communities were strictly identified with *bona fide* rights, defined as usufruct or subsistence rights (Jeffrey and Sundar 2003: 81). Historically, the distinction between "minor" and "major" forest products had reproduced dependency relations between those requiring access to forests for their livelihood and the FD who managed these enclosures. For the Van Gujjars who are still living inside state forests today, it is difficult to imagine a way out of their poverty trap and jungle underdevelopment without external

intervention. Having no “major” income in forests, they feel they cannot “develop” under their own steam (“*apne balbute se*”, as Van Gujjars say).

JFM was envisioned as a means to incentivize afforestation, reclaim degraded forests and ensure obedience to the forest rules at low costs for the state (Bhallab et al. 2002, Agrawal 2005). The programs shifted the focus away from offense and punishment, substituting for it a system of (limited) rewards for good behavior (Jeffrey and Sundar 2003: 80). As such, JFM drew on the lessons provided by the unexpected success of a collaborative effort of forest management in West Bengal. The JFM program was thus grounded in an empirical approach that lacked earlier, hasty condemnations of forest-dependent communities. Problematically, however, the Bengal experiment that was the precursor to JFM has often been described as the work of a single astute forester reputed to have singlehandedly yet “painstakingly convinced the people to desist from forest exploitation” (Bhallab and Dave 2002: 2155). This narrative represents forest officers as energetic and progressive figures, whereas communities remain indolent and passive.

Nayak's discussion of JFM differed in this regard. His thesis expounded that many Indian communities had given satisfactory institutional responses to deforestation, in many cases without any involvement of the state (2003). Nayak thus provided an alternative narrative to the dominant trope of the *tragedy of the commons*, a theory intimating that common-pool resources needed strong and centralized governance, lest they be overexploited. According to Nayak, in the face of resource depletion, communities would take meaningful actions conducive to environmental recovery. Nayak also observed that social mobilization aimed at stopping degradation also reduced social inequalities when vested interests and the bureaucratic order were prevented from entrenching themselves in these social efforts.



Whether state-directed or community-based, JFM was still touted as “participatory”. It was rather quickly endorsed by surging international consensus in the field of development, according to which it was necessary to involve the poor in the schemes that were concerned with their social uplift. In development circles, the trend to make development participatory was accompanied by calls to decentralize state institutions. Narratives of population increase and state institutions failing to check deforestation also made alternative forms of management such as JFM attractive to international donors (Jodha, 2000: 4398, Nayak 2006: 18). As aid, grants, and assistance poured in, JFM gained rapid momentum (Pratap 2010, Leach et al. 1999, Ostrom 1990). JFM programs became an important financial resource for Indian forestry in the 1990s. Jeffrey and Sundar (2003: 80) and Saxena (1997: 53-4) approximated one third of the financial means devoted to afforestation projects during the 1990s came from international donors.

Under JFM, Forest Protection Committees (“van surakshit samati” or VSS in Hindi, but hereafter abbreviated FPC as per the English name of the Committees) were created in target communities. Committee members were elected through the democratic ballot, with reserved seats were reserved for women, scheduled castes, and minorities. Non-elected FD officials were also appointed to supervise the decision-making process. They retained the right to veto the committee’s resolutions. The Department continued to impose strict guidelines on JFM programs, and the FPC only dealt with questions of labor and fund attribution (Lele 2000). Despite the manifest power asymmetry between the FD and the communities involved in JFM, however, the program yielded results – at least from forestry's standpoint. Even critics of JFM agreed that the new participatory approach was more efficient than the previously centralized management, both in terms of patrolling and redeeming degraded forests (Poffenberger and McGean 1996; Lele 2000, Nayak and Berkes 2008). On a related note, Arun Agrawal has provided statistics attesting

to the efficacy of a number of JFM measures, including the transfer of patrol duties to villagers appointed by the FPC (1997). Decentralizing surveillance under JFM led to an unequivocal increase in the rate of detection of offenses (*Ibid.*). Where and when the FPC could also prosecute small offenders instead of the FD, the number of convictions steeply increased, by far outnumbering earlier convictions by the departmental staff (Agrawal 1997).

It is interesting to see that the rate of convicted offenders was abysmally low before JFM. Government studies cited by Bowonder (1982) estimated that the Indian population consumed between 80 and 120 million tonnes of fuelwood every year during the period running from 1953 to 1971, but the FD (the owner of 90% of forest areas) only reported an offtake of the magnitude of 7-9 million tonnes. This discrepancy was enormous, with only 1 tonne of fuelwood being reported for every 11 to 13 tons consumed. This suggests an intense illegal extraction routine of such scale that it seems impossible that the FD never realized it existed. With so much room for improvement, it should not be surprising that communities given the right to enforce the boundaries of their JFM forests could do better than the FD. What is more difficult to ascertain from the data relating to the increased rates of prosecution under JFM is exactly whose access was regulated more stringently: illegal contractors', informal sector workers', or "bona fide" collectors' among whom the economically disadvantaged and women were constantly overrepresented?

Critics of JFM generally reproached that the "jointness" of the programs was perfunctory, meaning that, according to them, JFM did not create equal and open relationships between community actors (elites or not) and state officers (Jeffrey and Sundar 2003). This critique has been echoed in academic publications about participatory development in general (Kothari 2001, Mosse 2001). JFM aimed to tap into local resources and communities' so-called

“social capital”. The program ascribed to real and imagined communities distinct moral values such as solidarity, social cohesion, and egalitarianism, which were thought to contribute to the success of afforestation. However, state workers did not limit their participation to a supporting role, and community members were not given an opportunity to identify the issues they wanted to address themselves. State workers even used JFM as a carrot-and-stick strategy to get people to agree to their dominant vision for forest management. Meanwhile, the identification of technical issues with deforestation and afforestation remained a prerogative of state experts.

The mere fact that JFM was uniformly replicated across the subcontinent shows how it failed to include communities as equal partners capable of developing programs that mirrored their particular understandings of resource management. In some cases, JFM would even displace pre-existing community institutions that promoted environmental preservation and care. This actually hindered genuine participation in community meetings, rather than stimulating it (Nayak and Berkes 2008).



**Illustration 18** – State departments rarely publish photographs showing the participatory process of JFM, but when they do, these look like a show of official power and expertise. Source: Website of the Government of West Bengal.

More dauntingly, JFM failed to seriously address social inequalities within the agrarian landscape. A corollary to populist portrayals of village communities as homogeneous and egalitarian, policy-makers missed obvious inequalities which would then shape JFM. For instance, special measures had been adopted to include women and minorities in JFM committees. Due to social norms relating to public speech, however, these underprivileged groups would either not be free to voice their opinions during the meetings, not listened to, or the value of their participation would be constantly questioned (Sundar 2001). Women and marginalized classes could under different circumstances work more efficaciously “behind the scene” and influence decision-making processes informally, through their engagement of household and local politics. To make their participation mandatory in official meetings of the FPC might not be a very effective strategy of empowerment in comparison. Moreover, the new committees have never been very well guarded against “elite capture”, meaning that the FPC could be coopted by rural elites (Rana 2014). The meetings of the FPC gave incumbents an opportunity to forge new connections with the FD or preserve old ones. There was always the risk that rural elites take over the JFM committees for similar political purposes or ventriloquize the committees to give a new veneer of “social acceptability” to their regular activities. Under conditions of elite capture, FPC voice could serve the interests of the few, penalize people disagreeing with JFM management, and criminalize users not considered legitimate members of the JFM institutions (Lele 1998). Thus, sometimes, JFM lead to more, rather than inequalities.

This analysis highlights the limits to “participation” as understood within the context of JFM. A narrow interpretation of forest territoriality could lead one to think that the alienation of forest-dependent peoples was next to absolute before JFM, and that any participatory scheme was better in comparison. In the area of my fieldwork at least, even strongly prohibited practices

such as hunting were still fairly common up until the 1970s, despite official state ownership of forests. It is also plausible that breaches of the law were less frequently reported before JFM because access was the result of rather open negotiation between the field staff of the FD and forest users, whereas JFM allowed for new forms of competition between villages, leading in some cases to stricter judgments.

JFM was predicated upon a state-centric narrative concealing the earlier and actually existing patchwork of use and access, both formal and informal (Jeffrey and Sundar 2003: 81). The nationalist historiography painting the colonial regime as eminently disruptive and the Independent state as essentially benevolent had the effect of masking how access had been negotiated between many, many agrarian constituencies using both official and unofficial channels to politically assert their respective rights. As such, JFM streamlined the process of negotiating access to forests and made it more official. This is why Sekhar would ask whether JFM was an example of decentralization or just an attempt to institutionalize state dominance at the village level (2000:123). Tellingly, Agrawal used the term state “accomplices” to designate those who agreed to the rules of JFM and imposed them on others among communities (Agrawal 2005). After all, the NFP 1988 asserted that JFM would be “creating a massive people's movement” (NFP 1988). However, the program did not let people organized as they wished to; rather, JFM created incentives for them to move in predetermined directions. In spite of all its advantages over previous schemes, including showing that villagers could indeed act as the stewards of their own forests, JFM did not seriously challenge the hierarchy making decisions relating to forestry.

## **The age of reparation: victims of state conservation and the Forest Rights Act of 2006**

In 2006, the Forest Rights Act (FRA) opened a new chapter for the recognition of forest dwellers' rights in India (Kumar et al. 2015). The major difference between the FRA and previous forest legislation is that the FRA recognizes both the inalienable rights of forest dwellers and the authority of their spontaneous assemblies, the “*gram sabhas*”.<sup>75</sup> Officially, the process of recognition of forest rights under the FRA runs from the bottom-up. The *gram sabhas* are in charge of documenting the property or usufruct rights that are claimed by their constituents and transmitting this information. The recognition of rights process is therefore initiated by these popular assemblies, following what two distinct committees at the sub-district and district levels ascertain the authenticity of their claims. Concretely, this means that village assemblies can claim ancestral forest rights in the name of the collectivity or its individual members. If approved, these claims should lead to the denotification of a section of a state forest, the ensuing land transfers benefiting individuals or village/common institutions. The FRA also gives tribals and other marginalized forest dwellers an opportunity to claim land for building their schools, community halls, health centers, for example. Through direct land transfers, the FRA has gone farther in vesting forest rights to customary users than JFM schemes in which the FD retained all decision-making prerogatives. The FRA could therefore be understood as a tool of state forest re-territorialization opening spaces for community empowerment and development. Unlike previous JFM schemes, the impetus was not provided by the state. The FRA therefore rendered forest communities more autonomous vis-a-vis the FD.<sup>76</sup>

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<sup>75</sup> The FRA defines village assemblies as spontaneous, independent, grassroots gatherings, an interpretation that is supported by the *panchayati raj* legislation. However, to be declared valid, an assembly should still be democratic, have a *quorum*, and include women and minorities. Meanwhile, state bureaucrats interpret the *panchayati raj* definitions in ways that suit their vested interests in forests. For them, only the assemblies of gazetted villages are valid. For them, meetings of forest dwellers are never legitimate, although the law says otherwise.

<sup>76</sup> A decade into its existence, the FRA still has not made clear whether community assemblies are required to

The FRA ushered significant changes into the lives of forest dwellers who, like the Van Gujjars, had earlier received the blame for environmental degradation, and had been portrayed as “encroachers” squatting state property (Sarker 2011, Kumar and Kerr 2012). Until recently, forest dwellers lived within forests under a constant threat of eviction. Living in an illegality of circumstance, they paid fines, fees, extra-legal payments, and bribes to keep their homes and livelihoods. The advent of FRA opened up official channels through which to challenge earlier land and forest settlements that had failed to include forest users as legitimate right holders and polities.<sup>77</sup>

The deliberations leading to the adoption of the FRA did not take place in a political vacuum however. They officially began in 2003 when the Ministry of Environment and Forest (MoEF), opportunistically interpreting a contested judgment of the court about a case of boundary-trespassing, “ordered the eviction of all forest encroachers within a period of six months.” (Kumar and Kerr 2012: 755, see also Bhullar 2008: 23). At the time, it was suspected that as many as 10 million individuals would be displaced by this injunction (Kaur 2002 cited by Kumar and Kerr 2012). Social activists, NGO workers, and community representatives called for a distinction to be made between groups of customary forest dwellers and more recent encroachers. The electoral campaign of 2004 galvanized the struggle on this question. As the polls drew nearer, the party in power realized that evicting millions was bad timing and a “political miscalculation” (Kumar and Kerr 2012: 756). At this point, the facts had caught the

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produce management plans of their own for forest areas to which they claim resource rights.

<sup>77</sup> Anand Vayda has suggested that the FRA encouraged forest dwellers to take a path akin to historical revisionism. The FRA has cleared spaces for the expression of alternative accounts about settlements, tenure, and access, which Vayda calls chronotopes because they could challenge official narratives about “scientific forestry”, now showing that it also unfolded as a tool of population control. Before the FRA, the state preferred to mute local expressions about forestry. Other scholars defend a more metaphysical explanation of the FRA, assuming that a democracy could not eternally tolerate that the rights of its citizen were violated. Consider: “The Forest Rights Act 2006 has emerged *because*, 60 years after Independence, there was *still* no democratisation of the colonial public forest lands regime, and the marginalisation of the victims of rights deprivations was only intensifying.” (Springate-Baginski et al. 2012, *my emphasis*)

public's attention: 300,000 people had already been pushed out of their forest homes before the election, their huts torched, their gardens destroyed and their lives threatened (Drèze 2005 in Kumar and Kerr 2012). As the plight of forest dwellers became an issue of the electoral campaign, the incumbent party gained a widely deserved reputation for being anti-people.

The incumbents were defeated at the polls and the Indian Congress Party returned to power at the head of a new coalition known by the acronym UPA (United Progressive Alliance). UPA ratified the FRA in 2006 as part of its campaign commitments. This law has since been described as an act to redress historical injustices committed against forest dwellers. The guidelines of the FRA were only introduced in 2008, however. Yet, *de facto*, all jungle denizens had been sheltered against impending evictions during this interval. The new category of "Other Traditional Forest Dwellers" (OTFD) was also introduced by the FRA to include non-tribal forest dwellers who had lived within state forests for at least three generations prior to the cut-off date of December 13<sup>th</sup>, 2005. With the FRA, millions of people formerly labeled "encroachers" were given a chance to claim land rights and live less precariously. The FRA bestowed many rights on forest dwelling tribals and OTFD in addition to property rights:

"the right to live in the forest, the right to cultivate for their livelihood, the right to collect minor forest produce, the right to graze cattle, the right to convert leases or grants (*pattas*) to titles, the right to convert forest villages into revenue villages, the right to settlement in the old habitations and un-surveyed villages, the right to access and community right over intellectual property and traditional knowledge related to forest biodiversity and cultural diversity, the right to manage the community forest resources, and the right to enjoy any customary/ traditional practice, however excluding hunting" (Saravanan 2009: 211).



Critics like Saravanan have acknowledged the generous provisions of the FRA, while deploring that the FRA was only enacted as the result of populist calculation. Arguing in the same vein, Rangarajan called the FRA the outcome of political opportunism rather than the expression of genuine concerns for tribals. He argued: “The call for a fresh look at the issue of *adivasi* [a term equivalent to indigenous peoples in India] land rights did not spring from a vacuum, but was rooted in the desire of the Congress and allied parties to recover lost ground among an increasingly assertive section of the citizenry” (2005: 4888). Wildlife enthusiasts and conservationists were also annoyed, although for different reasons. To them, the FRA was nothing short of a big environmental “sell-out” meant to seduce an orphaned vote bank comprising forest dwellers and tribal peoples (see Saravanan 2009: 207). Prominent environmentalists began sounding the alarm about the potential catastrophe that land redistribution under the FRA could lead so, some estimating that over three quarter of all state forests (50 million hectares of woodlands out of 68) could be shifted to forest dwellers (as reported in Bhullar 2008: 26-7). Environmentalist groups and retired foresters even filed public litigation suits in different states to challenge the “constitutional validity of the Act *inter alia* on the ground that distribution of land is a matter which is within the exclusive legislative competence of state governments”, the litigators implying that “the Parliament cannot distribute land by enacting this legislation” (Bhullar 2008: 24). Thus far, the FRA has resisted the test of constitutionality, firstly because it was never intended to work as a land redistribution scheme, and secondly the rights recognition process under the FRA is piloted, not by Parliament, but by governmental agencies at the state level or below. Resolute to stop land transfers under the FRA in various states, the FD has used all the means at its disposal to wage a new kind of territorialization war against tribals, including hurried declaration of “tiger reserves” and “critical

wildlife habitat” because these zones of biological protection fall outside the purview of the FRA (though populations displaced from such zones would still be eligible for compensation, a fact the FD in many states seems to have difficulty to comply with).

Despite the panic of wildlife enthusiasts, the FRA never aimed at regularizing “encroachment”. Rather, the FRA stood for the recognition of time-honored customary usages. By definition, the FRA's titles do include pristine or near-pristine forests, if they exist. FRA indirectly recognizes how forest dwelling peoples have managed anthropogenic landscapes and therefore differs from previous legislation bent on separating humans from their environment. However, by handing over forest lands to forest dwellers, the FRA also tries to impose certain norms of conduct on forest dwellers, especially with regard to biodiversity protection. The Act prohibits many forms of extractive activities, forest rights coming with responsibilities toward the environment.

According to official numbers, the FRA altered the forest landscape substantially. In the first 10 years of its existence, upwards of 4.4 million claims were submitted to the different states of the Indian union (GoI, January 2016). 1.7 million of these claims were authenticated, leading to the distribution of individual and collective titles now covering dozens of millions of hectares (*Ibid.*).<sup>78</sup> Reality on the ground is different, however, many forest dwelling individuals and collectives among the 1.7 million successful claimants still waiting for their land deeds officializing the land transfers. This process of titling has also been very uneven across the subcontinent, mainly for political reasons. Though at some point it was feared that the FD would use the FRA to distribute land among its clientele, this apparently did not materialize (Kashwan 2013: 620). Quite the opposite, several states have yet to begin implementing FRA today.

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<sup>78</sup> However, in 2016, activists began to doubt the validity of the information provided by the states of the Union, suspecting that some among the largest land grants are not actually managed by village assemblies.

Uttarakhand is a case in point. For a few years, Uttarakhand reported having received the ridiculously low number of 182 claims under FRA. These claims stalled at the stage of evaluation and no effort was made to either speed up the process or increase the number of claims received. In recent years, Uttarakhand has simply stopped reporting to the FRA's periodic assessments (GoI 2016). As of 2016, no land titling under the FRA had happened in Uttarakhand.

The dismal performance of Uttarakhand with respect to FRA's implementation is partly due to a disinformation campaign that state officials, many from the FD, have waged against forest dwellers (Bose 2010). Uttarakhand asserted its exceptionalism on every platform, with officials and politicians arguing that the FRA was not necessary in the state because outstanding issues of forest rights had been settled long ago. It is true that Uttarakhand's history of forest tenure is particular, as various monographs attest.<sup>79</sup> In Uttarakhand, and especially Kumaon, the British had been compelled to hear popular grievances against the abuses of their exclusionary forest management. Strong discontent had brewed there, protests had been staged, and arsonists had even set the hills ablaze in the early 1920s. The grievance committees led to the recognition of the *van panchayats* (village forest councils) as a legitimate institution of forest management in the hills of Uttarakhand (that would later be subsumed by JFM committees). As the FRA was born in 2006, Uttarakhand's political classes would review these distant events to conclude that aggrieved forest dwellers had been given ample opportunity to claim customary forest rights in the past, under British rule. Several top bureaucrats voiced the opinion that there was no cause of litigation around forests territorialization in Uttarakhand and, as such, the FRA was superfluous. These state officials omitted mentioning that the grievance committees had

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<sup>79</sup> It has commanded the attention of at least two generations of scholars, some investigating the Chipko movement (Haigh 1984, Shiva 1988, Guha 1989, Bahaguna 1987, Bhatt 1990, Mawdsley 1998, Rangan 2000), others more interested with Van Panchayat institutions (Ballabh and Singh 1988, Agrawal 1994, 1999, Bhallab et al. 2002).

focused only on one portion of the state, mainly Kumaon (Agrawal 2005, Guha 1989). The exceptional case of *van panchayat* management in the pine-clad hills of Kumaon was deliberately used to draw attention away from the situation in the dense *sal* forests clothing Uttarakhand's valleys and plains. According to a state consultant that I interviewed, however, *sal* forests had always been considered too valuable to transfer their management to local institutions (CAMPAN, personal communication). *Sal* forests were bastions of "scientific forestry", a territory usurped by the colonial powers and wholly transferred to the Indian state after Independence.

Though the *van panchayat* system has experienced an exponential growth, the cogs of forest governance do not churn very smoothly in Uttarakhand.<sup>80</sup> The famous Chipko Movement in Garwhal offers a textbook example showing the tensions between the FD and their forest constituencies in spite of *van panchayats* and JFM committees.

Of late, a number of lures were employed against tribals in other states of the Indian federation to prevent recognition of their rights defined by the FRA. Civic organizations recently began to report about FD officers offering uninformed forest dwellers opportunities of settlement that bestows those who are eligible lesser rights than the FRA. FD officers also encouraged forest dwellers to opt for JFM programs instead of the FRA, apparently to keep a veto over forest management decisions at the village level.<sup>81</sup> Some states have even passed new village forest rules in contradiction to FRA, thereby impeding recognition of rights (Odisha Diary, April 16, 2016). Manipulation and scare tactics have habitually worked well for the FD. The institution

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80 From 429 *van panchayats* in 1949, their number rose to 3,635 in 1993. It then doubled again in 2001, and reached the impressive figure of 12,089 committees in 2006. This phenomenal increase was the result of a policy that made it mandatory for every village in Uttarakhand to elect a *van panchayat*, even though many villages do not have access to forest lands, and are thus management forests that only exist on paper (Tompsett 2014, Sarkar 2008).

81 In 2012, a meeting was called between Delhi's Ministry of Tribal Affairs (MoTA) and UNPD administrators to clarify that "preexisting regimes of rights recognition, such as those in Himachal Pradesh, Uttarakhand, Jharkhand and the North-East, are not necessarily a substitute for recognition of rights under this [FRA] Act." (Citizen Report 2013: 28).

occupies a position of dominance within jungles areas; also, having cultivated forest dwellers' dependence, the FD has created the expectation among forest dwellers that their future depends on the Department's whims. It is thus not rare to see forest dwellers accepting advice from the FD, bypassing the opportunities of the FRA.

On a number of occasions during fieldwork, I heard FD workers spreading misinformation during their everyday exchanges with the Van Gujjars. They would say that the provisions of the new Act “imprisoned” forest dwellers, “locking them up” inside the jungles, and preventing them from developing like the “mainstream”, the rest of India. This strategy has been very effective at dissuading forest dwellers from claiming their rights within forests. This mischaracterization of the Act was even recently relayed by none other than the incumbent Ministry of Forest and Environment minister, Prakash Javdekar. The Honorable publicly declared that the FRA compromised the “right to development” of forest dwellers as it grounded them inside state forests as mere “anthropological showpieces” (DNA 2014). To me, it was very upsetting to hear an elected member of parliament suggesting that the underdevelopment in forest zones was inevitable, and a reason to scrap the one bill that actively sought to improve the condition of forest dwellers! The FRA allowed for the provision of state welfare within forest areas, schools, therefore reversing the actual underdevelopment trends that render forests less hospitable to their human populations. Moreover, the FRA extends all of these facilities without either displacing people or breaking communities apart. The FRA could even end the FD's monopoly over forests and their definitions through vesting “rights over intellectual property” and “rights to manage” the natural resources to traditional forest dwellers.



**Illustration 19** – *The FRA has been an opportunity for political mobilization but also a cause of discouragement among the Van Gujjars.* Source: The Tribune News Services.

The FRA undoubtedly has its pitfalls, notably the lack of an implementation timetable. As a consequence, those states which have been foot-dragging on the implementation of the FRA are not accountable. The FRA also lags because, as a trickle of claims are distributed, the promised aid to development rarely follows in step, and the construction of schools, roads, and other public connect in and around forest habitations is often delayed indeterminately. To further complicate this issue, the “nodal agency” for the FRA is Tribal Affairs (or the Welfare Department in those states where there is no such department of tribal affairs), but their regional bureaus lack the capacity to deliver all the schemes for tribal populations that they are supposed to. Manpower is lacking and without it the Act cannot be implemented diligently. In this context, Delhi’s latest attempt to hurry states into action has been interpreted – not only by opposition parties, but also NGOs and activists – as posing a risk to the procedural care and minutia that is required by land rights recognition under the FRA.<sup>82</sup>

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82 As the current government is bent on dismissing marginalized groups, recent calls to speed up the FRA implementation were probably intended prevent uninformed forest dwelling peoples from claiming any right.

There is no sign that the struggles of the Indian forest dwellers are to end soon. The FRA may have celebrated its 10<sup>th</sup> anniversary, but much remains to be accomplished to bring it to fruition. If only for this reason, it is impossible to provide any conclusive assessment of this Act. In those states where extensive forest rights titles have been awarded, the FRA has transformed the dominant patterns of territorial organization. However, it remains to be seen how villagers will be truly empowered to develop silvicultural systems and technologies consistent with their conceptions of community forestry and the local ecology. Although the FRA promises to protect the intellectual rights and traditional knowledge of forest communities, anywhere in India, this component of the law has not been clearly operationalized yet. Ongoing discussions among activists today (at conferences, on mailing lists, and so on) try to lay the groundwork for a transition to local management systems that has been announced many times. Diverse NGOs have been trying to formalize community-based approaches, producing community forest management plans and technical guides for community forestry. Not all such attempts are equally successful, and there is always the risk that customary management systems undergo important change under the FRA, although presumably the objective of the law is to protect said systems. For example, Bose has argued that the FRA “decomplexifies” ownership and transformed traditional rights (2012). Indeed, FRA has thus far privileged individual property, which now amount to an inordinate proportion of all vested rights. Meanwhile, community resources and community management systems have been given much less consideration. Bose asserts that the FRA’s failure to protect common lands through the prioritization of community forest rights has given rise to new forms of conflicts, more extensive bribery, and persistent marginalization of women and lower income groups, signs that the recognition of forest rights does not play on a level field. For his part, Pratap analyzes that seasonal and migratory forest users might not enjoy

equal protection of their rights under the FRA (2010, see also Kashwan 2013). Van Gujjars' claims, for example, have almost invariably stalled due to procedural technicalities and complications associated with their lack of a permanent address, which were predictable. In the meantime, the FD takes advantage of the situation to coerce forest dwellers into accepting inadequate settlements (in terms of the size of the land or amount of money given as a compensation for moving outside the forests).

## **Conclusion**

This chapter has reviewed the major policies that have defined the general orientation of Indian forest management over the last 150-200 years. One of my aims has been to impart the view that forests only became an object of governmental concern and anxiety at a specific juncture, as the technical operations and discourses of dominant colonial powers would conspire to make the threat of overexploitation visible. The realization that the forests were not inexhaustible, as initially thought, entailed dramatic changes in resource management approaches, most of which were at odds with colonial conceits of a political economy based on principles of *laissez-faire* and *limited government*. The adoption of strict controls over timber exploitation was how state-making was transposed to subcontinental jungles. Many of these controls materialized a new territorial order that the incipient FD was made to enforce. The Raj's territorial policies constrained access to resources that were important to many diverse communities. Nomadic pastoralists, tribals and shifting agriculturalists were hit particularly hard as a result of forest enclosure, the colonial strategy reflecting biases in favor of settlement and agriculture.



In contradiction to conventional portrayals of colonial and scientific forestry, however, state schemes for forests did not follow a linear progression. The forms of government to which colonial policies gave rise have been more fuzzy than suggested by exclusionary forest boundaries. Confronting the heterogeneity of the landscape and the idiosyncrasies of community life, colonial administrators redefined and adapted official rules and regulations, producing a heterodoxy of practice where forest policies wanted uniformity. It is misleading to say that the theoretical idea of state property was uniformly applied to all of India's jungles. I have argued in this chapter that the colonial state could neither throw a blanket property claim over all of India's woodlands, nor erase all forms of forest tenure in one sweeping gesture. The nature of the political relations between FD personnel and forest dwellers, and between state officials themselves, largely explains why policies would be enacted like they were in particular places. The following chapters expand on this conclusion drawing on my ethnographic experience among the Van Gujjars.

I felt it was necessary to emphasize that state ownership has remained contested within Indian jungles, in spite of sustained efforts on the part of state officers to impress their conceptions of silviculture and exclusionary management onto native lives and minds. Compliance levels varied immensely across the territory and, interestingly, their politics stemmed from informal and intimate relationships between state and society more often than not. Even during the colonial period, the FD staff, especially the forest guards who were recruited among the local population, routinely became complicit in making jungle government more socially responsive. It could be argued that the forestry regime was built on arbitrary powers, as the next chapters will show with concrete examples; still, this arbitrariness has been, historically, shaped by ambivalent relationships between state workers and forest dwellers. People who used forests

on a customary basis actively participated in bending and subverting the forestry rules, and altering the conduct of the officials, through everyday interactions with them.

The conventional narrative about Indian forestry asserts that the FD reigns indisputably over its dominion from its position at the top of the forest hierarchy. What this chapter suggests is that more attention should be paid to the social interactions between forest officials and communities of forest dwellers to understand the local politics that are characteristic of, and perhaps exclusive to jungle zones on the subcontinent. This chapter has also asserted that subjective experience of jungle politics and the norms of conduct characterized its government cannot be explained only by glancing at the legal boundaries of the forests or the official forest policies. This remark also seems valid in the postcolonial context. Postcolonial development was based on import-substitution, industrialization, and modernization, and supposed to absorb forest dwellers into the nationalist project. However, modernization was not delivered evenly, and pace of development being too slow, or too fast, depending on the point of view, while the rewards were very unequal too. The position of the forest dwellers never was a privileged one, and as forest management continued to change, they would still only obtain minimum benefits from nation-building and state-making within forests. The Indian officials also maintained a paternalistic and authoritarian posture. Their policies either supported forest dwellers' eviction from their forest homes, or the stereotype that the forest dwellers lived in harmony with nature. Between these extreme positions, there has been no room for the voice of forest dwellers.

In spite of important power differentials between state and forest dwellers, successive policy reforms did not produce a coherent and cohesive regime governing forests and their inhabitants. Even locally, different officers could entertain different understandings of the policies, which were sometimes influenced by their “illegitimate”, “encroaching” constituents, as

traditional forest dwellers were portrayed. The idea of exclusive state property continued to coexist with negotiations about customary access and practices, and extra-legal agreements were concluded involving state workers and traditional users. Growing assertiveness of citizenship, environmentalism and wider (i.e. global) recognition of indigenous peoples' rights also transformed subjective experiences and conceptions of ruling regimes, forests, and relations between state and society.

Forest policies should be viewed as technologies of power in India insofar as their aim was to establish a course of action to achieve the optimistic objectives of forestry. Forest policies in India generally aimed at keeping people out of an exclusionary forest territoriality, or at least keeping people in a subordinated position in relation to forestry experts, rendering this field immanently political. Nevertheless, a genealogical analysis of forestry policies must consider the vast number of different forces that shaped what forests have become, from forest dwellers' notion or rights and care, to their ways of relating with the forest bureaucracy, to the anxieties of the Indian administration. Any description of forest territorialization should therefore bring out the nuanced power relations that have mediated boundary enforcement and state-making within forests, looking beyond textual archives such as printed policies, examining, for instance, how forest dwellers could reinterpret, evade, or subvert forestry regulations and even additional rules of their own making. Drawing on this conclusion, the following chapters describe how Van Gujjar pastoralists became intimately involved in state-making within forests notably through their continued engagement with forest workers and changing modalities of access negotiation.

## CHAPTER IV

### The *Lambardar's* Gift<sup>83</sup>: Resource conflicts, traditional leadership, and nineteenth century theories of environmental degradation

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#### **The night I saw a seven-foot tall man by the Kalsi Bridge: a tale of marginalization**

The power was out and the night eerie. Earlier on, low-wattage bulbs hanging on twisted electric wires like yellow grapes on a vine were washing in incandescent light the diminutive shops fronting both sides of the single-lane road leading to the Kalsi Bridge. Within the first few minutes of the power cut, the shopkeepers had proceeded to light candles with the nonchalance of men and women accustomed to power outages. Candles dotted the shops' stoops, but hardly made a dent in the ambient darkness. The warm glow of cooking fires could be seen at a short distance, piercing the night towards the north-east. The Van Gujjars had lined up on the river banks to spend the night and these were their fires that I was staring at. The spot was a traditional *parao*<sup>84</sup> strategically located along the migratory path.

The nomads had scheduled their departure at four the next morning, well before sunrise and the heat of the day. Every day, a new wave of migratory herders would come to this place and, passing through the forests behind the shops, they would erect their camps near the river. Groups of various sizes would succeed one another, day after day, for the entire duration of

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83 A *lambardar* is a traditional Van Gujjar headman.

84 A halting place where migrating Van Gujjars and buffaloes can spend a night.

the migrations, which lasted a few weeks. As I stood at a stone's throw from the camps, I could imagine the Van Gujjar women cooking food, their weary children tucked in blankets beside them, and men either tending to the animals or conversing among themselves nearby. I could easily imagine the scene, but, in reality, I was too far to distinguish a silhouette against the dark of the night, or to hear a muffled voice. I could not even hear the sporadic shouts of the herders preventing the disgruntled cattle from fighting among themselves. Only the fires filled my eyes, aligned like orange beads on a necklace. A stroke of silver passing through them signalled the aqueous presence of the Yamuna River.

On that very night, I was due to join a Van Gujjar family that had previously agreed to take me to their uphill destination. I did not know exactly where to find them in the camp, so I had to wait for a contact of mine to return, a Gujjar who was running errands and who had offered to guide me through the *parao*. I felt like I had time to spare since the Van Gujjars I knew were prone to engage in social activities, chit-chat, and banter at the marketplace. I remember waiting in front of a silent flour mill. Since the power had gone out, the roar of the machines had subsided into a resorbing silence. Meanwhile, the miller had noticed me – an *Angrez*<sup>85</sup>, a rare sight in these parts. He brought me a chair and we sat and chatted. He asked me the purpose of my visit to the vicinity and I replied that I came to follow the Van Gujjars on their uphill migration. The miller showed empathy toward these semi-nomadic pastoralists. “They toil very hard to make ends meet”, he said. He was also concerned about the fact that, however hard they worked, their condition was not improving.

“Do you see this vertical pole on the opposite side of the road?” he asked.

I nodded imperceptibly. I felt the question was unrelated. The miller pressed ahead, undeterred:

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85 The term *angrez* is commonly used as a synonym for foreigner.

Well, that pole must be seven feet high. In the old days, not a single Van Gujjar stood below its mark. They were tall and strong, all of them. I don't know what happened. They had it better back then. Now, they have less buffaloes. They have less milk.”

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The miller's story resonated with others I had heard before. These popular stories worked as heuristic devices to make sense of India's transformation and the relative dereliction of nomadic pastoralists in this country. Like the miller, the Van Gujjars commemorated their ancestors in oral stories, dressing them in the garb of antediluvian heroes. The Van Gujjars of yore were portrayed as the proud proprietors of formidable cattle wealth. Scholars might find it difficult to accept oral traditions at face value, but in this case the historical archives bring a modicum of corroborating evidence. In a letter to the head of the Forest Department in the North-West Provinces (hereafter N.W.P.) dated August 17<sup>th</sup> 1887, the Conservator of Forests for the Jaunsar Division, E. M. Moir, reported that “one Gujar alone lost 300 head of cattle out of 350” due to the outbreak of a cattle-disease decimating the herds.<sup>86</sup> This was one of the first of several testimonies I encountered attesting to the affluence of the Gujjars' mythic ancestors. Herds of such fantastic size are unheard of these days, much less them being the property of a single person. Drawing on my field observations, it is safe to say that a chattel of 50 beasts is unusually large by today's standards. Most extended families I knew comprised more than one married brother, along with their wives and children, and they lived from the trickle of milk supplied by

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86 Lucknow National Archives, Revenue (Forests) Department, File 32, Serial 28: Letter from E. McA. Moir, Deputy Conservator of the Jaunsar Division to the Conservator of the N.W.P. School Circle, July 14<sup>th</sup>, 1887.

10 or 20 heads of cattle. Many families lived with much less.<sup>87</sup> Regardless, I often listened to Van Gujjars professing that their great-grandfather had 100, 150, or more buffaloes. This is consonant with other figures and examples I found in the colonial archives. For example, in 1902, a proposal was made to ask a security deposit of 8 annas – a sum equivalent to half a rupee – from the Van Gujjars entering the British provinces upon their return from the hills in September or October. This deposit would be kept over the cold season and given back in April only to those herders who had shown exemplary behavior, meaning, from the Forest Department's (hereafter, FD) perspective, that they did not lop many trees within demarcated forests. As the officer at the origin of this idea, Dickinson, explained, the deposit would bring 50 rupees for every 100 cattle.<sup>88</sup>

I do not think that Dickinson gave these numbers at random. He wrote:

[It is] the Gujars who come to graze in the Reserves and I find that they are comparatively wealthy people and can easily pay the security I propose. It is besides the only way to keep them in order for they are incorrigible as regards lopping. To show that they are not poor, I may mention that their men have an average of 50 milch buffaloes each and get from 15 to 20 seers of milk a day from them, worth at least an anna a seer, which works out to a respectable monthly income.<sup>89</sup>

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87 Among these 10 or 20 heads of cattle, several would be old cows that had stopped giving milk. Van Gujjars keep their older cows even after they have stopped lactating as a payback for having nourished them for the better part of their life (Gooch 1998).

88 Forest Department, File 260, Serial 3: Letter No. 158, 590/xiv, dated 28th October 1902. I am aware that exceptionally large herds may have been overrepresented in the colonial records, a statistical distortion emanating from the fact that FD officials mainly dealt with privileged interlocutors such as the headmen. Dickinson specified elsewhere that these were “groups” that brought hundreds of buffaloes at the time. “Groups” could refer to extended families, considering the residence patterns and structures of authority of the Van Gujjars. My interpretation of Dickinson's numbers is that the average household possessed 50 buffaloes, although it was not unusual to see men leading herds counting into the hundreds.

89 Forest Department, File 260, Serial 5: Letter No. 90 XIV 403, dated 10th August 1903. A seer is a unit of weight standing a few grams short of a kilo. As a measure for water-based liquids, it is a close equivalent to the liter. 15 liters is not very much for a herd of the aforementioned size. According to Dickinson's report, an “affluent” Van Gujjar earned one rupee a day, what was in the 1900s twice as much as the daily wage of a coolie (Imperial Gazetteer of India, vol. 16, 1908: 221). It should be remembered that such “affluent” Gujjar was responsible for 50 heads of cattle, some of which were unproductive (see footnote 87, above). Dickinson's exemplary Gujjar also brought an annual revenue of 100 rupees to the state exchequer, and more as payments of fines and extra-legal gifts. In comparison, a deputy conservator like Dickinson earned several thousands of rupees a year, a sum so large that one starts realizing why the state employing his services imposed high taxes (Grenfell 1896).





**Illustration 20** – *A narrow passage along the migratory path up the hills in April 2014.*

Whether or not one agrees with Dickinson's policies, this much seems beyond controversy: each Van Gujjar group or family had many more buffaloes in the past than they have today. Even much later, in 1959, the Parmar Report on the “grazing problems” of Himachal Pradesh reckoned that the life of the hill pastoralists compared favorably with that of plain agriculturalists. In 2012-15, I was looking at an upside-down picture, however. Van Gujjars said they worked as day laborers to maintain herds that were underproductive only to save themselves from the harassment of the FD staff, as the latter would question the Van Gujjars' right to reside within demarcated forests on a grazing and lopping permit without having buffaloes of their own.



*What has happened?*, I thought. To this interrogation, the two *pradhans*<sup>90</sup> of Amnadi gave me a similar answer. In spite of their disagreements, the two men shared a sense of historical dispossession and an awareness that, for the first time in their history, their brethren experienced absolute poverty. Firstly, the two men approximated that, *in aggregate*, the Van Gujjars living in the many *kholes* of the Shivaliks possessed as many cattle as their ancestors did four to six generations ago.<sup>91</sup> This sounded like a contradiction to me, as Van Gujjars unanimously claimed that their ancestors were much wealthier. But the leaders of Amnadi weighed their words. They explained that, secondly, it was the human population that had increased tenfold, while the stock of cattle had remained relatively stable. This second statement explained why today one finds more households living precariously in the *kholes*, having a tiny herd of their own and finding it challenging to satisfy the appetite of the forest guards, *munshis*, and rangers for bribes.<sup>92</sup> Thirdly, and lastly, the *pradhans* emphasized that the reasons for the deterioration of the ratio between beasts and men were not just demographic. According to them, the environment had changed too. Of late, cattle owners have experienced increased difficulties in procuring feed for their animals. Blamed were the scantier grass (colonized by invasive species that are unpalatable to the buffaloes, for example the omnipresent *Lantana camara*), a declining stock of fodder trees (exploited by Van Gujjars, state agencies, and villagers alike, both for timber and non-timber uses), and seasonal water shortages along sections of the *kholes*.

In a nutshell, this is how Van Gujjars explained their current predicament. The two leaders of Amnadi also agreed that declining resources intensified the competition with their neighbors who lived in gazetted villages at the edge of the forests. From the peculiar standpoint

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90 These days the Van Gujjars call their leaders “*pradhans*”, which is the Hindi term used to refer to an elected village leader. Chapter 6 discusses these transformations of authority at greater length.

91 Based on genealogical trees filled with 12 informants, their ancestors arrived in the Shivalik and Dehradun region some four to six generations ago and each possessed 100, 150 or more buffaloes.

92 Forest “*munshis*” or accountants have oversight on the operations, spendings, and incomes of forestry activities.

of the Van Gujjars, declining resources meant a diminution of milk production. In turn, less milk implied less commerce. Trade, barter, and gifts being the primary reasons why the Van Gujjars had been tolerated within state forests since the colonial period, this decrease posed a real problem for the nomadic herders, as I show in this chapter.

*What happened?* or *How to explain the historical marginalization of the Van Gujjars?* is the straightforward question that I address in this chapter. The form of the answer that I provide is genealogical, considering how the pradhans' explanations complement state archives. Granted that the assertions of the pradhans stand the test of history, as I show they do, I question how the archives corroborate or contradict Van Gujjar oral history more generally. The Van Gujjars remember a time when their ancestors were much more affluent, had plenty of buffaloes, and ready access to bountiful jungles. They also recall that their social intercourse with villagers and state officials was smoother in the past. At the time, a profuse milk flow eased dealings with bureaucrats, constables, and villagers. Access to natural resources, support, and integration at the level of the landscape used to be better for the Van Gujjars as a result. Relatedly, this chapter interrogates the historical transformations affecting forest tenure, access, and production, using a combination of oral and archival sources. My chief objective is to contextualize the current predicament of the Van Gujjars through a detailed analysis of their struggles to maintain access to the forests amidst political and ecological change between the nineteenth century and today.

The historical sketch and, incidentally, the outline of this chapter read as follows. Beginning in the nineteenth century, the rajas in the principalities collectively known as the Shimla Hill States, in some parts of colonial Punjab, and in Kashmir as well, leased parts of their forests to British contractors, largely to the benefit of the latter because “at this period a bag of rupees secured a permit to fell a forest tract, containing an indefinite number of trees” (Stebbing

1922: 271).<sup>93</sup> These exploitation rights remained in private hands for years, if not decades. In the last third of the nineteenth century, the fledgling FD began reclaiming these leases with a view to improve the technical aspects of the timber industry. The Department also demarcated and reserved many more hill forests in addition to those covered in the lease agreements. The British mainly demarcated jungles and wastelands for which they did not find an owner according to their own standards of legitimacy. To them, a landowner had to possess property deeds, rent agreements, or other sorts of written documents to show. Furthermore, a legitimate owner ought to have “improved” his land for agricultural purposes, defended it against trespassers, and in everything else act in conformity with European customs. Unbeknownst to, or wilfully ignored by colonial powers, nomadic herders and seasonal users had customary access to, and were taking advantage of, local resources, including pastures and forests. Changes in territorialization following the signature of the leases, forest demarcation, and enclosure provoked the displacement of these populations, whose rights the colonial administration did not deem legitimate. Several groups of nomadic herders, including the Van Gujjars, would lose access to important places comprised in their migratory range as forests were reserved for the exclusive purpose of timber production. This new conjecture compelled the Van Gujjars to either renegotiate the terms of their access, or find new venues, which many did by moving eastward in the region where I conducted fieldwork.<sup>94</sup>

Unfortunately for the Van Gujjars entering Uttar Pradesh (U.P.), the FD had already

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93 At the time, Punjab comprised modern-day Punjab as well as the present-day state of Himachal Pradesh. It extended into Pakistan to the West and to the South. For its part, Kashmir then comprised the northern reaches of present-day Pakistan.

94 I am inclined to narrate this story the way I do because I have not been able to find proofs stating that Van Gujjars visited the region of my fieldwork prior to the 1860s or even 1870s. My informants could not recall names or events from a past so remote, and oral history tended to confirm a shift of location to Uttar Pradesh at some point during the nineteenth century. Corroborating this is the fact that the British in U.P. only took notice of the Van Gujjars during the last decades of the nineteenth century. The British immediately began to tax the semi-nomadic pastoralists, leaving a convenient trail of documents about Gujjar customs afterwards.

decided to limit the number of nomads allowed within its demarcated forests.<sup>95</sup> The wealthier kind of nomads bargained their entry with more ease than the rest. Otherwise, the forestry doctrine painted grazing as a threat to the natural regeneration of the canopy, and foresters despised lopping even more. Still, the British officially wanted to accommodate a modest contingent of nomadic herders in U.P., namely those provisioning *ghee* to the battalion stationed at Chakrata and a few more hill stations.<sup>96</sup> In other localities, including hill principalities, the accommodation of the Van Gujjars proceeded in a more informal manner, if at all, and this did not fail to stir disputes with local populations. The ingress of the herders aroused acrimonious feelings among villagers as the latter regarded the pastures as their own, even though colonial observers reported that hill peoples enjoyed rights to pasture lands in excess of their immediate requirements. At times, the FD worked to bring resolution to these conflicts with an eye to keep peace. Their thinking was that more revenues would accrue to the Raj if the natives of the hills and the Van Gujjars could find a middle ground. The hill rajas occasionally intervened in these conflicts too, whether to convey the grievances of their angered constituencies or to defend their own interests. In either scenario, the rajas challenged British conceptions about them, and proved that they retained political relevance in the hill landscape. The Van Gujjars themselves responded to this tense climate with lavish payments to the villagers, the rajas, and the FD staff. They called these payments gifts, and their purpose of these gifts was to cultivate favorable dispositions in all land authorities.<sup>97</sup>

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95 Uttar Pradesh included Uttarakhand until the year 2000.

96 Clarified butter. Considered a delicacy, *ghee* has always commanded high prices, especially in the hills.

97 What best defined these gifts was neither that they had to be reciprocated, failing what the defaulting party would be punished by moral sanctions (Mauss 2002 [1926], Parry 1989), nor that they were opposed to commodities (Gregory 1982). For the Van Gujjars, dairy has always been produced both for direct consumption and for exchange. Rather, these gifts were distinguished by the performance that included the act of giving. The offering had to be made as if nothing was expected in return, although it was meant to maintain access over natural resources. The performance is what made the gift look uninterested (Smart 2009).

It was not lost on anyone that Van Gujjar affluence (later to become the stuff of legends) carried the promise of enhanced revenues. As such, this was cause enough for forest rulers, whether village headmen, hill rajas, or British officers, to consider granting access to the migratory Gujjars. After all, *ghee* had been an important source of income for precolonial powers, and the value of dairy proved relatively stable throughout modern history (Singh 1995, Jeffrey and Sundar 2003).<sup>98</sup> But even as *ghee* remained a valuable product, only a minority of foresters vocally disputed the dogma that grazing was a menace to vegetal regeneration.<sup>99</sup> Meanwhile, the inhabitants of several villages located along the migration paths showed reluctance to the onward march of the herders. Popular resistance represented an additional challenge, and the foresters regularly plied to the villagers' grievances. In the end, the micropolitics of the hills influenced decision-making within forestry circles. In this context, economic utilitarianism and scientific forestry were not the only sources of the nomads' exclusion; local feelings of revolt encouraged it too.

Ultimately, Van Gujjar access was only granted for short periods at a time (e.g. one season at a time), and in an informal manner. The Gujjar headmen, called the *lambardars*, had a

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98 The study of precolonial rent and land tax systems challenges Ramachandra Guha's assumption that precolonial communities enjoyed "untrammelled" access to natural resources (1989: 32). Guha's account rests on the opposition between a "natural economy" in which goods are produced for direct consumption, and commodities produced for the market, presumably a modern, colonial innovation. This distinction is impossible to maintain because money-rent was also a currency in Mughal India: a part of the agricultural product was used as a means of payment, while the other part was consumed. In other words, even in precolonial India, a single product (e.g., rice or pulse) could be divided between production-for-others and goods-for-direct-consumption (Habib 2002: 261-4). The authenticity of "untrammelled access" and "natural economy" thus seems debatable. For classic arguments about the kind of political integration that rent systems presuppose, see Wolf 1966: 10-11 and Chatterjee 1983: 358-9; for a better appreciation of the subjective experience of rent-payment by peasants and peasant exploitation, see also Thompson 1971, Scott 1976, and Edelman 1990 and 2005.

99 Based on the empirical observations of a scientific minority, "light grazing" cleared the taller grasses that obstructed seedling growth. It thus provided a useful economic and ecological service. In a series of articles published in the *The Indian Forester* between 1885 and 1886, a few foresters advocated for the careful determination and management of a tolerable level of grazing, but most of their peers disagreed vehemently. A majority of foresters continued to look at grazing unfavorably. In this, they were not alone: officials across other departments also stood against pastoralism because it kept people busy and mobile, thus preventing them from entering the "free" labor market during times of labor shortage. Besides, the colonial powers were suspicious of mobility and considered mobile people as landless and socially unstable or dangerous (Ludden 2003).

central role in negotiating access, which I will explore later in this chapter. Many forest managers wished to retain the option to terminate grazing at will. In their eyes, grazing did not register as a right deserving legal protection. They rather framed grazing rights as special kind of privilege that was granted by benevolent administrators to certain herders under strict conditions.<sup>100</sup> Consequentially, grazing was managed with discretion. That the foresters, rangers, and other departmental staff could manage grazing arbitrarily also minimized the risk of internal disputes between different officers who saw grazing arrangements differently. As such, one forester could allow grazing in areas over which he had jurisdiction without having to justify his decision to his peers.

The informal management of grazing “privileges” did not give rise to an exhaustive theory about Van Gujjar tenure. Forest officials squeezed maximum revenues from the nomads through user fees, some of which the Raj administration would never sanction. Yet, FD officials described social life within jungles in their letters, memos, and policy proposals. Their observations were piecemeal, but their words still crystallized British ideas about local populations, economic utility, concerns over environmental degradation, and the alarming possibility that civilization was menaced on the subcontinent. At the end of the chapter, I analyze how certain discourses like desiccation theory provided a framework to justify, measure, and evaluate Van Gujjar exclusion against colonial ideals of civilization and progress. How discourses made possible the restriction of nomads' access is a crucial question, especially considering the absence of clear legal rights and protections in this domain. The analysis of this desiccation discourse – linking deforestation to rainfall patterns and intensity – reveals that access to natural resources had never been solely a matter of who had it and who did not. The colonial powers

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<sup>100</sup> The colonial debates surrounding the distinction between privileges, concessions, and rights have been covered by Guha, who called the stratagem a “legal sleight of hand” (1990: 68).

elaborated theories explaining how one could become entitled to it, subject to which conditions, and for what reasons. It would be oversimplistic to describe discourses, and scientific discourses in particular, as strategies intended to exclude Van Gujjars from forests and block their access. Colonial theories showed a great degree of sophistication and an internal coherence that transcended their instrumental ends. My argument about science and scientific discourses in this chapter does not entertain any presumptions about the intentions of the “scientists” themselves. What I show is that narratives that once enjoyed a hegemonic status, like, for example, desiccation theory, might have justified exclusionary policies and forceful evictions, but also remained complex objects worth studying in their own right.

In sum, the current chapter investigates how the Van Gujjars carved a limited access to the forest for themselves and their cattle at the end of the nineteenth and beginning of the twentieth centuries, at a time when the British leased and demarcated forests. The first two sections of this chapter focus on matters of trespassing, confrontation, fees, revenues, and gifts. They show Van Gujjars not simply as cogs in the colonial timber machine, but rather as active players creating the possibilities of their own access to and use of the natural resource. To illustrate, the third section introduces the figure of the Van Gujjar headman, and exposes the strategies that he employed to maintain access for his constituents and himself. Mainly, the section highlights that the authority of the *lambardars* had ambivalent origins, and divergent meanings, whether seen from the FD or the Van Gujjar point of view. Finally, the last section of this chapter looks into discourses such as desiccation theory and the role that they played in restricting Van Gujjar access, as well as their mediation of competition between departments.





**Illustration 21** – A map of the United Provinces of British India sourced from the Imperial Gazetteer, Clarendon, 1931 Edition, retrieved from the University of Chicago Digital South Asia Library.





## **Leasing princely forests: re-territorialization, displacement, and new governmental formations**

From the 1860s onward, the FD contracted a series of forest leases in the hill kingdoms of Chamba, Kulu, Kangra, and Bashahr (d'Arcy 1884: 163). At the time, the local rajas were still recognized as the legal owners of the land in the Hill States, although their domain had been placed under British protectorate since the end of the Gurkha wars. This protectorate meant that the colonial powers controlled elements of the legal, judicial, and police systems in the hill kingdoms even before they signed any forest lease. In this context, the British could legally, and forcefully if needed, impose British conceptions of rights to protect their economic interests. The rajas also had to pay tribute to the colonial Raj for the so-called civil services it provided. Alternatively, the foremost quality of a raja according to the British was his capacity to muster revenue, provide (unpaid) labor called *begar*, and keep order. The British did not expect much more from the rajas aside from this. Nonetheless, the rajas continued to rule, if not independently, at least according to local principles of authority, through the symbolism attached to hill deities, and such factors distinguished their style of government from that of the British (Moran 2007).

The political rationale behind the forest leases was quite simple. The leases enabled the Raj to take over from the rajas (or, in some instances, from private contractors to whom the rajas had already granted extractive rights) the management of zones where valuable timber species such as pine and deodar were abundant, without infringing on the statutory ownership of the local rulers. The use of this stratagem helped maintain the position of the rajas. These knowledgeable authorities generally commanded respect among local populations, and they could collect land taxes effectively. As Nicholas Dirks has pointed out, colonial institutions – revenue being a fundamental one – produced the paradoxical effect of rendering “the continuation of



certain cultural values not only possible but, curiously, meaningful” (1986: 309).<sup>101</sup> Revenue matters not only required the collaboration of rajas, traditional headmen, and other intermediaries (see “*lambardars*”, below), but they actually buttressed the position of these social actors.

In a context where the resources of the East India Company were limited, the leases were devices of indirect rule. They respected the raja's authority, and prevented peasant uprising by the same token. Nonetheless, the leases still posed a number of problems with regard to the raja's vassals, their tenure, and access to natural resources. Here, I use the term “access” to encompass a wider set of social, economic and political relationships than normally supposed by the legal notion of “rights”. Access could be negotiated between owners and non-owners (Ribot and Peluso 2003).<sup>102</sup> A lease agreement endowed the FD with sufficient authority to prescribe discrete activities – and proscribe others – within contractually defined boundaries, but the property of the land did not change hands. The enforceability of the leases varied greatly from one site to another, depending on the agitation of various counter-claimants of rights and their respective understanding of the legitimacy of each claim and counter-claim. In India, the British encountered another major issue, which was that property did not exist everywhere “as some independent entity” (Dirks, *op. cit.*). Therefore, political debts, social norms, and time-honored practices had to be translated in the new legal framework which was so dear to the British. Competing claims altered the definition of forests as “bounded property” even in the mind of state managers who found it difficult to exclude other parties, especially in the remote and understaffed forests of the hills. Of course, nomadic herders did not have the upper hand in this complex system of nested authority claims which governed the hills. Yet, the nomads still made

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101 Moran’s work (2007) exemplifies: in the kingdom of Bashahr, the British reinforced the King's rules at times, and opposed it at others.

102 I prefer speaking of “access” instead of “customary rights” in this case because access needs are not necessarily handed down from one generation to the next. In other words, access needs need not be a custom.

an impact on the definition of forest property, its territorialization, and its management by direct use and constant negotiation.

The leases that had the most direct impact on Van Gujjars' livelihoods covered regions of high Himalayan pastures located at one of the two extremes of their migratory range in the colonial states of Punjab, Kashmir, and a constellation of princely hill states. In and around the two former states of Punjab and Kashmir, the forest leases worked as a legal mechanism banning the entry of Van Gujjar cattle. These leases unavoidably induced the displacement of both herds and herders. In 1886, Conservator of Forests, U.P., Fisher, explained the consequences of the ban on hill grazing in the following terms to the settlement officer on special duty, Ross: "It is understood that the Panjab Government has altogether stopped the grazing of Gujars in their leased hill forests, and that the Kashmir State has also taken precautions to limit the number in its territory, and hence the crowding into Jaunsar and the adjacent frontier states."<sup>103</sup> In U.P., then part of the N.W.P., a different approach was recommended towards the Van Gujjars then known as *Jammuwala Gujars* or simply *Gujars* (see next chapter). Unlike Punjab and Kashmir, the U.P. government did not seal its forests hermetically against seasonal users, in spite of the State Forest Policy calling for the enclosure of the best timber forests. Villagers who did not enjoy the luxury of alternative pastures outside state forests continued to be allowed within these new enclosures.

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<sup>103</sup> Revenue (Forests) Department, File 32, Serial 25: Letter No. 443 dated Dehradun March 26<sup>th</sup>, 1886. Two years before penning these lines, Fisher had conjectured that the eastward movement of the Van Gujjars had been caused by a demographic boom. According to him, Van Gujjars had begun "to wander" after having "multiplied" in Punjab and Kashmir (see also Serial 9: Letter No. 34, dated June 10<sup>th</sup> 1884, already referred to here above). Fisher wrote that he had eyed an "interesting" report speaking to this demographic explosion, but neglected to mention his source. Fisher seems to have later changed his mind about the reason(s) behind the eastward movement of the Gujjars. Instead of saying that the Gujjars had "multiplied", in 1886, he asserted that the native states of Punjab and Kashmir had driven away the Gujjars from forests which they had leased to the British. The inconsistency of Fisher's reports may be attributed to the fact that he could not care less about these issues, the origins of which fell far outside his jurisdiction. At any rate, Fisher's words are echoed, and contextualized by, Smythies' 1883 report, which mentions that "strict conservation of the forests" by the Raja of Nahan, high grazing fees, and demographic changes both conspired in causing the displacement of the Gujjars (cf. Revenue (Forests) Department, File 30, Serial 7).

According to Ross' account, seasonal and transhumant users got a more severe treatment in the leased forests of Punjab and Kashmir. Only in U.P. was a modest contingent of Van Gujjars to officially find accommodation within state and leased forests. There was a seasonal fee and the pastoralists also supplied milk and *ghee* to the military personnel stationed in the hills. Ross believed “there [was] without doubt a good deal of superfluous grazing in Bawar, in Kandy, in the Pabar, and so on to Busahir.”<sup>104</sup> In the view of the settlement officer, the dairy produced by transhumant grazers was useful and therefore, “to exclude the Gujjars altogether would result in this grazing being wasted [and] it would be wrong to let good grazing run to waste.”<sup>105</sup> In the end, Van Gujjars would be allowed in U.P.'s forests for as long as their services were required. The fees that they paid magnified state revenues and contributed to diminish the prevalent colonial sense of wastage. After all, no one beside these pastoralists could realize the marginal economic possibility afforded by the hill pastures (Salzman 2004, Singh 1995).<sup>106</sup>

These conditions imposed by the leases transformed nomads' seasonal access into some sort of subtenancy that was imbricated within the colonial forestry property regime. These events, unfolded a century and a half ago, contradict conventional narratives painting nomads living to the rhythm of the seasons. In fact, the movements of the Van Gujjars were probably never determined solely by the climate and the availability of forest resources (I pursue this argument further in Chapter 6). The shifting position of nomads as producers of use within the political economy of natural resource management also pushed them in distinct ecological, economic, and political directions. According to available sources, access to the pastures both before and during the colonial period hinged on the pastoralists' capacity to produced *ghee*, turn a

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104 Revenue (Forests) Department, File 32, Serial 1: Letter No. 10/1-2, Dehradun, June 14<sup>th</sup>, 1883, by H.G. Ross.

105 *Ibid.*

106 Scholarly publications often fail to note how British authorities mobilized nomads to maximize revenues and reduce wastage. The literature seems to have overemphasized the contradiction between colonial management and the nomadic practices while underrepresenting potential synergies between these two.

profit from the dormant potential of the Himalayan slopes, and maintain satisfactory relationships with the lords of the land.

As Van Gujjars began to search for different pastures as an effect of the forest leases and enclosures, villagers living in the hill principalities expressed anger because they felt an injustice was being committed against them. Hill villagers regarded the pastures as their birthright. Contradictorily, the settlement officer, Ross, opined that the villagers' complaints were baseless: "The villagers complain about every acre that is withdrawn [from them], and so their objections go for nothing. They had formerly very much more grazing than was necessary, and now, although they may have quite sufficient with proper management, yet they feel a change, and a change for the worse."<sup>107</sup> The British used the leases to re-territorialize the hills according to their own utilitarian agendas, turning areas that were hitherto minimally exploited to the purposes of dairy and timber production. This re-territorialization altered the scope and meaning of access for hill populations and nomadic herders. It even reappraised the rights of the sovereign rajas to either welcome or turn away seasonal users.

The colonial rulers showed contempt for customary forest users and dismissed their complaints. Meanwhile, the new forest territoriality reconfigured people's dependency. Hill villagers became subject to new forms of written agreements, enclosures, and revenue transfers. All of this created a need for local populations to engage colonial officers and bureaucrats on a regular basis. And whereas earlier nomadic herders contracted directly with the rajas, their representatives, or village authorities, the leases effectively substituted the staff of the FD in their

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107 Lucknow Archives, File 32. Hill villagers and regional authorities (*wazirs*, etc.) responded to what they perceived to be a violation of their rights by petitioning the colonial powers and also their Raja, whom they saw as two poles of legitimate authority. These complex "jungle politics" altered the structures of authority of the British Raj and the hill kingdoms (Moran 2007). Different stakeholders understood their forest rights as politically enforceable, although they clashed with the rights held by others. As such, jungle politics in the hills had always been more complex than suggested by the sole analysis of the perceptible oscillations between quiescence and revolts in response to British policy, tenure, and state-making.

place. The former authority structure that had hitherto defined hill governmentality was ruptured and the FD assumed an increasingly central role in shaping forests as well as the conduct of their inhabitants.

The colonial trial to “improve” hill productivity bred communal conflicts. Unheeded for too long perhaps, peasant resentment became unrest. In places, hill peoples took direct action to enforce what they considered a legitimate system of land access and distribution, the system that was known to them and that had thus far fulfilled their needs. Peasants on the edge of revolt defended a particular “moral economy” in the face of decisions taken by colonial foresters (cf. Thompson 1971). With the closing of the forest frontier also came the unpleasant recognition that the land was only available in limited quantities (see Li 2013). Uncertainty of land availability was an aggravating factor adding to the commotion produced by the development of a market for timber (at first by private interests and then through state agency), the arrival of British foresters, and the movement of large herds owned by the nomadic Van Gujjars.

As these conflicts reached a fever pitch, the rajas did not respond simply like puppets controlled by the colonial powers.<sup>108</sup> Although the archives remain discreet about the specific nature of the rajas' interventions, mentions are made now and again of their opposition to the Van Gujjar migrations. The raja of Bashahr declared that he wanted to close his forests off to Van Gujjar grazing, in spite of having contracted them out to the British.<sup>109</sup> Conservator Fisher, however, believed that 500 Gujjar buffaloes could be allowed to graze in “our part of Busahir”,

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108 The British regularly reported about the leases in favorable terms. In his 1864 report, the forester Cleghorn imparted that the Raja of Bashahr had expressed a personal desire to lease his forests: “The Raja is anxious for improvements. From all I heard at Rampur, of the trouble he experiences in realising a small and uncertain revenue from his forests, there is reason to believe that he would readily agree to lease them on equitable terms, or a seignorage per tree, as is now paid to the Chamba Raja for those cut in the Pangi and Ravi valleys. The exportation of timber ought to be a steady source of revenue to His Highness, and of employment to the thinly scattered population of Bashahr” (as reported by Stebbing 1922: 414). The Raja's idea has to be contextualized, however. The Raja had wanted to see a forest official appointed to the forests he intended to lease only because private contractors often took timber without paying for it (*Ibid.*).

109 The former princely state is now part of the Kinnaur and Shimla districts of Uttar Pradesh.

meaning the leased forests. Likewise, the rajas of Taroche and Tehri wished to exclude Van Gujjars from their estates, but the Conservator again thought that arrangements could be obtained from the rajas to accommodate some pastoralists and their buffaloes. This point is important, as it demonstrates the difficult negotiations between the FD and the rajas on behalf of the Gujjars, showing the volatility of pastoral politics.<sup>110</sup> Most rajas resisted losing influence over their subjects, and this may explain why their position sometimes aligned with those of their agrarian constituencies. However, this by no means implied that the respective objectives of the rajas and the villagers coincided perfectly. Still, some rajas did not tolerate that the British used the leases to grant Van Gujjars safe passage and a stay in forests, especially when grazing fees were collected from the herders without sharing of the benefits. It is worth noting that the rajas took a confrontational stance against colonial forest management though their position was not backed by the colonial legal framework. In a few cases nonetheless, the British settled with the rajas, awarding them a share of the fees paid by the pastoralists as extra revenue.<sup>111</sup> How this soothed or benefited the settled populations who were the rajas' constituents is, however, less certain.

All in all, the FD did not feel it necessary to intervene every time a conflict flared up in the hills, as many of these conflicts took place outside of British jurisdiction. At any rate, the British Raj lacked the necessary muscle to intervene in each and every quarrel among the local populations. *En route* to the Himalayan pastures and along the Tons River especially, the path of the Van Gujjars edged on private fields and village forests which, in the end, were impossible to defend from the buffaloes' voracious appetite. The FD routinely charged fees to the pastoralists for their *parao* – or nightly stay. It also levied a road toll called the *radhari*. These two taxes were

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110 See Revenue (Forests) Department, File 32, Serial 9. In 1886, various officers indeed reported that token arrangements had successfully been made with the rajas of Taroche and Tehri. Only Bashahr continued to oppose the Van Gujjars, but the pastoralists continued to use those forests which the Raj had leased anyhow.

111 For example, Revenue (Forests) Department, File 125, Serial 1-11: Letter No. 51, dated 1883-4.



an impediment to the herders' mobility and also signalled the existence of the boundaries between jurisdictions to them. It is worth noting that both *parao* fees and *radhari* taxes predated colonial rule, flagging a continuity between the revenue systems of the precolonial era and those following colonization and the advent of scientific forestry.<sup>112</sup> Conversely, the villagers whose fields the Van Gujjars were trespassing into seldom received compensation for the damages that they incurred, unless they complained to the authorities, which they did.



**Illustration 23** – *For the Van Gujjars, the golden field of this hill settlement is a lovely sight and a sign their destination is nearing (c) Pierre-Alexandre Paquet.*

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<sup>112</sup> While the British kept *parao* and *radhari* fees from previous rulers, they changed the structure of tax collection systems significantly.

Being aware of this situation, Conservator Fisher anticipated serious agitation in Jaunsar-Bawar and nearby Tehri due to trespassing cattle. His previous experiences in the hill states of Bashahr and Jaunsar were the cause of his worries. Fisher's official dispatches warned other colonial authorities about the fact that the people of Bashahr had driven the Van Gujjars off their lands in 1885 and had even been “reported to have sacrificed a Gujar boy at one of their temples.”<sup>113</sup> For their part, the Van Gujjars had allegedly killed a man in Jaunsar the year prior, in 1884. Similar clashes were expected to erupt in nearby states if Van Gujjars were allowed to proceed undisturbed. Yet, the Van Gujjars were already paying the fees charged by the FD, by which means they had concretely taken position within the hill political economy. However, when the political stakes began to rise, threatened with breaches of peace, the British seriously began to reconsider Van Gujjar access.

With a view to promote harmony, Fisher debated the necessity of further restricting the herders' seasonal movements, closing off roads and establishing check points and tolls on the main bridge crossings, notably at Kalsi (the place where this chapter started). Exchanges between the FD and the N.W.P. administration exposed the common belief that setting limits to the number of cattle allowed to move up to the hills would diffuse tensions.<sup>114</sup> Rather than uncritically assuming that buffaloes were putting excessive pressure on limited resources and mechanically triggering peasant resistance, I emphasize that colonial territorialization lacked any redistribution mechanism that would satisfactorily compensate local populations for their losses, whether concrete or anticipated. Villagers felt aggravated because the FD, the rajas, and the Van Gujjars gained from their mutual agreements (however unequally), but the villagers were not benefiting in any way.

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113 Revenue (Forests) Department, File 30, Serial 9: Letter No. 443, signed Fisher and dated March 26<sup>th</sup> 1886.

114 Revenue (Forests) Department, File 32, Serial 30: Letter signed F. G., dated January 7<sup>th</sup>, 1888.

Interestingly, the archives indicate that peasant agitation had already stopped before the officers finished debating Fisher's proposal to control migratory routes. The conflicts had already subdued by 1886-1887.<sup>115</sup> Moreover, these conflicts did not spread to Tehri as it had been feared. After all, various hill regions are still grazed by nomadic Van Gujjars today, a sign that conflicts could indeed be resolved.<sup>116</sup> Unfortunately, the archives do not explain very well this change in the general mood. FD officers seemed clueless about the factors that brought an end to the unrest in the region. In any case, they never had to implement the measures that they had started to debate, albeit inconclusively.

What the archives make sufficiently clear, however, is that the FD did not seek to solve the conflicts through direct intervention inside hamlets and villages. The administration also found that Fisher's proposal to close off roads and control the passage of cattle on the transit roads was in contempt of British law. The proposal could not be enforced because freedom of circulation was minimally protected by the Crown, even in British India. The next best option according to the top layer of the FD's hierarchy was then to have villagers police their own lands. The Dehradun Superintendent, Baker, ordered: "The *Tahsildar* will be instructed to make known to all *syanas* the power cultivators or occupiers of land have to impound cattle under the [Cattle Trespass] Act, and that the police have been instructed to aid them in so doing."<sup>117</sup>

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115 "[A]s far as the upward migration has gone, no serious complaints with regard to affray or damage done to fields by the passing herds have been made", Revenue (Forests) Department, File 32, Serial 28: Letter dated July 14<sup>th</sup> 1887.

116 Though this was by no means the last episode of violent conflict implicating Van Gujjars. Villagers agitated again in the Rupin-Supin valley of Himachal Pradesh in 1974. Orders were sent by telegraphic dispatch to say that the Van Gujjars would be allowed to pass for the last time, but never again. In spite of this, the Van Gujjars never stopped going to the pastures of Rupin-Supin (Negi 1998). An older woman from Amnadi that used to migrate to Rupin-Supin told me that following the discontent in 1974, the conflicts actually came to pit the villagers against the FD, while the Van Gujjars were left alone. This supports my general understanding of pastoral politics according to which the Van Gujjars were often not the real triggers of conflicts over the resources, but simply one element of the triad FD-villagers-pastoralists at the roots of the conflicts. Also, these conflicts can only be understood when considering the larger political and economic context of the hills.

117 The Hindi *syanas* of "adults" referred to those household heads and leaders that had influence over the village council decision. See Revenue (Forests) Department, File 32, Serial 25: Letter dated Dehradun, April 5<sup>th</sup> 1886.

The Trespass Act had been in effect since 1871 in the British provinces: it was, so to speak, a tried and true weapon in the colonial armory. The Trespass Act sanctioned a number of corrective measures against cattle owners whose animals were caught straying on private land, demarcated forests, and village commons. These measures included fines to be paid upon reclamation of impounded stray animals. Within this particular context, reference to this Cattle Act effectively meant a transfer of responsibility from the FD to the villagers, at least with regards to restricting nomadic movements. However, the exact results of this policy have remained unknown to this day. Reports from 1887 and 1888 approximated that the Van Gujjars continued to migrate to the Himalayan pastures in the same numbers as the previous years, but confrontations with the villagers had stopped. Surprisingly, no cattle were impounded by villagers either before or after a change in the general mood was noted.<sup>118</sup> Therefore, the British strategy of “instructing” villagers about the Trespass Act seemingly fails to explain how hill conflicts were resolved. I would suggest that the following comments from a Forest Conservator observing the migrations 50 years after the facts exposed here may provide a missing link:

The gujjars undoubtedly do considerable damage and the cultivators naturally do not like this and demand compensation, some of which is undoubtedly reasonable. There is, however, every reason to believe that the villager sees an opportunity which he is not slow to use, and that he extorts from the gujjars more than is really fair.<sup>119</sup>

Lacking the necessary capacities to protect landowners from cattle trespass, the colonial establishment hoped to channel discontent so that villagers took steps to contain the

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118 “It seems therefore a somewhat lame ending to the voluminous correspondence... Limitation of the number was to be introduced to prevent ‘trespass and disputes.’ There has been no limitation and no trespass or disputes”, reported in Revenue (Forests) Department, File 32, Serial 32: Letter signed W.H.L.I, dated March 6<sup>th</sup> 1888.

119 Letter No. 505-C/ X-1(d), Dated February 12, 1934, from V.A. Herbert, Esq., I.F.S., Conservator of Forests, Western Circle, United Provinces, to The Secretary to Government, U.P., Forest Department.

irritant themselves (within the limits of British law, of course, and respecting the territorial boundaries established by the British settlements). However, the Cattle Trespass Act was not satisfactory because it did not compensate litigated land owners and peasants. Fines were given for each animal impounded but the collected sum accrued to the colonial exchequer instead of going to those aggravated. It is plausible that hill peasants understood that they had more to gain by settling with the Van Gujjars directly, given that the colonial rulers would not stop the migrations. It is likely that the villagers discussed the issue of indemnification directly with the Van Gujjar headmen, rather than looking to the Raj. Pernille Gooch observed the long-lasting effects of these arrangements during her fieldwork. The Van Gujjars, she writes, used to call “friends” the villagers with whom they entertain a special relationship. Such relationships are often said to date “a long way back.” The Van Gujjars would regularly extend “gifts” of *ghee* and butter to their allies in exchange for their good dispositions. Further rounds of exchange of goods and services between allies and pastoralists consisted of transactions of manure and agricultural scraps used as fodder (Gooch 1998, 2004). During the uphill migrations in May 2014, I witnessed similar transactions – though most exchanges were limited to the sale of milk, which the Van Gujjars sold at a preferential rate. I have also observed several times over the years Van Gujjars keeping records of their allies in the hills, including photocopies of the latter’s state-issued IDs bearing mention of permanent address and other important details. I have noticed, however, that the Van Gujjars speak of their acquaintances (*janu-hue*) in the hills, but never called them friends (*dost*).

Even a rapid incursion into the vast problem of property management under the lease system indicates that the overarching issue of access was more complicated than the term “forest enclosure” suggested. For the British, the signature of the leases did not mean that they could

exclude local forest users. “Forest enclosure” remained an intangible concept in the hills because of the lack of clear forest boundaries, staff shortages within the FD, and the possibility for travellers to avoid checkpoints, transit at night, borrow alternate routes, or even connive with FD officials and village authorities to maintain access to the forest resources. Though the leases operated at a liminal stage, bringing signatories in direct contact, the effective limits of property and property rights still had to be renegotiated on the ground. British leaseholders could not enjoy exclusive property rights in India without making efforts to translate their own vision for an exclusive property regime into the local idiom and testing them against prevalent social practices. Along these lines, Dipesh Chakrabarty wrote that the grand ideals of colonial modernity were “always already” interpellated by the “particular histories” characterizing life in concrete settings (2000). The idea for Chakrabarty was to “provincialize Europe” or, in other words, to show that the values that the British and other colonial powers saw as non-negotiable were in fact mere labels concealing countless local variations. In this case, local specificities interfered directly with the grand claim of “exclusive state property”. Locals knew of the nested property systems, the contentious claims over property and access, the political relationships and “friendships” determining them both, and the economic contributions such as gifts that changed property relations. All these elements also transformed the behavior of those who needed to access the forests. These elements complicated how the lease system functioned, also rendering it less predictable, more contested, and thus making it a matter of government.

Peluso and Ribot (2003) described the notion of “access” as “bundles of power” empowering individuals and groups to use or benefit from the resource (either one resource in particular, at one time in particular, or all resources at all times). For example, “bundles of power” defined how some people obtained benefits *through* access that others had (*Ibid.*, cf.



Rocheleau and Edmunds 1997). In the example here above, the British wished to gain a secure access to forests *through* contracting agreements with sovereign rajas who owned the land, whether concretely or only in colonial imagination. Indeed, the leases relied on the fiction that hill rajas were uncontested landlords, and their vassals simple tenants. In reality, the land ownership of the rajas rarely was absolute, especially with respect to areas of the kingdom that were kept under forest cover and where various groups simultaneously staked their claims to the natural resources. In the Himalayas, access rights were shared among several people. The respective claims of each would overlap accordingly to the presence of diverse forest resources, seasonal changes, and local politics. The British also claimed possession of forests and pastures in the hills *through* the development of a timber market, specialization in scientific forestry, and even the disposition of herders *as subtenants and representatives of the Raj's capacity to maximize utility production*. The Van Gujjars became an active element of the colonial war on wastage (see Gidwani 1992: 39-46 who delves into the “ideological richness” of the colonial term “waste”, and Pandian 2009: 153-4). For their part, the peasants sought to mobilize *both* the rajas and the new rulers appealing to reciprocity obligations and benefit sharing in a system broadly defined as a “moral economy.” The rajas were perhaps more responsive to these intimations of ancestral obligations than the colonial rulers. Peasant agitations over forest access, of course, put the rajas in an ambiguous position. But the British administration generally preferred settled agriculturalists over nomadic pastoralists, considering that the former were easier to tax and to govern, their lifestyles were deemed exemplary on the moral plane, and their fields were appreciated for aesthetic reasons. For their part, the rajas did not simply act as the stooges of colonialism, even though their sovereignty was much contrived. Then, the Van Gujjars also had their ways of maintaining access. Trade deals (discounted milk prices), payments, and gifts were

the main strategies available to them. In the end, a plurality of traditions and political idioms would mediate the various claims to the natural resources and the notion of property in the hills and forests. The interplay between various mechanisms of legitimation, enforcement, and redistribution signified the emergence of a new “hill governmentality.” Power continued to shift as the British fought to reduce what they considered waste and to realize the objectives of forestry. But the British could have pursued their objectives just as effectively had they not revised, adapted, and translated their ideas of property for princely authorities, pastoralists, and agriculturalists. In the end, the meanings given to and the possibilities afforded by the leases were neither predetermined nor predictable: deciding which rights could be exercised by whom was the result of political mobilization rather than legal definition. Hill micropolitics were key to establishing property rights in the Himalayan forests. Said differently, the definition of forest property could not be imposed exclusively from the top down, notably because the Raj itself was divided on the question and lacked the manpower in the lofty kingdoms; instead, all understandings of property had to be the result of a political process of negotiation between various hill peoples.

### **The spirit of the law, not its letter: the inherent paternalism of jungle governments**

Conservator Fisher figured among those colonial officers who endorsed the leases unambiguously, as if the Raj was omnipotent and none of the above complications existed. Men like him denied that the applicability of the leases was much more restricted *de facto* than *de jure*. The foresters had contracted leases in the name of the British Raj on the assumption that the authority of the rajas was unquestioned within the boundaries of their kingdoms, whereas, in fact, even princely sovereignty was imbricated within a broader field of land claims and counter-



claims from which the leases could not be so easily abstracted. However, theories about Indian despotism were popular among the European literati and the colonial administrators of the eighteenth and nineteenth centuries. On the one hand, these theories presented the Indian peasantry as a mass of hapless hereditary producers. On the other hand, their suzerains, sultans, and rajas were portrayed as absolute rulers and also as “the sole proprietor[s] of the land” (Chatterjee 1983: 372, 2011: 5). Clearly, these allegations of despotism omitted to mention that the inhabitants of a kingdom enjoyed certain rights of their own, whose social legitimacy was on par with the raja's rights. Some discerning colonial observers had noted this:

“It is of course true that the rules attached to the lease cannot affect prescriptive or customary rights which exist independently of the Raja's authority.”<sup>120</sup>

This brief mention of the existence of customary rights was not an admission of their validity by the colonial authorities, however. The citation continued:

“But it may well be a matter of question whether such rights exist [!], and in any case, it would be hardly possible to carry out a complete demarcation without troublesome enquiries and formalities which would almost certainly engender suspicion, ill-will, and difficulty to the forest administration in the future.”<sup>121</sup>

The new forest rulers anticipated that genuinely disclosing the legal framework that they used to adjudicate between legitimate and illegitimate property claims would alienate customary right holders. Feeling that local populations were not ready to accept the straitjacket of modern property laws, the administration routinely encouraged its officers to exert self-restraint,

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120 Revenue (Forests) Department, File 125, Serial 1-11: Letter No. 28, dated 19 January 1884.

121 *Ibid.*

employ their personal judgment, and follow their intuition when completing settlement reports and when collecting taxes more generally. The British also felt that the “record-of-rights” on which the land settlements were based were plagued with discrepancies and misapprehensions (Robb 1997, xxii). The British hardly trusted their own records, and they were sometimes right to be so suspicious, as most of the information included within the records-of-rights had been obtained through native informants who, although they worked for the civil services, maintained vested interests in the land (Cohn 1962). As Bernard Cohn pointed out, the record-of-rights resulted from a dialogue between different powerful interests, local and colonial. As such, this dialogue did not produce an impartial map of all existing land rights (*Ibid.*). Crucially, the record-of-rights failed to acknowledge concessions such as commons and seasonal access. Unrecorded concessions based on a tacit understanding were common, but the British largely decided to disregard them. Likewise, the FD did not recognize hamlets located within the forests they wanted to demarcate unless detailed written records existed about them.

The British believed that it would be politically ill-advised to either update or alter the land records, insofar as this would prompt inquiries into several types of grants and concessions that did not fit squarely within European conceptions of property. Consequentially, the Raj encouraged forest officers to use self-restraint and discernment, and not to extinguish customary practices all at once. Accommodating people's needs remained a foundation of social peace, although forestry officially called for enclosures and the curtailment of customary access. As pointed out by one colonial administrator: “A judicious forest officer can exercise quite sufficient control over these [...] forests to ensure a healthy reproduction without making himself a curse to the people.”<sup>122</sup> In another set of debates, the administration congratulated the

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122 Revenue (Forests) Department, File 32, Serial 3.

“exceptionally liberal” views of a forester about grazing, because his management did “not lose sight of the evils of shutting up the natural grazing grounds under the pleas of protecting the forests which contains them.”<sup>123</sup> The British were mindful of alleviating any “unnecessary burden” caused to local populations by forestry policies; this social concern was determinant in shaping the policies that applied in remote locations of the British Raj.

Whereas the wording of the forest acts and forest management plans impart the impression that the British held onto entrenched notions of exclusive property and scientific management, the colonial administration actually pleaded to the good nature of the foresters in its memos and internal letters to amend the harshest legislation. Still, there were British administrators who wanted to uphold the notion of inviolable property in spite of the conflicts that a similar approach had sparked in the hills. Major Bailey, for instance, failed to “see that anything has occurred which render[ed] it necessary for government to surrender any rights which it has obtained under the lease”, though he admitted that the terms of the leases were not crystal clear.<sup>124</sup> He noted that: “The Raja of Bashahr has leased his 'forests' to the British Government, but [...] the definition of the term 'forest' as found in the deed of agreement is vague.”<sup>125</sup> Interestingly, his remark applied to the leases contracted in most other kingdoms as well. The legality of the under-defined category “state forests” would again be questioned during debates regarding the Forest Act of 1878. In any case, colonial foresters generally preferred not to define the term forest. For them, it was sufficient that a forest should be a zone demarcated as such. This open-ended approach gave the Department the power of demarcating as forests any type of land, whether tree-clad or not (Guha 1990).

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123 Revenue (Forests) Department, File 125, Serial 1-11: Letter No. 576, dated June 15<sup>th</sup>, 1883.

124 Also File 125: Letter No. 19, dated April 30<sup>th</sup>, 1883.

125 *Ibid.*

Forest demarcation posed one further political challenge to the colonial powers. When conflicts began to brew in the hills, the Raj administration expressly requested that the FD physically demarcate the most valuable timber areas, so as to clarify the extent of their own claims. Meanwhile, within the FD, the impression was that demarcation could rekindle popular resentment and backfire against the colonial state. Thus, in several locations, the FD would actually ignore administrative orders and refrain from clearing up boundaries, raising masonry pillars, and digging up trenches, techniques it employed elsewhere to mark the extent of a forest boundary. The Department continued to manage extensive land areas *as* state forests although the limits of the forest territory and the rules applicable therein were fuzzy and left to the discretion of the FD personnel.

In the same vein, the Acts governing state forests had only been intended for provinces under the direct control of the Crown. As such, these Acts did not enjoy the status of law in leased forests. From a strictly legal point of view, the FD could not enforce colonial forestry policies within leased forests, but did anyway.<sup>126</sup> This was an additional reason explaining why an extra-legal approach was proposed in order to settle the terms of access for the Van Gujjar and the villagers:

“I presume that what is intended is to effect a settlement somewhat analogous that laid down for British territory, the spirit and not the letter of the [Forest] Act being followed. What seems necessary is that Government should be satisfied that the real requirement of the people are provided for, and this should, I think, be done in as simple a manner as possible. The procedure laid down in the Act regarding notices, appeals and other matters is in my opinion quite unsuited to a country inhabited by the rude and simple people of these hills, and should be dealt with in a purely paternal manner.”<sup>127</sup>

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<sup>126</sup> Likewise, it is probable that earlier invocation of the Cattle Trespass Act was only performative, in the sense that even as the importance of law and order was reiterated, the law could not be enforced.

<sup>127</sup> *Ibid.*

In true colonial fashion (according to which “the right of conquest is the strongest of all rights, against which there is no appeal”, cf. Guha 1989 and Jeffrey and Sundar 2003), the FD officers were reluctant to dilute what they saw as being their prerogatives. With sufficient manpower, the FD might have considered applying the law to the letter, quenching popular opposition through direct coercion. However, given their limited means, and pressures from other departments requesting access within forests on behalf of different peoples or for different schemes, the FD instead deployed in the hills in a “purely paternal” manner. Like the *pater familias*, the Department operated as if it held all rights over forest. Still, outright violence and repression had to be avoided because the cost of rebellions was too high – even for a colonial institution. Over time, the tension between a plenipotentiary regime and British paternalism came to define the art of governing colonial forests. Hill populations, and nomadic peoples in particular, often had little option but to solicit this paternalism that would bend the rules to their advantage. In the long run, this mixture of authoritarianism and paternalism gave hill government its characteristically ambivalent style; relationships between forest subjects were sometimes lenient, sometimes ragingly violent. In this light, the decision to enact British law *in spirit* even in the absence of legal grounds for it was not trivial.

An impact of this equivocal approach was that territorialization – in terms of demarcation, enclosure, and timber inventory – remained incomplete in the hills. Ideally, the FD would have preferred to manage the timber industry alone, without interference from local populations, and following what the foresters figured were sound scientific principles independent from the uncertain social context. In reality, however, the FD routinely skirted around its own rules and engaged with the locals. Local villagers were allowed to satisfy their domestic needs and contractors were let to call the shots. Most agents of the colonial FD turned a

blind eye to infractions to avoid exacerbating popular discontent. This ambivalence was encouraged by forest users who could not protest the British otherwise. Forest users subordinated themselves to the arbitrariness of the colonial officers as a necessity imposed by a regime predicated upon extra-legal transactions. In the process, forest users became more dependent on the officials with whom they had face-to-face relationships. The fact that access was not recognized as an inalienable right and remained insecure contributed to produce these outcomes. In this configuration of power specific to forests, collusion, secrecy, and discretion were key to maintain tenure and access.

The following caveat is in order, however: hill forest territorialization was “anomalous” only in reference to the official forest policy and foreign standards of government. For people on the ground (forest workers included), this form of territorial organization, its underlying discourses, and the hierarchy upon which it was predicated materialized the only true form of power. Colonial usurpation of labor, natural resources, and land ownership continued to be the only tangible markers of jungle government even though the legitimacy of the legal framework was seriously undermined in forest areas. The law could still be negotiated, or circumvented, the rules bent, and privileges bestowed arbitrarily, however. The next section closely investigates how this ambivalent forest governmentality succeeded in squeezing large revenues out of Van Gujjar pastoralists.<sup>128</sup> It supports the intuition that the discretionary administration of grazing privileges produced effects which, although not as bad as a complete ban of people from the forests, were pernicious in the way that they negatively impacted the

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<sup>128</sup> The official policy privileged sedentary cultivators: “The Government General in Council also trusts that care will be taken to afford all necessary protection to the indigenous people of Bashahr against the owners of foreign cattle, who, it is believed, may otherwise seriously interfere with the grazing rights of the inhabitants. The people of Bashahr have obviously the first claim on the grazing, and the lease entered into with the Raja of Bashahr will enable the British Government to prevent their being ousted, at any rate, from all the areas which come under the lease”, Revenue (Forests) Department, File 125, Serial 1-11: Letter No. 1052F, dated Fort Williams, December 18<sup>th</sup> 1882, and signed A. Mackenzie, Secretary of the Government of India.

constitution, organization, and development of the community. Colonial forestry remained arbitrary and exploitative and despite the mediation of community leaders or headmen, nomadic populations remained at a disadvantage.

### **The costs of a paternal government: “paying double” and gifting**

“It is not a matter of much moment”, Ross wrote in 1884, “but I am not mistaken about the Gujjars; not a Gujar ever came near Jaunsar until the Forest Department invited them up”.<sup>129</sup> Much to the consternation of Conservator Fisher, the Settlement Officer, Ross, repeated this statement at least twice during the official inquiry about the agitations of 1883-1884 which had caused a burst of communal violence in the hills. The Conservator strongly objected to the idea put forth by the Settlement Officer, namely that the FD had invited the Van Gujjars to graze within forests at an earlier date. He argued that these grazers were in fact very destructive to both forests and roads. He believed that the FD could never have allowed safe passage and a haven to the Van Gujjars because of this. Moreover, he doubted that the revenues collected from the nomads compensated for the expenses needed to repair and maintain the roads used by the Van Gujjars. Ross and Fisher disagreed on almost every point. Ross persisted in contradicting Fisher. He opined that Van Gujjars had been “invited” by the FD, stressing interactions between the Department and the Van Gujjars. According to Ross, the FD could not turn the pastoralists around so summarily. Ross also imagined that sufficient revenues were made from the Van Gujjars to cover the costs of road maintenance as well as potential losses in timber revenues.

The point was made previously in this chapter that population displacements bred conflicts in the hills, that colonial management was divided in its understandings of customary

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<sup>129</sup> Revenue (Forests) Department, File 32, Serial 9: Letter from the Settlement Officer, Dehradun, to the Commissioner, Meerut Division, dated August 16<sup>th</sup> 1884.

rights, and that the leases did not cancel previous property relations based on informal access granted between “friends”, clients, or vassals. As I will show next, the informal status of seasonal access negatively impacted the fee structure that applied to Van Gujjar activities, whether in the hills or the plains. Through official discretion, state institutions could paradoxically exploit nomads more. It is precisely because the British did not want to regularize the activities of the Van Gujjars, and because they managed forests with discretionary powers that the pastoralists were so utterly marginalized throughout their history.

Avowedly, it is not easy to put back together the pieces of the puzzle comprising the numerous tolls, fines, fees, levies, quotas, and permits imposed to the Van Gujjars. The colonial records are patchy and pertinent numbers were very often reported in aggregate, meaning that the rubric “forest grazing” includes feed paid by the Van Gujjars as well as other cattle owners who grazed their animals in forests. The fiscal charge of the Van Gujjar has been quite substantial, however, and this means that the jungle pastoralists have continuously contributed to subsidizing forestry for more than a century now. Of course, the FD would never entertain such a claim. Details included in this section and the next chapter support this theory nonetheless. Nomads, pastoralists, shifting agriculturalists, and other people victimized for their use of forest resources, contributed to making forestry a formidably lucrative industry for the state, individual FD staffers, and timber contractors. I believe this alone calls for developing a new historiographic representation of forest and pasture management in which pastoralists' labor, capital, and political struggles are represented as an integral part of forestry practices. Such representation would contribute to ending depictions of Van Gujjars as outsiders, an image propagated by the FD only to keep them in a precarious situation, exclude them from decision-making processes, and legitimate unfair grazing and lopping fees.



As presented above, during the troubled period of the early 1880s, the raja of Bashahr expressed his desire to forbid entry of Van Gujjars in his kingdom. Other rajas, such as those of Taroche and Tehri, signalled similar wishes to ban Van Gujjars from their territory. In his special dispatches, Conservator Fisher assessed the yearly revenue obtained from the Van Gujjars in Bashahr at 680 rupees on average for the four years running between 1880 and 1883 (inclusively). Interpolating a fee of 12 annas per buffalo – a plausible scenario considering the grazing rates that prevailed throughout the nineteenth century –, this provides a rough figure of 906 Gujjar buffaloes entering in Bashahr, on average, on any of these four given years.<sup>130</sup> The estimate is congruent with the figures mentioned in a subsequent proposal to cap at 500 or “half the number at present” the cattle permitted in Bashahr<sup>131</sup>. This lump figure roughly amounted to a fourth of the 4,000 buffaloes elsewhere reported to migrate uphill through the Tons River and the Chakrata Division.<sup>132</sup> The annual rent payable to Bashahr for the lease of its forests was fixed at 10,000 rupees in 1877, and remained so for 40 straight years. This meant that the small contingent of Van Gujjars entering Bashahr paid close to 7% of the annual cost of this lease which was already hugely profitable because of timber exploitation. Moreover, the Van Gujjar contribution would only grow as the grazing fees increased.<sup>133</sup>

The fee structure for grazing within state forests was divided into three categories: concessional, normal, and professional rates. Concessional rates were reserved for villagers

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130 150-250 cattle were grazed around Chakrata, which may or may not have been accounted for in this assessment.

131 Revenue (Forests) Department, File 125, Serial 1-11: Letter No. 51, Lahore, February 13<sup>th</sup>, 1883, by C.L. Tupper.

132 Revenue (Forests) Department, File 32, Serial 9: Notes and orders signed by C.J.C on October 9<sup>th</sup>, 1884.

133 The Gazetteer of the Simla Hill States (1910: 56) mentions that every year between 1880 and 1900 an average of 200,000 cubic feet of blue pine and deodar were drafted down the rivers from the forests leased in Bashahr. The accountancy of the Raj is obscure, but the Gazetteer recorded annual revenues ranging between 100,000 and 150,000 rupees for the Bashahr forests. Even with inflated spending reclaiming 90% of this amount according to various reports, the remaining profits (10% of the revenues) represented 200% of the initial cost of the lease. Over this 20-year period, the Raj grossed a profit of 718,843 rupees in surplus of the generous salary that were transferred to the Conservators. The terms of the lease were reviewed in favor of the Raja first in 1905 and a second time in 1929 (Bajpai 1981).

whose “customary grazing” had been officially recognized at a time when forests were enclosed by the FD. In theory, the number of concessions was absolutely inelastic, meaning that the number of “cattle grazed at concessional rates” could not vary in spite of demographic growth and increasing costs of living in the region. The supernumerary cattle above and beyond the amount fixed by the concessions was taxed at “normal rates”, usually the double of concessional rates.<sup>134</sup> Villagers whose customary rights had not been authenticated by the British paid “normal” rates too. Then came the professional rates, equivalent to three times the concessional rates. In theory, the professional rates were meant to apply to cattle in excess of the requirements of the plow. In practice, these rates were charged to grazers who did not return to their village every night, i.e., people practising one form of pastoralism or another. “Professionals” were known to stay within forests and to feed their cattle exclusively on wild grass and leaf fodder. The Van Gujjars stood on the same ground as the professionals because the extensive range of their migrations was not recognized as their legitimate “home”.

Everything indicates that the Van Gujjars were charged more than the prescribed rates. Rates of one rupee per head of cattle became the rule for nomads in the Tarai and Babar before 1900. The Saharanpur Division pressed for equally high rates and got them sanctioned by the administration in 1902. A recurrent pattern, once the fees were raised in one forest division, similar hikes spread like prairie fire to the surrounding divisions. In the Dehradun Division, an area tucked away between the two previous administrative regions, grazing was charged at the

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<sup>134</sup> Consider a hypothetical case: a village has a concession for 80 heads of cattle, but ten grazers each graze ten heads of cattle (total 100). Every grazer should be entitled to an equal share of the concession, so they pay a discounted “concessional” rate on their first eight animals and the normal rate on the two “supernumerary cattle” remaining. The revenue assessment for one grazer in such villager would be 8 times four annas for the eight animals included as his share of the concession and 2 times eight annas for two supernumerary beasts, for a total of three rupees per year. Based on the “professional” rates, for the same number of cattle, a Van Gujjar had to disburse 10 times twelve annas per year – for a total of seven rupees and eight annas or 250% of what a concessionist had to pay (see *Indian Forester* 1892, Vol. 18, No. 12, p. xxxix).

small sum of eight annas, but lopping and hut fees (for the building materials) were added on top of this amount, even though building materials were supposedly available free of cost to those who paid a permit of any kind (as “bona fide” allowances). Combined together, these fees amounted to two rupees in Saharanpur in 1923, meanwhile the concessional rates still had not risen above four annas. In the end, the Van Gujjars were charged three to eight times more than villagers, depending on where they lived.

Other hidden fees were charged to the Van Gujjars. The simple fact that they had to pay two permits per year – one for the plains and the other for the hills – was not insignificant. Then came the “parao” fees mentioned above. These ranged between two and four annas per animal and were levied whenever a herder stopped more than one night at the same spot along the migration routes. The first night’s stop being free of cost, the Van Gujjars could avoid “parao” fees by moving every day. However, this cancelled an option that they had enjoyed earlier, which was stopping for longer periods and reducing the strain of their travels while making the most of the available resources along their path. The *parao* fees were equal to “monthly rates” according to official fee schedules, chargeable in full before the second night of stay. Understandably, the Van Gujjars preferred to encamp on village land, and even private land if an agreement could be struck with the legitimate landowner, rather than to stay in state forests (see the importance of cultivating “friends” above). Here again, stringent regulations promoted adaptation, informal management of the resources, and new social ties among different populations.

In the plains, the practice of charging security deposits and “chappar” fees was common, although not officially sanctioned. When the FD began to collect security deposits, some central administrators showed principled opposition to the measure which they deemed was an unnecessary burden for marginal producers. In the end, the FD convinced the administration to

ratify the deposits by saying that these were not really fees, since the sum collected would be reimbursed to the Van Gujjars who had exhibited proper behavior throughout the season, meaning that they did not lop too many trees.<sup>135</sup> The FD would never be asked to prove that it indeed returned the deposits. In their stories, the Van Gujjars only remember paying double the cost of everything. They have no memories of a system of security deposits, however; they only know about fees, none of them being ever returned.

The Van Gujjars were already charged much more than ordinary villagers when, in 1884, Fisher made the suggestion to add a toll of one rupee per animal at the bridge at Kalsi in order to control the numbers passing through (cf. above). Foresters like him were confident that every increase in grazing taxes would naturally lead to a decrease in the size of the herds. To them, political economy was only another form of a natural science, reliably inducing the desired effects among human subjects. The Raj administration opposed the toll, however, advising instead for a system of passes that would be free of cost but available only in limited quantities. In the plains, similar passes – or “badges” as they were then called – had been used previously as a measure of identification for the herders grazing within state forests. In case of a lost badge, the herder was bound to pay a replacement fee (Grenfell 1894). The FD followed the recommendation and started again to use badges, but (surprisingly) did not limit their quantities. As the conflicts in the hills subdued, the badge system was quickly abandoned. In comparison, the controls that generated revenues had a much longer lifespan, for example the permit, the *parao*, and the *radhari* fees that are still charged today, sometimes illegally since some of these fees have been officially repelled by state administrations, while also infringing on user rights granted under FRA 2006 (see Chapter 3).

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135 See Dickinson's 1902 proposal above.

The grazing fees increased throughout the nineteenth and twentieth centuries, but nowhere was there evidence of cattle decreasing. This begs the question whether the foresters prioritized the revenues of taxation or the effects that the fees were supposed to produce on the herders. The recurring abuses of the system also raise similar questions. From a purely legal standpoint, the taxation system was fraught with irregularities. An example documented in 1894 revealed how the FD's malpractices were dealt with, however. In 1894, the FD firstly been found to infringe the law by fining double the legal amount for releasing impounded cattle that belonged to the Van Gujjars. This matter only came to attention of the administration after a clerk asked his superiors how to register the excess amount in the revenue books.<sup>136</sup> The FD was invited to give its version and it was discovered that equally high fees had been in force since Sir Ramsay had served as conservator in 1871. The FD unrepentantly invoked a 23-year interval as a proof of the herders' capacity to pay. Through history, this motif repeated itself again and again: to the FD, a sum could never be exaggerated so long as the Van Gujjars could afford to pay. At the same time, the forest officers justified the higher fees on the basis that it was generally more difficult to catch stray cattle within forests, compared to catching them in the open fields.<sup>137</sup> Secretary Holderness found these arguments to be reasonable and regularized the fees without further ado.<sup>138</sup> However, the FD never proved that increased economic pressures disciplined the herders and force them to keep fewer buffaloes. In fact, it could be argued that the jungle pastoralists had to keep more buffaloes to manage to pay the fees of the FD, causing greater use of the natural resources, something that the Department allegedly had the mission to prevent.

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136 Revenue (Forests) Department, Copy of letter No 3347, dated 10<sup>th</sup> July, 1894, from F. Giles Esq. C. S. Deputy Commissioner, Nainital, to the Deputy Conservator of Forests, Garhwal Divisions.

137 Revenue (Forests) Department, Copy of letter No. 99 dated 16<sup>th</sup> July, 1894 from Col J.E. Campbell, Deputy Conservator of Forests, Garhwal Division, to the Conservator of Forests, Central Circle.

138 Revenue (Forests) Department, Letter No. 831 F / 743A-5, dated October 22<sup>nd</sup>, 1894.

Now, what does this tell us about the Van Gujjars? First, “paying double” was such common practice that it became engraved in their oral history. According to my informants, their ancestors paid twice the value of all things. Some of them affirmed that, being illiterate, their ancestors were routinely cheated by officials and tradesmen. Others argued differently. To them, the extra amount paid represented a normal practice of gifting. “Gifts” were given to colonial officers so that later they would turn a blind eye to buffaloes kept in excess of the permitted quota, or refrain from reporting the lopping of a tree out of season. Also, within forests, patrols were few and evasion was not infrequent. All of my informants confirmed that these gifts used to be presented in the form of butter or *ghee*. Then again, the term “gift” was, and still is, a euphemism. In reality, most gifts were expected, and some were openly solicited. One could say that these were no gifts at all, but regular exchanges whose role was pivotal in the political and economic world of the Van Gujjars in which access was not legally but socially protected through gift payments.

These access and property relations did not stop the Van Gujjars from developing a feeling of entitlement to forest resources and lands voiced through their use of the vocable “*haqooq*”. “*Haqooq*” is a complex notion derived from the Urdu word meaning “rights”, which the British used in the administration of the law as a way to encompass both “customs” and “rights”, drawing legitimacy on local idioms, meanwhile also creating confusion and conflicted expectations among different user groups (Gilmartin 1994). In the context of forests, *haqooq* translated as sense of entitlement developed by the Van Gujjars as a result of having duly paid their dues to the FD since many decades (continued in chapter 6). As such, the phrase *haqooq* expressed mixed feelings of entitlement to property and injustice. The contribution of Van Gujjars in milk and money over the years have been non-negligible, although the FD has neglected to

register it in a transparent manner. Official revenue accounting suppressed the fiscal charge of the pastoralists from the start. Colonial utilitarianism also commanded high fees that were believed to discourage the breeding of more buffaloes, as explained above, and the FD thought that it was imperative to control cattle populations because of the consequences of overgrazing.<sup>139</sup> This official doctrine of fiscal discipline contradicted other colonial beliefs about pastoralists and nomads, two groups reputed to be non-compliant and irrational (cf. Ferguson 1990). At the heart of the colonial tax systems was this paradox: on the one hand, British administrators believed that nomadic herders overvalued their cattle, overstocking pastures and eventually causing ecological collapse, while on the other hand expected herders to answer to increasing fees by *diminishing* rather than *increasing* their stocks of buffaloes.

### **The emergence of the Van Gujjar “*lambardars*” (headmen) under the lease system**

The above discussion has generated a convenient, albeit conventional narrative according to which the fiscal abuses of the FD despoiled the Van Gujjars. However, it has never been my intention to say that colonial forestry, an extraneous regime, disrupted precolonial forest management and tenure, and only stirred up conflicts where there used to be harmony. Resistance, protests, manipulation, gifts, and persuasion altered state-making and the exercise of government within forests. The formation of authority in and over forest areas, their resources, and their people, was a constantly evolving process. The fiscal demands of the Raj also offered opportunities for alliances and collaboration between traditional authorities and forest workers. Among the Van Gujjars, the institution that was the most instrumental in mediating fiscal discipline and carving out access in the forests of U.P. was the “*lambardar*”, that is to say Van

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139 Revenue (Forests) Department, File 49: Letter No. 117/XIV-49, March 21st, 1934.



Gujjar headman. As such, the story of the *lambardars'* rise to prominence within the state forest systems uncovers an interesting aspect of forest governmentalization during the colonial period. The Van Gujjar headman was a mediator, a person of wealth and persuasion that was well-acquainted with both the interests of the Raj and his own people. For many decades, the *lambardar* would be a point of confluence for the staff of the FD and the nomadic herders; conflicting parties looked to him and solicited his advice; without him, the emergent colonial forest governmentality could not have been deployed to the extent it has been.



**Illustration 24** – *Tea is being served at this Van Gujjar home in Kethiwala (outside the boundaries of the jungle) as an important lambardar has arrived to give legal advice (c) Pierre-Alexandre Paquet.*



So far in this chapter, I have defended the view that the Van Gujjars coming to U. P. in the second half of the nineteenth century were affluent cattle owners. Interestingly, early colonial records did not distinguish among Van Gujjars of wealth and Van Gujjars of influence. However, it is highly probable that the need for a “traditional leader” was a result of FD dominance.<sup>140</sup> In many ways, headmanship was a prerequisite of the British land and revenue systems, meaning that the position of the *lambardar* was a “modern” invention. The forests were vast and hard to patrol. Cattle controls could not be satisfactorily imposed by the handful of illiterate beat guards who were on the payroll of the FD. To ascertain revenue and to collect it, the FD needed to know how many heads of cattle the Van Gujjars possessed and where their owners could be found. This was the context in which the *lambardars* made their apparition. My informants asserted that *lambardars* did more than raise taxes for the colonial Raj, however; their headmen adjudicated domestic and communal affairs too, in addition to being mediator between the FD and the nomadic herders, and their various responsibilities made them important figures within their community and beyond.

After completing his service, Ex-Conservator of the Forests of Punjab, B.H. Baden-Powell, authored a series of voluminous treaties about the revenue systems of India in which he wrote: “*Lambardar* means the holder of a 'number' in the Collector's list of persons primarily responsible to bring in the Land Revenue of the village or a section of a village.” (1894: 26). Elsewhere in his unbelievably repetitive *Land-systems*, Baden-Powell provided a more complete, albeit more laborious definition: “The '*lambardar*' is merely the headman (among the panchayat) elected, or partly elected and partly appointed, and to some extent hereditary, for the purpose of

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140 The colonial documents I assembled never suggested that the Van Gujjars migrated to U.P. following a Gujjar lord or King. Van Gujjar oral history actually posits that the forefathers of the Shivalik groups were infeodated to different hill rajas. According to one story, one Kashmiri raja sent a group of Van Gujjars eastward (as far as Nahan) as part of his daughter's dowry when she was married to the prince of Nahan (various references including Gooch 1998, Negi 1998, Shashi 2006, Singh 2012, Rajaji Management Plans 2000 and 2010, etc.).

dealing with the authorities and representing the 'body,' in signing the revenue-engagements, and collecting the revenue; and has certain duties in respect of police and general administration” (1892: 105). The catchall character of Baden-Powell's definition raises a few crucial points. Firstly, the British termed *lambardars* any village headman although village-level institutions varied substantially across different regions, bearing different vernacular names. Secondly, it was not usual for the British to appoint a *lambardar* when no one stepped forward to fill the position. Revenue collection needed *lambardars*. The finance apparatus relied on identifiable village authorities and constables capable of accomplishing a number of tasks for the colonial rulers, including, among other things, the interpretation of local charters and the authentication of revenue papers (as pointed out by Baden-Powell). The *lambardars* were never only the tax collectors of the British. They continued to fill important social and cultural roles in their communities of origin and remained in touch with local sources of legitimacy and prevailing power idioms. Therefore, each *lambardarship* position had its idiosyncrasies. This brings me to my third and last point: not all *lambardars* filled the same duties or combination of duties. In some cases, more than one figure of authority could divide the *lambardari* portfolio among themselves. In other cases, the *lambardar* position would become superfluous, for example when higher authorities such as the *patwari* or *tehsildar* took over the *lambardar* prerogatives, as illustrated below.<sup>141</sup> Therefore, the position of *lambardars* exhibited a great plasticity across the board; it was known by different vernacular names in a variety of settings, it did not always enjoy high levels of legitimacy within the community, and yet it carried a bundle of tasks for the colonial powers as long as higher authorities did not take over.

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<sup>141</sup> In India, the *tehsil* is an administrative division corresponding to a city, a town, or a cluster of villages. The *tehsildar* is the name given to the head of this office. In modern India, the *tehsildars* work under the sub-district magistrate (SDM). For their part, the *patwaris* fill functions at the borough or village level and report to the *tehsildars*. It is a *patwari* who has inspired many of Akhil Gupta's insights in *Red Tape* (2012).

The etymological dissection of the word “*lambardar*” helps illuminate what Baden-Powell was at pains to explain. The first use of the word recorded in Abu-l-Lais Siddiqi's Urdu dictionary dates from 1845 (Pasha M. Khan, 2015, personal communication). Siddiqi explains that *lambardar* combines the corrupted English word “number” (pronounced “lambar”) and the Persian suffix “-dār” which means “possessing.” In other words, the *lambar-dar* or *numbar-dar* (लम्बर-दार or नम्बर-दार) was a functionary “possessing” the results of a census or a similar statistical list used for tax assessment purposes. The *lambardar* was also responsible for annually updating “his” numbers. The English roots of the word *lambardar* tells us that it did not predate the colonial period; *lambardar* it is not a Mughal-era term. Baden-Powell mentions that the term originated in Regulation IX of the *Statute Book* of 1824 or earlier than Siddiqi had supposed (1892: 23). *Lambardar* was thus coined not long after Cornwallis' 1793 Permanent Settlement. It is thus possible that the term and the institution associated with it was linked to the British revenue systems and the absence of a constabulary force that would collect rents in peripheral hamlets of the British and native states. From this point of view, then, the *lambardar* was a revenue collector and a censor, that is to say, a state functionary.

According to the grazing rules of Saharanpur District published in 1886, revised in 1893 and appended to the Shivalik Forest Management Plan of 1896, the duties of the *lambardar* were to tally cattle once a year, cross-check this sum with previous records, collect grazing dues in the name of the *tehsildar*, and deliver receipts of payment. The *lambardar* was nominally entitled to a remuneration equivalent to 2.5% of the revenue that he managed to muster. I cannot testify, based on the evidence in my possession, whether or not the Van Gujjar *lambardars* were always duly compensated for their work. My informants acknowledged that the *lambardars* were entitled to a form of compensation, but ignored the exact terms of their remuneration. Given the

loose coordination between forest hamlets and the administrative hubs of the Raj, one can presume that the *lambardars* had ample opportunities to deduct their payoffs at the source whenever they suspected that the Revenue and Forest departments would not be given their emoluments.

In rural settings, the position of the *lambardar* ranked below that of the *patwari* who held the cadastral map and raised the land tax. The office of the *patwari* still exists in North-Western India today as a branch of the *tehsil* (see footnote 141), but what role the *lambardars* had in the past did not seem clear to the city-dwellers with whom I spoke in Dehradun. This seems to confirm my analysis: the *lambardars* were most prominent in rural settings and jungles.<sup>142</sup> Baden-Powell's conclusions are notoriously misleading on this point. He says: "in Northern India it [*lambardar*] has now taken the place of all other names for headmen" (1892: 23). For my part, I doubt that the title "*lambardar*" ever became so popular that it replaced all alternative names given to heads of *panchayat* or similar village authorities. Baden-Powell is one of the very few available references about *lambardars* and yet he himself noted that the institution was already declining in his days. He wrote about significant cases in which the tax-payers paid their dues directly to the *tehsildar*, finding that the interference of the *lambardar* was as unnecessary as it was burdensome. Apparently, the *tehsildar* agreed to collect all kinds of fees and the *lambardar*, "deprived of his perquisites", had no other recourse but stepping down and minding his own business (1892: 147). Baden-Powell also cites one of Crossthwaite's reports to the effect that, in poor villages, "The real master is the *patwari*. [...] The headmen (*lambardars*), unless they happen to be men of superior character and intelligence, have little influence..." (*Ibid.* 153-4). And again, as if to further confirm what I have said thus far:

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142 My colleague Vineet Rathee mentions that *lambardars* have retained their functions with respect to revenue assessment in the *Jat* constituencies of Haryana (not too far from Delhi) where he currently works.

In the permanently-settled districts, where the *lambardar* is not necessary an indigenous institution, his post is purely honorary, and is said to be steadily losing vitality. [...] In jointly-held villages, where the *lambardar* has real trouble in collecting rents from the common tenants, he, of course, deserves his per cent, and it is allowed to him ungrudgingly. But elsewhere, in divided villages, the *lambardar* has really nothing to do but to collect the revenue from the co-sharers and as in many cases the co-sharers obtain permission to pay direct not through the *lambardar*, they naturally resist paying fees for nothing. (*Ibid.* 286)

Expandable in specific settings, indispensable in others, the *lambardars* neither performed the same exact functions, nor enjoyed comparable powers and emoluments everywhere. In a few accounts, *lambardars* appeared as purely political figures (“men of superior character and intelligence”), while in others stories the *lambardars* seemed to perform little tasks besides revenue collection. In a contrapuntal example, Saberwal quotes the N.W.P. Conservator of Forests, Bryant, who in 1903 escalated a complaint against a *lambardar*, described as “a petty official within the Revenue Department” (1999). This particular *lambardar* had endowed his dignified self with the right of personally handing out logs and beams to his constituents who needed them for house repairs. According to Bryant's account, this *lambardar* held his people in sway like Robin Hood. So much so that the FD did not know what to do to check the enterprising headman without giving people cause to revolt.

If there is one setting in which the *lambardarship* has kept its significance until very recently, it is in the midst of the Van Gujjar communities of U.P. and present-day Uttarakhand. In this context, the *lambardar* did not have the role of “a petty official from the Revenue Department” (cf. here above). He was rather a mediator between his community and the FD. In the Doon and the Shivaliks, one Van Gujjar *lambardar* was appointed to every *khol* to represent his “river constituency” in front of FD authorities. The function of the *lambardars* was imminently political; through their representation, their constituents in the *khol* were rendered

recognizable and visible to the colonial state. For the Van Gujjars, the lambardarship was also the most obvious and accessible channel of forest governance.

Hamlets were found within demarcated forests that were never officially gazetted as revenue villages due to restrictive forest policies. In such places, there were no appointed *patwaris* and *tehsildars*. The *lambardars* was the highest authority within the community. In practice, only the *lambardars* were authorized to convey community grievances to the range offices. Other Van Gujjars were at the mercy of the Department's underlings, beat guards and so on. As such, forest constituencies were exceptional compared to village polities. The lack of recognition for Van Gujjar customary access and land rights compelled these pastoralists to persist with their nomadic life and maintain close relationships with FD officials.

Over the past century, the FD made serious attempts to control the reproduction of the *lambardari* institution. FD officials insisted that the *lambardari* office should be hereditary. Tellingly, FD archives used the term “headman” and even “hereditary headman” interchangeably with the word *lambardar*. Alternatively, my informants objected to the idea that heredity was an important factor in the nomination of a *lambardar*. My field informants denied that heredity was important, although recalling *lambardari* lines going back five or six straight generations. The Van Gujjars simply gave more importance to the moral worth of an individual *lambardar* than his family line.

In other words, the FD did not succeed in unilaterally imposing their views on Van Gujjar leadership. The Van Gujjars today remember the *lambardars* of yore as affluent, prominent personalities, but also men of wisdom and cunning who protected the community's interests. My informants emphasized that the first duty of the *lambardars* was the settlement of disputes within the community. They also acknowledged that the *lambardars* mediated conflicts

with the FD staff as well. Even though the *lambardars* were involved in fiscal discipline, tax assessment, and settlement of penalties (whenever a Van Gujjar had transgressed the forestry code), their legitimacy did not suffer. Pleading to the FD and other state officers for protection on behalf of their constituents, the *lambardars* participated in creating a paternal government over Van Gujjars, a government that considered the nomads as being “simple hill people” and that was lenient. Crucially, the Van Gujjars I knew never portrayed the *lambardars* of yesteryear as colonial stooges. The *lambardars'* authority and legitimacy stemmed from their precise understanding of the forest boundaries (including the limits of individual compartments of each Van Gujjar family, see chapter 6), their knowledge of the market for different goods and services (milk, timber, and bribes included), their flair for creating new alliances between families, their interpretation of customary laws, and of course their pragmatics.<sup>143</sup> From their privileged position as mediators between the jungle pastoralists and the FD, the *lambardars* could underreport cattle, evade controls, coax and bribe officials, or even applying the rules more stringently against the community outcasts and their political adversaries. Thus customary and formal colonial authorities shared the same technologies of power, but asserted their power through distinct idioms.

Whenever cattle trespassed and damaged peasants' property, the *lambardars* could intervene and avert violence. The *lambardars* also prevented blood from being shed whenever Van Gujjar neighbors fought over a tree that was lopped in the others' compartment (see chapter 5). Money flowed through the *lambardars'* hands because of their function as “official” revenue collectors, but also because they administered justice using “gifts” to compensate the aggrieved.

*Lambardars* could dispose of excess amounts to pry open doors and expand their otherwise

143 A common breach of customary law among Van Gujjars was elopement. Under normal circumstances, the boys' family had to compensate the girl's litigated family. Mixing water with milk also represented an infraction to the Gujjars' code of honor. It was not only fined, but could also lead to social ostracism (see Gooch 1998).

limited access to forest resources. This too would render state forest management and tenure anomalous when compared to official state designs.

In her pioneering monograph, Pernille Gooch saved only a few words for the Van Gujjar headmen. When she did speak of them, she emphasized a single trait of the equivocal *lambardar* personality. For her, “Sufficient is to say that many ordinary Gujjars mistrusted their *lambardars* (leaders) in such situations [when conflicts emerged] and suspected they themselves pocketed substantial parts of the money which they claimed as ‘costs’ in the transactions” (1998: 153). In a separate passage, she related that an influential leader was “acting as middleman between the other Gujjars and the Forest Department” because he “collaborated directly with the director of the park and tried to put suspicion on RLEK [a NGO], whom he saw as intruding in internal Gujjar affairs” (*Ibid.* 162-3). Perhaps her choice of ‘middleman’ instead of ‘mediator’ was a little disingenuous, and indicative of her partiality to the NGO. In reality, Gooch was not blind to the fact that some leaders also took the side of the NGO as well, helped the propagation of a discourse framing Van Gujjars as nature protectionists. It seems impossible to maintain a one-sided judgment about the *lambardarship*: one day the *lambardar* could be seen colluding with the FD, and the next he would protect the interests of the community against state intervention.

Regardless, the costs of *lambardari* representation were indeed high, and this deserves consideration. According to my informants, the *lambardars* generously compensated those who incurred property loss due to stray buffaloes. They often paid double the normal cost of settlement. One of my informants even told me (using contemporary figures I presume) that the *lambardars* had a habit of trying to overbid villagers who bribed forest constables to get the Van Gujjars expelled from the pasture lands, the *lambardars* “giving 10,000 rupees to the ‘soldier’ that the villagers had previously bought for 5,000.” The first reason given for such generosity was



that the *lambardars* were rich and powerful. Indeed, *lambardars* occupied a prime position within the hill and jungle political economy. They were also in charge of preserving community access, and for this they would turn the cattle wealth and milk flow into a claim to the natural resources. But the *lambardars'* control over gifting was not absolute; their liberality was often forced, and this increased the economic pressures on their constituents. Like most forest denizens, the Van Gujjars were captive of a system of payments that was exploitative.

*Lambardars* were crucial to the administration of justice as well. At this level, they did not limit their role to the adjudication of domestic disputes. They also sometimes acted as the “visible hand” of the Raj. During the troubled years of 1884 and 1885, the highest officers of the FD in the N.W.P. believed that they could prevent communal violence by reaching to a Van Gujjar headman named Mirbaz. Fisher, Ross, and Woodburn probably presumed too much of this Mirbaz, however, as the authority of a *lambardar* was limited. A *lambardar* could only fix disputes if the belligerents agreed to his terms; otherwise, the *lambardar* had little means to enforce his rulings, lest he asked the FD to intervene. However, those *lambardars* who had a reputation for intrigue and for having dangerously close ties with the FD were viewed as the latter's agents (“brokers” or “*dalal*”). Such reputation indubitably weakened their moral authority. Needless to say, there was always a risk that a *lambardar* lose face because of his proximity to the FD, however destituting a *lambardar* was difficult for the same reason. The advice of different elders could always be sought, however, whenever the *lambardar* of one *khol* was considered untrustworthy.

One of my informants nicknamed “Leader-Ji” once told me: “When a headman becomes too powerful, the people suffers.” Leader-Ji had prominent members of his community in mind, as well as local politicians, when saying this. Otherwise, my informants never thought of the tax collection duty or the more crooked activities of the *lambardars* as quintessential to their office. Extra-legal payments, gifts, and bribes have always been necessary to jungle life. Far from blaming the *lambardars* for being corrupt, the Van Gujjars would instead praise their honesty. In discussing the issue of the Van Gujjars’ revenue collection and emoluments, my informants were cautious and refrained from condemning the *lambardars* for their work as “brokers.” In their opinion, the *lambardars* performed actions that were necessary in a jungle context.

For many academics, forestry – even colonial forestry – remained fraught and fragile (Sivaramakrishnan 1999, Chhatre 2003, see also Matthews 2012 for forestry in postcolonial Mexico). My contribution lies in showing how traditional authorities remained relevant and even thrived as a necessary link in a fraught forestry regime. Milk production and the “gifts” it entailed protected the herders’ forest access. The *lambardars* were thus more than mere cogs in the forestry machine; they were, in fact, complex cultural subjects who were engaged in a transcultural dialogue between different idioms of power and series of exchange. Having delved into the question of leadership, I can also dispense with two misleading impressions, either that the control of the FD over forest lands was absolute, or totally ineffective. I argue instead that power and authority within jungles involved forest dwellers fully. In presenting the role of the *lambardarship* as a modern political institution mediating access claims, I have shown that forest property and forestry practices were historically contingent and the result of contentious politics. Now, it remains to be seen what sort of discourses created a desire among colonial rulers for forest controls in the first place.

## **Discourses of environmental degradation: a justification to increase cattle controls**

What political project justified exclusionary policies, discrimination against the Van Gujjars, and the expenditure of so much energy on the question of Van Gujjar access? Was it generating money, capital, or tribute? Was it the pursuit of political power or even the desire to be proven *right*? The study of the discourses that once enjoyed popularity among the foresters provides one way of answering to those question. If one particular nineteenth-century discourse can explain why forest and cattle controls were viewed as being so crucial to the establishment of a good government in India, it is desiccation theory.

My first encounter with this theory happened while perusing a bundle of archives titled “Proceedings to close certain forest blocks on the southern slopes of the Shivaliks with a view to reducing the flood volumes of torrents which rise in these hills and cross the Eastern Jamna Canal”. These archives comprised all the epistolary exchanges between the colonial administration, the Forest, and the Engineering departments that, between 1883 and 1884, investigated a flood that had occurred in 1880 in the Shivalik region. To my knowledge, the proceedings make the earliest mention of the presence of the Van Gujjars in the Saharanpur Shivaliks in U.P. The proceedings also illustrate how competition and collaboration between departments of the colonial state shaped lopping and grazing policies in unpredictable ways. This is something historians of colonial forestry have repeatedly noted: just like synergies between departments, likewise interdepartmental frictions could lead to the reinterpretation of legal dispositions and associated enforcement practices (Saberwal 1999, Rangan 1999, Chhatre 2003). The conclusion to the “Proceedings” of 1883-4 relate an instance of regulatory change that is explicit in this regard.

The proceedings also sketch the general outline of the desiccationist discourse, a Malthusian theory that was key to the exclusion of the forest dwellers from the Saharanpur (Shivalik) Division. The adjective Malthusian refers to simplistic narratives identifying demographic growth as a major cause of environmental degradation. My concerns with the enduring legacy of the desiccationist in the Shivalik region discourse took me on a journey through 150 years of scientific writings and political speeches. Below, I summarize the genealogy of this discourse, also pointing out to the limits of discursive analysis and the constant need to study power outside discursive frames. Interestingly, the solutions that desiccation theory identified with perceived environment degradation were never “applied” perfectly even by the authorities of the Forest and the Irrigation departments who believed in desiccation’s validity. More specifically, my discussion of the debates between colonial experts exhibits how this powerful discursive machinery was stopped to a grinding halt as soon as direct sources of revenues – a central component of the colonial political economy –, and mutual support between departments were compromised by desiccation’s solutions.

*The long legacy of desiccation theory: keeping people out of the jungles*

The role of desiccation theory was to chart “the relationship of forest to rainfall, surface hydrology, drought and floods” (Sivaramakrishnan 1996: 150). It framed human-made deforestation as one critical driver of ecological change. (Mis)recognizing forests as the main regulatory system for climatic events and hydraulic processes like water precipitations and run-offs, desiccation theory attributed to anthropogenic deforestation the capacity to deregulate the climate and hydrology *in the region in which it occurred* (Saberwal 1996 and 1999). Advocates of the theory believed that the green cover had a direct and positive incidence on rainfall, the

intensity of water flows, and the frequency of floods in its immediate vicinity. The theory postulated that hill denudation led to outcomes as diverse as drought, dramatic floods, erosion, and silting damaging irrigation systems. As such, desiccation theory ascribed causal links between several disjointed processes, downplaying their complex, non-linear interactions (Saberwal 1996: 318). Desiccation also simplified scalar dynamics to a large degree. It posited that vegetation cover in the hills was essential for the protection of the local environment and the security of the agricultural sector downriver, in alluvial plains where mountain torrents typically fan out. As such, desiccation confirmed the colonial hierarchy according to which plain agriculture deserved preeminence over marginal livelihoods in the hills.

Desiccation theory was very much in vogue throughout the nineteenth and the first half of the twentieth century.<sup>144</sup> The demonstration has since been made that the effects of deforestation on climate change cannot be directly observed or deduced based on local and regional studies alone, as desiccation theorists earlier implied.<sup>145</sup> After all, the Indian monsoon – by far the most dramatic event affecting the Indian climate – remains a direct consequence of the uneven capacity of land and sea masses to absorb and transmit heat projected on a continental scale. Although the Himalayan barrier undeniably influences the monsoon, the presence or absence of green cover on its slopes appears to have only a small effect on a phenomenon of this magnitude.<sup>146</sup> On a planetary scale, forest cover and deforestation have an impact on the climate. However, this relation is not always visible at all times and in all places.

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144 The roots of the theory were in fact much older (see Grove 1994). However, during the nineteenth century, it gained a greater influence on policy-making due to the work of a cabal of scientists and foresters who used desiccation to convince the administrators of the Raj of the certain actions like the curtailment of forest rights.

145 See for instance Spracklen et al. 2012.

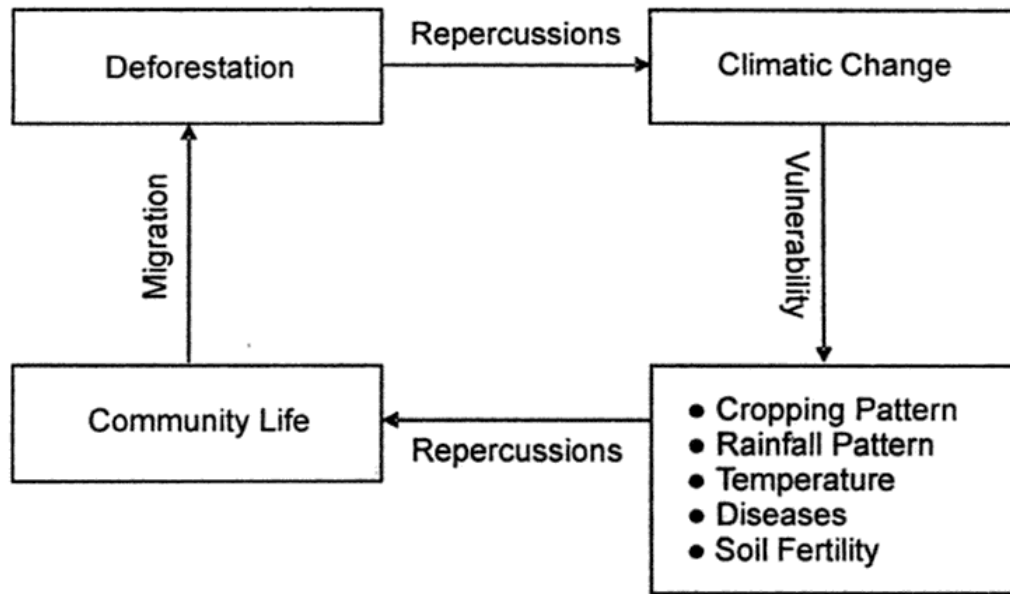
146 Spracklen et al. 2012 indicate that green cover has more incidence on determining rainfall amounts if located on the path of moist air instead of where precipitations will occur.

In India, desiccation theory was never met with a very strong opposition. The theory has lost its appeal for scientists, but public disavowals of the theory have been rare and only expressed timidly in the pages of the *Indian Forester*, one of the oldest forestry journals in the world and still a prime publishing venue for the state scientists and FD staff in India. In the 1960s and 1970s, desiccation saw its popularity decline; in the *Indian Forester*, it was progressively replaced by “interception studies” (the study of the capacity of the canopy, foliage, and litter on the ground to deflect the erosion caused by rainfall). Apposite rainfall-erosion indexes were developed along interception studies, marking a change compared to the previous research paradigm. However, a quick scan of the journal's abstracts reveals that direct statements against desiccation theory are limited to Ranganathan's observation that “careful experimental studies have indicated that the influence of forests on major climatic factors (especially rainfall) and on stream flow may have been overstated” (1950), and Dabral's tardy admission in his scoping review that: “it appears that forests do not exert any significant influence upon the rainfall of a region” (1983). These refutations not only came late, but also fell short of initiating a revision of earlier policy choices. In his work with the Gaddi pastoralists of Himachal Pradesh, Vasant Saberwal has extensively reviewed the scientific evidence in support of and in contradiction to desiccation theory. He noted that most empirical studies disproving the theory were conducted outside the subcontinent. The specific context and scientific culture of Indian forestry did not create an urge to experiment empirically (Saberwal 1996). Foresters strengthened state forest controls based on convenient facts, which they were not keen on testing empirically. Desiccation apparently enjoyed credibility for a longer period in India than anywhere else (*Ibid.*). In India, it operated more efficaciously as a rhetorical device and a political instrument than a tool for furthering geological and meteorological knowledge.

In the absence of vocal refutation, desiccation theory managed to survive as a political discourse legitimating material interventions in the name of scientific forestry. To this day, desiccation continues to be instrumentalized by politicians and activists posing as experts. Obviously, it is not the explanatory power of the model that gives it its appeal. Rather, the theory allows policy-makers to measure and rank forestry interventions, providing a scientific alibi for them to curtail certain activities, express environmental concerns, and offer draconian solutions to climatic issues.

The desiccationist discourse is still reproduced in textbooks intended for forestry students nowadays. In recent decades, it was even debated in the Indian parliament. For example, in his study *Deforestation and Socio-Economic Environment*, the sociology professor Kewlani relayed a hypothesis according to which deforestation *came earlier than* and was even *the cause of* the erosion that sculpted the precipitous landscape of the Shivaliks (2012: 30). By doing so, the professor attributed to deforestation geomorphic effects which are more likely to find their origins in the study of geology, soil composition, and meteorology. Through his writing, Kewlani has repeatedly asserted what were precepts of desiccation: “with deforestation, rainfall has reduced up to an appreciable extent” (*Ibid.* 197), “due to deforestation, even the pattern of rainfall has changed” (*Ibid.* 46), “the green cover maintains the temperature, upholds climatic stability [and] the forests have also been prominent for being inductive for rainfall” (*Ibid.* 184). But nowhere did Kewlani expound desiccation theory more clearly than in his diagram titled “The Vicious Circle”, reproduced on the next page (*Ibid.* 196).

In this vicious circle, (anthropogenic) deforestation altered the local climate; this in turn increased local vulnerability, changed the choice of crops, and caused human migrations. Kewlani always talked about the climate surrounding a discrete forest area, assuming that the



**Figure 7.1 : The Vicious Circle**

**Illustration 25** – Kewlani's "Vicious Circle" of local deforestation and climate change in his book *Deforestation and Socio-Economic Environment*, page 196.

green cover could regulate the climate locally. With sharp focus on proximate causes, Kewlani's argument assigned the most of the blame of environmental degradation to small cultivators already paying the price of climate change. Interestingly, Kewlani was also relaying the point of view of his local informants – mostly marginal farmers whose observations reflected local manifestations of change. On the one hand, Kewlani failed to explain how difficult it can be to link local observations to global phenomena.<sup>147</sup> On the other hand, he never explains how local views are shaped by formal education. Grade 8 science textbooks published by the National Council of Educational Research and Training, for instance, provide simplistic explanations of various natural phenomena, some of which are presented as maintaining causal relations also reminiscent of the desiccationist dogma.

<sup>147</sup> The links between deforestation and reduced rainfall, that Kewlani says his informants told him about during interviews, might have been suggested by his questionnaire, which went from questions about the causes of deforestation to questions about rainfall amounts, in that order.



Of all college textbooks, P.D. Sharma's *Ecology and Environment* probably enjoys the distinction of being the clearest in his reiteration of the desiccationist discourse, omitting none of the theory's finer details. It is also a popular reference topping the list of the “Ecology” section on the Internet retailer *Amazon.in* in 2017. Sharma's textbook was in its tenth reedition in 2008 and there was also a Hindi translation. While Sharma's other textbooks (*Environment and Biology*, *Environmental Biology*, *Environmental Biology and Toxicology*, etc.) did not sell as much, they too published in multiple editions and had several reprints. These textbooks were referenced in course *syllabi* in institutions serving as the main gateways to the Indian Administrative Services. Sharma's titles expound the same theories – in fact, lengthy passages are copied word-for-word from one textbook to the other. Sharma's influence on policy-making might be difficult to measure, but he certainly has contributed to creating an enduring buzz around desiccation. Bluntly, Sharma posits a linear relation linking overgrazing to deforestation, to erratic rainfall patterns, to accrued erosion, ending with extreme cycles of floods and droughts.<sup>148</sup> The professor understates the possibility that these processes operate independently from each other, or have non-anthropogenic origins. After all, the quantity and frequency of rainfall do not depend only on green cover. The geology, slope gradients, and soil composition can also influence precipitations and the water cycle (although they are not anthropogenic in nature).

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148 The excerpt: “problems arise due to over-grazing, indiscriminate felling (...) and overexploitation. (...) Soil erosion increases manifold (...) leading to an accentuated cycle of floods and drought (...). Thus foot hills of the Shivaliks once covered with dense forests, are facing an acute water scarcity and semi-desert conditions. When forests die, ecological balance maintained by nature breaks away, and floods and drought are the terrible consequence. *The trees not only increase rainfall of an area, but also conserve the water which falls on the ground as rain.* Plants also reduce evaporation thus allowing water to remain in soil for a long time” (Sharma 2008: 247, *my emphasis*). Professor Sharma reiterates on the same and following pages that deforestation alters weather patterns, rainfall, etc. His tone is alarmist and he bases his argument on on a few studies concerned exclusively with localized settings, where erosion is notoriously bad. He also provides vertiginous figures of aggregates (for example, India losing 6 billion tonnes of sediment every year to erosion) without providing baselines that could assist the reader in interpreting them. It is these kinds of strategies that have precisely been shown to orient debates in political, rather than scientific ways (Saberwal 1999, Kirsh 2013). Sharma ignores a variety of alternative factors to draw simple, Malthusian conclusions. For him, like colonial observers before him, “the causes of deforestation and denudation are well known. The principal causes have been the population explosion in man and livestock (...)” (*Ibid.*).

As the dissemination of desiccation theory continued in the classroom, it penetrated popular and political imaginations. The shadow of desiccation theory has occasionally resurfaced in the *Lok Sabha* (the Lower House of the Indian Parliament) in recent decades.<sup>149</sup> Without a strong response from scientists aimed at preventing this discredited and misleading theory from being instrumentalized, desiccation is likely to continue inspiring policies which are hostile to forest dependent populations. Members of the Lower House invoked desiccation theory in three forms of varying intensity. In its simplest form, the presumption was that anthropogenic deforestation sped up erosion. Though this is a partial truth, the repeated omission that erosion has other causes besides human-made deforestation is at issue – especially when statements about anthropogenic environmental degradation justify drastic interventions and tighter controls of marginal livelihoods in hill areas (pastoralism, for example).

As Ives and Messerli have pointed out in their authoritative study that toppled another popular and alarmist Malthusian discourse called the “Himalayan degradation theory”, the issue is not that some factors of erosion are human-made, but that human-made factors (with the exception of mining) cause limited erosion in comparison to competing, natural factors (1989). Monster floods hit Uttarakhand before I began my fieldwork in 2013, causing incalculable devastation and the loss of thousands of lives (tens of thousands by some accounts). In the aftermath of this tragedy, the media featured self-proclaimed “environmentalists” blaming human-made causes: deforestation by improvident villagers, “development”, damming of the rivers, and road building. During academic conferences at the University of Srinagar, a large hill town that was severely hit by the floods, the same human-made causes of erosion were addressed, but not the natural processes that dramatically affect the Himalayan landscape. Of course,

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149 Lower house of the Indian Parliament.

deforestation can have important consequences for communities relying on the resources of their immediate surroundings for their livelihoods. Deforestation deprives locals and exposes the land to surface erosion, depriving the soils from its nutrients. Anthropogenic action, however, mostly fails to explain larger scale events beyond surface or local erosion (Hofer 1993). Calamities of the magnitude of the 2012 floods in Uttarakhand cannot be attributed to human-made alteration of the local and regional landscapes alone.

During the debates “on calamities in various parts of the country” heard in the Lok Sabha on August 9<sup>th</sup>, 2001, elected member of the BJP, Kharabela Swain, expressed feelings “that poverty has a very intense relationship with the natural calamities”. He suggested that “due to widespread deforestation in Orissa jungles, the natural calamities – floods, cyclone and drought – are taking place.” This is exemplary of the second form of iteration of desiccation theory, which is also more controversial because it insinuates that there exists a cause-and-effect relation between deforestation and precipitations, as in the words of Gopinath Gajapati from the Indian Congress Party: “wanton deforestation leading to scarce rainfall and lowering of ground-water table in Kalahandi and Bolangir Districts” (July 30<sup>th</sup> 1992), or Gir Dharilal Bharagava: “My submission is this that if the present trend of deforestation goes unabated, then neither there will be any rainfall nor we would be able to check pollution” (March 19<sup>th</sup>, 1993). Comments of this sort get closer to the crux of desiccation theory in the sense that they ascribe to forests more regulatory power over rainfall amounts.

The third and most polemical category of allusions to desiccation theory overtly claims that deforestation dramatically alter the climate in the region where it occurs. The politician Brikram Deo Keshari offered a blatant example of this persuasion on October 28<sup>th</sup>, 1999:

The complete environment of the area has been shattered and that has to be restored immediately. Now another cyclone is coming. Why is it that cyclones keep coming? *There has been an environmental imbalance in the Bay of Bengal or in the environment of Orissa and the hills of the Eastern Ghats which control the complete ecosystem of that area. Today the Eastern Ghats have been completely denuded of forests.* We usually get south-west monsoon. But this time we got the north-east monsoon which eventually came and touched the coast of Orissa and the cyclone was created because of low pressure. There has been a global warming effective in the State of Orissa to the maximum extent. This has to be checked. (The emphasis is mine.)

Desiccationist discourse has survived and still serves as a technology of power legitimating specific kinds of interventions in spite of accumulated scientific evidence proving that its postulates are mistaken (Saberwal 1996). As new concepts such as the Anthropocene emerge, along with concerns about the anthropogenic causes of global warming, it might be a good idea to start asking what sort of science people deem important and understand, and to what avail. One reason to do so, in India at least, is that theories like desiccation – theories historically linked with exclusionary policies – can creep back like an old habit. In the past decade, after a long hiatus, articles published in the *Indian Forester* once again suggested that human-made deforestation affected rainfall patterns and the seasons (see for instance Ram and Mazumder 2006, Gautam et al. 2006, Negi et al. 2003).<sup>150</sup> Since the nineteenth century, desiccation has lent its language to state program administrators whom it pleased to ascribe causes and effects to environmental degradation and blame subaltern populations already paying more than their fair share of the costs associated such destruction. Like Malthusian explanations more generally, desiccation theory has legitimated interventions in the name of security (under the headings of conservation and environmental protection), but has remained impervious to questions of

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<sup>150</sup> I have limited my research to blatant iterations of the desiccation theory, but have no doubt that the issue is more widespread. For example, the premises of desiccationist discourse have several similarities with those of conventional environmentalism.

environmental justice. The kind of “security measures” justified on the ground of desiccation typically protected the interests of dominant groups, whereas the poor are subjected to monitoring and marginalized (Peluso and Watts 2001). With this conclusion in mind, the next section returns to the nineteenth century to explore the effects of desiccation theory on the Van Gujjars of the Saharanpur (U.P.) Shivaliks at that time.

### **A nineteenth century inquiry in the causes of floods: the Van Gujjars as likely culprits**

The 1883-4 inquiry by the Irrigation Department into the risks of flooding near the Yamuna Canal infrastructures discussed the feasibility of excluding Van Gujjars from forests. While the proceedings articulated a desiccationist point of view, they also offered a glaring example of the manoeuvres undertaken by top-level officials in order to save costs, save face, and avoid interdepartmental strife – a topic of particular interest due to its impact on policy enforcement, including the policing of forest dwellers and nomads. This section surveys old debates about cattle controls, illustrating how jungle governmentality was mediated by local politics and a specific *style* of government which, in forest areas, was paternalistic and authoritarian, although also lenient and arbitrary at times. This section also offers some explanation as to why the Van Gujjars could so easily become targets of choice for tougher controls even though other cattle owners also used the forest resources.

A major flood occurred in the Saharanpur District in 1880, which sent a loud alarm to the engineers of the Eastern Jamna (Yamuna) Canal, who began to worry for their infrastructures. The Irrigation Department investigated. The executive engineer of the canal, Palmer, gathered local testimonies to verify whether similar events had to be expected on a regular basis. Palmer tabled a report in 1883 that juxtaposed the opinions of a middle-aged man from Behat named

Shaikh Khadim Husain, a *lambardar* from Raipur (not a Van Gujjar *lambardar*), an unnamed but “old and intelligent farmer”, an elderly canal *chaukidar* named Gulab, and one anonymous *zamindar* who had lost 12 bighas of land estate to the swollen torrents. It is worth noting that none of these *men* – as only men were queried – could provide a firsthand account of the floods 40 years earlier. Reputedly, the Saharanpur region had been depopulated much earlier than 1880 events and its demographics had only started to recover towards the end of the nineteenth century (Cautley 1834 reprinted in Prinsep et al. 1858: 76). In the Saharanpur district, the threads that normally tie human memories to their dwelling places had been severed by this depopulation. Before people came back to this area, they had moved away and forgotten about the floods, hence the difficulty experienced by the engineers in assessing the risk of flooding with accuracy. The only testimony recorded by Palmer that harked back to a past more remote than a man's lifespan was not voiced by a mortal, but rather came from an old well from Shajahan's era. The structure barely escaped annihilation as the waters burst in 1880. It then remained in plain sight after the waters had receded, partly unearthed and severely damaged. The engineer Palmer interpreted the near collapse of this structure that had weathered many perils over the centuries as an indubitable sign confirming that the magnitude of the 1880 flood was unprecedented.

It remains unclear how Palmer analyzed the eclectic evidence that he had collected from his local informants. All that is certain is that he only quoted people who shared the same, unequivocal opinion. To all those he queried, the force of the torrents had gradually increased and the flood of 1880 was the biggest they had ever witnessed. Palmer did not question these testimonies, although recent fears and anxieties (and the actual loss of 12 bighas of land by one *zamindar*) might have altered how his sources remembered previous floods. Without a second thought, Palmer penned a dreadful prophecy based on the scanty evidence that he possessed:

unless something was done rapidly, Palmer wrote, the Shivalik hills would “emulate” the *chos*<sup>151</sup> of Hoshiarpur. Hoshiarpur was the name of a degraded region of the western Shivaliks (located 200 kilometers north-west from the Saharanpur Shivaliks) and a central observatory for desiccation theory. It was also the home of Gujjar herders and Gaddi shepherds.

Several state foresters had suggested that the main cause of degradation in the Hoshiarpur Shivaliks was overgrazing. Palmer certainly did not dispute their interpretation. Quite to the contrary, he scanned the landscape at the farthest corner of the Saharanpur District expecting to find similar patterns of overstocking and overgrazing. For Palmer, the causes of the floods were human-made and “not far to seek”.<sup>152</sup> The chief engineer also asserted that human populations had steeply increased and the cattle as well, the result being that “jungles and pastures[were] grazed very bare”.<sup>153</sup> According to him, the forests failed to regenerate naturally in the Saharanpur District because plant seedlings were either browsed or trampled by livestock. Alternatively, the engineer presupposed that the unpredictable monsoon torrents could “be converted into a steadily-flowing stream with a regular current during, say, six months of the year” if the hills were “clothed back” with trees.<sup>154</sup> The foresters working in Hoshiarpur shared similar views. They wished to exclude cattle as a measure promoting forest regeneration although no experimental study supported their proposal (Ribbentrop, as cited by d'Arcy, 1884).

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151 A concept for naming a seasonal torrent or river whose bottom, when dry, is sandy. Copy of Smythies' report, Dehradun, September 25<sup>th</sup> 1884, as found in Revenue (Forests) Department, File 30, Serial 13.

152 Revenue (Forests) Department, File 30, Serial 1: Office Memo No. C.3091, Nainital, which is a copy of Palmer's report to the Superintending Engineer, 3<sup>rd</sup> Circle, Irrigation, N.W.P., dated May 7<sup>th</sup> 1883.

153 *Ibid.*

154 *Ibid.*





**Illustration 25** – *A sketch of a ravine in the Hoshiarpur region in the journal Indian Forester, 1880.*



Palmer confidently extrapolated that all Shivaliks would become like those in Hoshiarpur District if no preventive measure was adopted. In fact, different demographics, patterns and types of land use, slope gradients, rainfall patterns, and soil composition (the sandy loam and clay of the Hoshiarpur being “so soft as to be easily cut with a knife”, Baden-Powell 1879: 10) made it difficult to compare the two locations (Saberwal 1996: 326). However, in the nineteenth century, even scientific minds like the forester-cum-historian Ribbentrop speculated about the causes of erosion based on scanty evidence, while at the same time regretting the lack of rigorous studies and making proposals to conduct one. Ribbentrop personally contended “that the denudation of the hill sides is comparatively modern” and the culprits, to him, were the nomads. He said this scenario “has repeated itself amongst nomadic tribes since the days of Lot, and which must end in famine, disease, or emigration” (*Ibid.* 169). Ribbentrop's analysis also rested on a superficial comparison between different hill profiles, which I reproduce here. The quote on the left side of the figure is from Ribbentrop's original *Indian Forester* article and presents a glaring inconsistency. It affirms that a broken skyline like “profile 1” signalled recent hill deforestation (as in the Jehlum District, in present-day Pakistan). In Hoshiarpur, however, a traversal cut of the hills would have looked a lot like “profile 2”, a typically “old”, eroded landscape. Deforestation in Hoshiarpur was presumed to be human-made and of recent origin, however. To explain how recent denudation could produce a typically old landscape in Hoshiarpur, the forester had to mention the friable nature of the soil there. But why consider soil composition in one case but not the other?

The present aspect of a section of the surface is like *Fig. 1*;—whereas had it always been barren it would be like *Fig. 2*. That the Hoshiarpur ‘chos,’ only recently deforested, are mostly peaked, as shown in the second illustration, is due to the extremely friable character of the sandstones of which they are composed.



**Illustration 26** – Drawings and except from an article on the “chos” of Hoshiarpur, published in the *Indian Forester* Vol. 5, no. 1, 1879

For the Ex-Conservator of Punjab, Baden-Powell, the loss of forest cover in the hills was an “evil” that needed to be “combated” (1879). This prolific writer did not mince words in framing the nomads as the source of this evil, and a majority of forest officers demonstrated the same impetuosity as they jumped to conclusions regarding the causes of environmental degradation. Confidence in the validity of desiccationist assumptions certainly added blinders to the experts' analysis. In such intellectual context, it is no coincidence if Palmer's report counted several blind spots. Firstly, the methodology employed was not clear. How were the informants sampled? How faithfully were their testimonies reported? How did their accounts compare to the archival sources available at the time? Secondly, Palmer did not give much consideration to the subjective feelings of his witnesses. How did people experience this and similar floods? What criteria and standards were people using to describe such experience? Thirdly, Palmer's conclusions adhered so closely to the narrative of desiccation that it is difficult not to note his teleological bias.

Oddly, Palmer never mentioned whether he queried his informants about grazing. The canal's First Engineer neglected to say whether his informants identified the same causes of

degradation as he did, or even supported the actions that he called for, namely more stringent cattle controls. Such cherry picking, omission of material, and biased presentation were typical of colonial sciences. Information was selected for its conformity with the British framework, rather than to understand the native's point of view on a given phenomenon (cf. Cohn 1987).<sup>155</sup>

To the scientific community indoctrinated by desiccation, cattle controls were an unavoidable step to foster the “growing back” of the thick cloak of trees which was presumed to have once covered the hills. Still, the claim that the hills had once been greener was dubious. Even the most authoritative historical reference at the time, the *Gazetteer of the N.W.P.*, bore no recollection of a greener past. Rather, it described the southern face of the Shivaliks as “a steep and bold escarpment probably unsuited for trees.”<sup>156</sup> In this context, how could removing cattle “bring back” green cover?

The British foresters were no stranger to historical revisionism. In effect, their writings were peppered with quotes from early records selected based on how they fit the colonial grids of analysis. Even moderates like forest officer D'Arcy, who in these debate remained unsure that deforestation affected the climate, still believed that the Shivaliks had been denuded by human groups and their cattle in a recent past. D'Arcy vaguely remembered reading somewhere that “even within the historic age of Alexander the Great's time, these hills were densely wooded” (in d'Arcy 1884: 165). To him, this was sufficient evidence, and there was no question for him to doubt or even bring nuance to ancient tales based on the perceptions of troops pleased to see bits of greenery and different tree species after having campaigned across thousands of kilometers of arid lands and deserts.

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<sup>155</sup> This is a point that is hardly ever resolved in discussions about the political implications of studying traditional ecological knowledge across different human cultures (cf. Berkes 2008: 30-31). The Subaltern Studies, and Shahid Amin in particular, might have made a major contribution to the critical assessment of how colonial powers used local testimonies to reach their own objectives (see Amin's “Approver Testimony”, 1987).

<sup>156</sup> Quoted in the Notes and Orders attached to Revenue (Forests) Department, File 30, Serial 1-4.

The archaeological evidence was also opportunistically appropriated by colonial science. The ruins of a village found during the excavation of the Doab canal in 1834, buried 17 feet (5.1 meters) under the town of Behat in Saharanpur District, served as a cautionary tale about the risks of vegetation loss and rapid erosion. This fable was then reprinted in every decennial management plan for the Shivalik (Saharanpur) Division.<sup>157</sup> This is interesting because, Captain Cautley, who had superintended the Doab Canal operations, and who identified the various coins unearthed by the digging, had himself earlier produced numismatic reports stuffed with regional lore:

“To a person at all acquainted with the strange revolutions that take place on the surface, in the proximity of these mountain torrents, provincially termed '*raos*,' the mere change of the river's course, or an extensive deposit of sand on a wide surface, *thereby laying waste large tracts of cultivable soil, would not be at all surprising: such changes are in constant progress, and thing of annual occurrence.* The course of the Nogaon *rao* has been so altered within the last half century, according to the information of a respectable Zamindar or landholder who resides at Behat, that the features of the country are perfectly changed since his childhood (1834: 76, *my emphasis*).

This quote seems to indicate that the dynamic properties of the Shivalik landscape were known at a very early date. However, Cautley's tone showed no sign of alarm about either deforestation or floods. This ranked official surely did not see those natural processes through desiccationist lenses. Later, the evidence provided by this buried village would be reframed in the context of biblical accounts explaining the disappearance of early civilizations. State foresters fearing for the exhaustion of the timber supply endowed the archaeological site at Behat with eschatological significance, reading into it a presage of the end of the world. This did not only

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<sup>157</sup> Then a small market town, Behat is today the hub of the sub-district (*tehsil*) where the Van Gujjars of the Shivaliks report.

happen in colonial India. In the United States of America, for example, the influential forester Lowdermilk asserted approximately at the same time that erosion was “fatal to civilization”. Lowdermilk met his Indian counterparts in the persons of Smythies and Sitholey. The first wrote that: “even mighty Empires have crumbled before the irresistible advance of human-made deserts and sheet erosion”, outcomes which had been “widely ascribed by many authorities to the destruction of the natural vegetation by man and his cattle, while the ruination of hundreds of villages in the Hoshiarpur district of the Punjab, due to the destruction of the forests, in the adjoining hills, is a well known phenomenon.” For his part, Sitholey was of the opinion that “erosion was thus responsible for the extinction of the earliest known civilisation in India” (all three quotes found in Saberwal 1996: 320, 332 and 333 respectively). For Ribbentrop, cited above, overgrazing was a scourge that “enfeebled” the cattle and wasted the resources; it had resulted “in famine, disease, or emigration” since Antediluvian times (d'Arcy 1884: 169). The extreme conclusions of desiccation theory revealed once more the ravaging anxieties of the Raj concerning its own perpetuation. Furthermore, colonial foresters thought that: “A race can only deteriorate when it is called on to make no sacrifices and to think only of the present”.<sup>158</sup> Therefore, these British officers advocated for stopping practices which they had considered as wasteful, such as grazing.

Desiccation theory had a few skeptics. Among them was the N.W.P. under-secretary, F. Baker. In 1883, his dispatches from the summer seat of government in Nainital queried the Saharanpur Shivalik foresters for details regarding the actual “possibility” to grow more trees in those hill regions.<sup>159</sup> His demands only met rhetorical answers from senior forest officers. Consider Mr. Lane's laconic reply: “There can be *no question* that these slopes would become

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158 Revenue (Forests) Department, File 32, Serial 9.

159 Revenue (Forests) Department, File 30, Serial 2.

again covered with trees if properly preserved, that is, if they were freed from fire and grazing.”<sup>160</sup> Forest Conservator Bailey also supported this conclusion although he admitted lacking supporting evidence. His tone was also less assertive. To him, “this tract of country was *probably*, at no very remote date, covered with a good crop of trees.”<sup>161</sup> Generally speaking, supporters of desiccation never had to question their belief. They took it for granted that the slopes rolling in front of their eyes were once covered by a thick forest canopy, and no one seriously contradicted their thinking.

One rare dissenter, the officer Gibbs, opined that “clothing” the steep escarpments of the Shivaliks with trees would be technically challenging, and yet fail to protect the canal effectively. Gibbs privileged “*reboisement*” in the plains instead.<sup>162</sup> The canal being bordered by fields, Gibbs remarked that agricultural land could easily be washed away for lack of a root system keeping the soils together. Conservator Smythies had earlier advanced the theory that extensive clearings and tillage of agricultural land pushed villagers searching for fodder and firewood farther in the hills, accelerating hill deforestation. However, unlike Gibbs, Smythies remained a staunch advocate of desiccationist discourse. Even if he perceived the existence of a link between forests and fields, like other FD officer, Smythies prioritized the protection of the hills, which he also saw as his duty.

In the end, even Mr. Gibbs agreed that afforesting cultivated lands was “retrograde” policy. As an alternative, he proposed to build sturdier embankments on the canal. No one at the decision-making level approved the costs likely entailed by such monumental work, however. Short of other options, the decision was made to push for tighter cattle control in the Shivalik

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160 Also Revenue (Forests) Department, File 30, Serial 9: Letter No. 368/IV-104 dated June 11<sup>th</sup>, 1884. My emphasis.

161 In the same file: Letter No. 190 by Major F. Bailey, Conservator of Forests, School circle. *My emphasis*.

162 The French here reveals a connection to a worldwide scientific community, cf. Rangan 1997.

Division. Being much cheaper, this measure created a consensus among experts and administrators from all the departments involved. Meanwhile, the lack of solid evidence proving that additional restrictions on grazing would bring back a hypothetical forest that no one had ever seen was not regarded as a serious problem.

*Cattle restrictions against the Van Gujjars: an affordable, legally enforceable way out*

Rallying around desiccation theory, colonial experts adopted a course of action which they thought would prevent flooding of the Yamuna Canal. This plan was particularly hostile to cattle owners, and to the Van Gujjars most of all. To understand why, looking at the cattle censuses appended to the proceedings is imperative. Surveyed cattle were broken down into three categories (which differed slightly from the aforementioned three categories – privileged, normal and professional): there were cattle grazed by villagers, cattle grazed by professionals, and cattle in the possession of the (increasingly racialized) nomadic Van Gujjars (see next chapter).

Citing these cattle surveys, Smythies reported that the members of the first category of herders – settled villagers in the Shivalik area – were entitled to graze 1,230 heads at concessional rates. It was also known that concession holders grazed 477 animals in excess of their allowance, for a total of 1,707 heads of cattle.<sup>163</sup> On top of this, the villages of Shafipur, Kasimpur, Roshanpur, Kotri Behlolpur, and Fathahpur-Nauabad grazed an additional 1,150 heads of livestock but had no concession. Thus, the total cattle in possession of villagers amounted to 2,857. The second category of owners, lowland professionals called “local Gujars”, had consistently brought a few hundred more animals in the district forests for the last 20 years.<sup>164</sup>

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<sup>163</sup> All numbers from Revenue (Forests) Department, File 30.

<sup>164</sup> In a report submitted in 1883, Smythies termed them “Gujars”, using the word as a shorthand for local grazers, even if he knew beyond any doubt that they “do not all belong to people who are strictly of the Gujar caste”. “Gujars” designated professional herders or pastoralists who rather than returning home every night, stayed with their herds. “Local Gujjars” probably stayed in the N.W.P. throughout the year, contrary to most Van Gujjars who

Smythies advocated for the indiscriminate accommodation of this total cattle, being convinced that, lest these owners were provided access to fodder elsewhere, they would suffer great “injury”. This lenient approach toward villagers and “local” lowland professionals is best explained by the fact that the FD had its hands full with the demands of the Irrigation Department who asked for its assistance with flood prevention and was thus in no situation to pick another fight with the Revenue Department who had jurisdiction over villages. Alternatively, the Van Gujjars lived exclusively within forest boundaries. They were entirely dependent on the FD for access, and in a way their headmen were infeodated to the FD. As a result, they were much more likely to become the target of the FD’s regulatory changes.

According to surveys from the same period, the Van Gujjars kept 542 buffaloes, 26 cows, and 81 sheep or goats in five different *kholes*. These are surprisingly low numbers, considering the figures previously discussed in this chapter, and the fact that a single herder could own as many as 350 heads of cattle. Either Van Gujjar cattle had been unreported by a wide margin (by cunning *lambardars*) or many more Van Gujjars were yet to enter the Shivaliks in the 1880s. The proceedings indeed alleged that the Van Gujjars came to the Shivaliks only six years before the opening of the inquiry about the flood of 1880. It thus seems reasonable to think that more families migrated at a later date.

If this information can be trusted, this means that the FD tried to depict the Van Gujjars as the primary cause of environmental degradation in the Shivaliks despite their small numbers and very recent arrival. The foresters affirmed that the Van Gujjars “do everything which is most prejudicial to forest conservancy, and most certain to increase the volume and force of the torrents”.<sup>165</sup> They warned: “They must be turned out neck and crop, and never

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emigrated to different native states for the summer.  
165 Revenue (Forests) Department, File 30, Serial 7: Copy of Smythies' Report, Letter No. 37 dated July 26<sup>th</sup>, 1883.



allowed to enter these forests again”.<sup>166</sup> Although the stance of the central revenue administration was typically more conciliatory toward native populations than that of the FD, in this case even Commissioner Lane did not suffer being outdone at blaming the Gujjars. He added: “These men are so destructive that they and their buffaloes must be rigidly excluded. They have no prescriptive rights in these forests”.<sup>167</sup> These were surprisingly harsh accusations to be levelled against a handful of recently arrived nomads. Politically, something was going awry for the Van Gujjars. Either the FD was dissatisfied with the way *lambardars* handled the cattle census, or their gifts were judged insufficient, or the rank-and-file of the FD felt – using the words of contemporary officers and Van Gujjars – “pressures from above” that compelled them to crack down on an irregular situation.

The economic stakes remained crucial to taking the decision of evicting the jungle pastoralists. The FD sought compensation from the Irrigation Department for proposed afforestation efforts and potential revenue loss due to the removal of the pastoralists. Conservator Bailey had boldly petitioned the Irrigation Department to pay half the costs of fire-protection, stating that a healthy forest would prevent damages caused by the hill torrents. The Irrigation had acknowledged his demands and a deal was about to be struck between the Forest and Irrigation departments when, in June or July 1884, the state administration intervened in the matter, ruling that the Irrigation should not pay a dime. Fire protection was the duty of the FD under any circumstance, and it was to foot the bill alone. Around the same time, Fisher took over Bailey's position as conservator. He thus inherited the task of expelling the Van Gujjars from the forests. At first, this policy seemed to match his personal preferences, he who had previously fought for tax hikes and stricter controls to reduce cattle numbers (see above). However, since the deal that

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<sup>166</sup> *Ibid.*

<sup>167</sup> Revenue (Forests) Department, File 30, Serial 9.

Bailey had bargained for with the Irrigation was off the table, Fisher faced the dim prospect of uncompensated revenue loss if he went ahead with the eviction of the nomads.

Fisher's final decision regarding the Van Gujjars was unexpected. Through official orders, he closed the forest blocks of the Saharanpur Division, but only to hunting and shooting, not even once mentioning the Van Gujjars! Fisher further added a rule to the effect that, whenever a forest block had to be closed to grazing – as periodically required by forestry operations – the closure had to be locally “posted”. This rule made little sense in the context of a ban on Van Gujjars' husbandry, firstly because the nomadic herders did not live in villages where closure orders could be posted, and secondly because Van Gujjars were illiterate. Fisher still sent a copy of this last directive to the Collector of Saharanpur. It is important to understand that the Collector did not enjoy jurisdiction over areas demarcated as state forests. What this meant, in reality, was that Fisher had found an oblique approach to extending his checks and controls to cattle belonging to villagers without infringing on the authority or jurisdiction of the Revenue Department: periodic closures within forests would affect village privileges from that period onward. But concretely, nothing was decided about the Van Gujjars.

Based only on the proceedings, it is difficult to say what prevented Fisher from expelling the Van Gujjars from their jungles once and for all. Of course, the archives do not relay the Van Gujjars' point of view on this question. For one thing, the silence of the *lambardars* through the archival record is astounding. What they did in this context and what impact their actions had, this remains a mystery. There can be no certainty in concluding that either the nomads' fiscal contribution had become indispensable to the activities of the FD, or that the direction of the Department sensed that it could lose the support of its subordinate staff as well as many more villagers if the flow of milk and gifts stopped.

When the FD looked to solve the issues of the Irrigation Department, it naturally turned to the Van Gujjars, partly because desiccation theory prepared most state experts to draw a direct link between anthropogenic change, herding, climate, and floods, and partly because the Van Gujjars were under the sway of the FD. The theory, by itself, made no distinction between village and nomadic grazing, but the Van Gujjars were the only ones in these parts to live exclusively within the jurisdiction of the FD. The surprising – and rather mysterious – conclusion to this story features a forest conservator who had attempted to restrict forest access to nomads earlier in his career, but ultimately did not evict the Van Gujjars when an opportunity presented itself to him. This ending reads partly as the triumph of economic opportunism, as Fisher's decision protected the gifts that the Van Gujjars paid to FD workers and village authorities. Economically reductionist interpretations asides, however, the Van Gujjars had been identified as “quite destructive” by prevailing theories (see next chapter), and they remained easy targets of control for the FD because their lives and livelihoods were placed under the jurisdiction of the Department. The various technologies of power available to the FD would continue to be hostile and instrument of control over the jungle pastoralists. The result was that, to maintain access to forests which, it was believed, they were damaging to a great extent, the Van Gujjars were made to pay an unspecified, but wildly exaggerated price for more than 130 years.

## **Conclusion**

Where to locate the roots of Van Gujjar marginalization? This chapter has highlighted several factors that have contributed to the progressive degradation of the pastoralists' social standing and living conditions since the nineteenth century. First, impoverishment and marginalization were caused by the transformation of the political economy in the hills, a thriving

timber market and a tenure system redefined by colonial powers through leases, enclosures, and notions of exclusive property. These initiatives displaced populations, and the new boundaries rendered herders' mobility more visible, relabelling it as trespassing, encroachment, and violation of law and order by the same token. Concretely, the changing of the migration routes caused discontent among populations already settled in the hills, who felt their pastures were being taken away from them. These cascading effects were not only due to the imposition of an imported legal apparatus, because the concepts of the latter, and colonial initiatives more generally, had to be adapted, translated, and reinterpreted in the sites where they were imposed. The processes of forest demarcation, right recognition, and even the body of scientific knowledge that was modern forestry were vernacularized and indigenized during encounters with local populations and through political contests, overt or not. Without a doubt, exclusionary boundaries and the legal framework imposed by the British undermined Van Gujjar access. However, the pastoralists retained certain “privileges” through direct negotiations with hill farmers, peasants, and the FD staff too. The herders' performances and the *lambardars'* gifts were instrumental to such achievement. Like other traditional leaders, the *lambardars* were able to inflect the exercise of government in the hills, taking advantage of the self-professed paternalism of the colonizers, and even solicited it. The Van Gujjars did not only oppose to colonial state formation, they shaped the style of jungle government by encouraging the officials' use of discretion and arbitrariness. Interdepartmental frictions, meanwhile, required the FD to reconsider its policies from time to time. Powerful discourses depicting the Van Gujjars as aliens and even habitual criminals or trouble-makers also added a layer of complexity to the processes leading to their marginalization.

Today, the Van Gujjars generally maintain a positive image of the past. According to

them, generations ago, their ancestors could successfully raise gigantic herds, forest resources were abundant, and the social climate of forests and pastures was more conciliatory or permissive. This rosy representation of the past in collective memory might come as a surprise, given that the colonial era was also epitomized by exaction and coercion. The Van Gujjars, however, neither emphasized the abuses nor the violence of the past during their interviews with me. Instead, they highlighted their own historical achievements, how they once were affluent herders who maintained a functional relationship with the colonial authorities. The Gujjars' oral history testifies to the fact that particularly committed constables of the FD could go so far as to warn Van Gujjars about imminent danger and even protect them from harm during conflicts. This, I think, is as a paradoxical effect of the peculiar *stylization of government* that prevailed in hills and forests. In other words, Van Gujjar collective memory was shaped by a governmental ambiguity that was inherent to forests. The Van Gujjars have collaborated, and still collaborate with the FD; according to them, their extra-legal manoeuvres, gifts, and “double payments” still stand as a legitimate basis for asserting rights over the forest, which they refer to as their *haq* or *haqooq* (see above). Such narratives shows Van Gujjars being agents of historical importance, rather than hapless traditional producers. It shows them courageously navigating the sea of changes brought by forestry.

The Van Gujjars also seem to selectively construct their past in order to explain their current predicaments and address questions for which they lack a satisfactory answer. Their memories foreground their own standards of excellence, leadership, and morality. Their narrative also outlines a theory explaining their social and economic impoverishment, or why they are neither as tall and healthy, nor living as long as their mythical ancestors. Such local theory simultaneously condemns state policies failing at recognizing the rights of the Van Gujjars as

traditional forest dwellers having been marginalized by the FD for many generations, rights that as Indian citizens they expect to be granted, as well as indemnifications. The archival evidence on which this chapter draws can complete Van Gujjars' explanations by showing how irregular governmental practices based on biased theories and arbitrary practices often failed to translate into clear, deliberate actions inside forest boundaries, and how the rational march of history and the development of scientific forestry cannot be taken for granted. What began as an investigation into the causes of marginalization ended on a critique of the imperfect nature of jungle governments, as well as the theories and social relationships underpinning them. The archive does not invalidate the claims of the Van Gujjars today. The historical injustices that they decry are very real. The archival record also reveals that the colonial state was never a monolith. There were tensions between departments and the state's interventions were sometime contradictory. My focus on struggles which have defined access to specific forest regions highlighted the active role of Van Gujjars as member of jungle government, subject to norms of behavior but also capable of influencing how state workers conducted themselves. Conventional historiography tends to smudge over these contentious politics in trying to create a seamless narrative indicting a particular brand of colonial or “scientific” forestry as the source of all injustices and abuses within forests (such historiography blaming colonial power for past evils whitewashes postcolonial/national governments that, in fact, did not significantly improve the lives of their forest constituents). The next chapter investigates tree lopping – the gleaning of leaves as fodder for the buffaloes –, a technique that the FD has identified with Van Gujjar nature. Its argument also questions different rationales used by colonial and postcolonial state officials for further controlling the Van Gujjars, the technologies deployed to this effect, and the changing identities ascribed to, and performed by increasingly marginalized forest dwellers.



## CHAPTER V

### Lopping Rules and Regulations: Knowledge Production, Racial Profiling and Van Gujjar Criminality

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The rules are not strict, and, in the interests of the *gujars* themselves, should be rigidly enforced.

- Conservator F. W. Champion, 1932: 114.<sup>168</sup>

At dawn, Faruk ritually completed his morning preparations in the cold. He rolled his *patal*<sup>169</sup> in a blanket on top of which he tied the custom-made saddle of his beat-up motorbike – a *Hero Honda, 100 c.c.* – as well as two large, empty milk tins. Then he quickly downed a bowl of sugared milk tea and was ready to drive off. His mother, Shakeena, took her place behind him, sitting sideways on the exhausted two-wheeler. Since her husband passed away, she accompanied her son on most mornings to the *tappar*<sup>170</sup> where their hungry buffaloes waited for them. The drive was four kilometers upriver. On the way, Faruk and Shakeena crossed bumpy boulder fields, treacherous patches of sand, and pebbly rivulets. Upon reaching destination, Faruk climbed a tall tree, a *sain tree (Terminalia tomentosa)* which can grow to a height of 30 meters.

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168 From the chapter “The professional graziers' working circle” in the Working Plan of the Dehradun Forest Division.

169 A hand tool with a J-shaped blade used for lopping leaf fodder.

170 A *tappar* is a grassy clearing or natural terrace typically on the edge of a jungle river.



*Sain* is listed among the species which are prohibited for lopping, but the buffaloes find its leaves very palatable and therefore the Van Gujjars routinely breached the rules for *sain*.

One needs to be a trained daredevil to climb to the top foliage of a *sain* tree. In spots where the trunk was too thick to reach around with both arms, and branches too far apart to grab and pull on them, Faruk swung the tipped end of his curved *patal* at the trunk. Thrusting the steel into the bark, he managed to create a temporary handle that allowed him to move past the smooth, branchless sections. The tool never pierced very deep, one inch perhaps, and Faruk yanked on it with both hands before lunging for the next limb of the tree. If the tool was to detach itself from the bark, nothing would have prevented Faruk from plummeting to the ground.

Once steady in his lofty position, perched high in the tree, Faruk lopped branches with expert *patal* blows and much gusto. Meanwhile, his mother Shakeena remained on the ground and tended to the buffaloes, patting their foreheads and talking to them. Most importantly, she prevented the buffaloes from marching onward to the green leaves which were accumulating in a copious heap below Faruk. She would not set the buffaloes loose before Faruk was done, lest they be injured by the falling branches. Shakeena also guided Faruk. Whenever she felt that her son was progressing too far on a branch that could break under his weight at his next step, she warned him with a shout: “*Don't!*”.

Lopping is dangerous work, but the regular knocks of the blade induced Faruk to sing *Gujri* and *Bollywood* songs. As I listened to the lyrics, I felt their sentimental stories blending almost seamlessly. In the *Gujri* prelude, one could learn of the griefs of a man who had been unable to reach his paramour in remote Himachal Pradesh. The Hindi song that followed was

from the film *Tere Ghar ke Samne* and featured a youngster who promised his *Belle* he would never let anything separate them.<sup>171</sup>

Startling, a loud and clear yodel interrupted Faruk mid-way through this song. It was Ramesh Kumar, one of Amnadi's forest guards, who was performing a surprise inspection. He and Faruk knew each other well, and their exchanges were usually brisk. Usually they could reach a mutual understanding of any situation after having exchanged only a few words. In characteristic style, the guard admonished Faruk for his lopping. Faruk brushed off the remark:

– “This is the law of the jungle!”<sup>172</sup>

According to Faruk, forest-dwellers – whom he called “the *wild* people” - had no other option but breaching state forest policies to survive. Even the District Forest Officer (DFO) for the Shivalik Division in Saharanpur seemed to concur. In 2016, I conducted an interview with the Saharanpur DFO. Most of the interview took place in Hindi, but the DFO also told me this in English, as if to make sure I understood:

“Actually, my staff has planted a lot of *khair* in the plantations. *Khair* is not allowed. The Van Gujjars are not allowed to cut *khair*. But they do. All is wild in the jungle. All the rules are wild.”

Taking the DFO's point seriously, this chapter explores the wild, ambiguous, and violent rules and regulations of the Forest Department (hereafter, FD) focusing on the years 1930-1970, a period following that which was covered in the previous chapter.

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171 Which translates into: “*In Front of Your House*”.

172 “*Ye hai, jangli vyavastha!*” This last word, *vyavastha*, means as “system” or “arrangement” (see below).



**Illustration 27** – *Faruk lops a tree (c) Philippe Messier.*

Faruk's parsimonious reference to “the law of the jungle” and the DFO's comment about the rules being wild can both be seen as suggesting that the situation within forests is irregular and that everyone is aware. The qualifier “wild”, “*jangli*” in Hindi, which was used by Faruk, might signal a certain sense of belonging to the jungle, but the word can also be ambiguous and self-derogatory. Depending on the context, *jangli* can mean uneducated, vulgar, and childlike. Van Gujjars might describe themselves as *jangli* to play submissiveness and also evade deeper inquiry into their daily activities by the forest workers. Thus, Faruk's words seem to have answered a double purpose: to yield to authority and yet assert that lopping was an inescapable component of Van Gujjar livelihoods. Such ambiguity has long been central to the “law of the jungle”. Faruk's phrasing carried implicit meanings, but the forest guard and DFO could read between the lines.

During a normal encounter, there would be no further dialogue between the guard and the forest herder. The guard had given his warning, the herder had acknowledged it, the performance was over. That punctual encounter was different, however. Ramesh Kumar, the guard, had come to inform Faruk of the imminent arrival of a superordinate forest officer. He also wanted to inspect his beat like a factory manager would make sure his assembly line ran smoothly before the visit of a touring dignitary.<sup>173</sup> The beat guard usually turned a blind eye on what could be considered innocuous infringements to forestry regulations. On this special day, however, Ramesh Kumar was exceptionally insistent. He warned Faruk: “Don't cut too much! A top-level officer is about to come. He will see you! You'll get caught!”

This snippet from the field is instructive in many regards. It captures how authority is enacted through everyday encounters and forestry rules renegotiated. Under the cover of the canopy, mutual understanding, discretion, concealment, and persuasion are key practices and factors subverting the power of official prescriptions by state forestry experts. Events like the visit of a top-level official could momentarily disrupt the smooth operation of this local political system. Nonetheless, the face-to-face relations of the FD workers and the forest dwellers bespeak the social and cultural underpinnings of the rules applied to either forestry or lopping. Those rules forming a certain jungle governmentality were constantly mediated through a common culture and style of government that was characteristic of forests and proper to the region. Illustrating this point in a dramatic way, because face-to-face relations created mutual understanding, it only took a few shouts for a subordinate forest staffer to reassert his authority, whitewash his hierarchical superior, and depict the Van Gujjars as potential criminals. This signals the existence

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<sup>173</sup> The beat is the smallest administrative unit within demarcated forests, ranking below the range and the division. The beat guards are likewise on one of the lowest rungs of the Department's hierarchy, but above office runners and sweepers.

of a well-rehearsed discourse and a mutually understood regime of representations which is crucial in shaping jungle politics at a local and regional scale. It is also important to note that on this particular occasion, like on so many others, the territorial staff dismissed due process. Ramesh Kumar chose not to prosecute Faruk, and Faruk reaffirmed the limits of the FD's moral authority by claiming that “the law of the jungle” was the only one prevailing.

It will become increasingly evident in this chapter that forestry and lopping rules have many lives. Faruk knew them and yet lopped the trees in a slightly different way than what was prescribed, as demonstrated by his choice of prohibited species to lop (in the absence of an alternative, I must add). Ramesh Kumar, the beat guard, knew the rules too and yet enforced slightly different ones, probably judging that stricter observance would be unwise on his part. Hardline patrolling could put his physical integrity at risk and, besides, who would prefer retaliation over bribes and “gifts”? Faruk and Ramesh Kumar, I had been told, had reached a “mutual agreement” in the past, an agreement that Faruk may even have indexed with irony with his witty comment about the “law of the jungle”, an expression that I could have also translated as the “jungle system” or “arrangement”, both unpredictable and wild.

Strict enforcement could also antagonize forest users to the goals of forestry and provoke retaliatory arson and other sorts of crime-as-protest.<sup>174</sup> In jungle politics, zeal was not always an undisputed virtue. Even the architects of the forest code seemed to be aware of this quagmire. No different than Faruk and Ramesh Kumar, experts whom I met in their office in either Dehradun or Lucknow knew that their recommendations only led to policies that were

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<sup>174</sup>David Arnold (1982) elaborated the concept of crime-as-protest in his study of the tribal Bhils, showing that crimes are not always as they appear, and outbursts of popular violence are more than a physical gesture. Arnold recognized the political nature of these deeds that the dominant categories of crime and violence suppress. Subaltern Studies, following the pioneering studies of the Marxist historians Hobsbawm and Thompson, have tried to recover the political messages, couched in a local idiom, erupting during times of popular revolts. In contrast, less critical analysis might accept the dominant modes of identification of criminality, muting political expression in its diversity.

never fully implemented in the forests. Between these categories of people— forest dwellers, territorial staff of the FD, and experts and policy-makings – the forestry and lopping rules were constantly made and unmade. All could recite the official forestry narrative by heart, and pretend that sarkar – the state, the government – had a firm grip over forest management, but in fact official discourses concealed crucial, culturally mediated relationships. This is why this chapter explores concrete relations of power around the core issue of lopping controls and the mismatch between state policies and jungle micropolitics. In these pages, I ask how lopping was framed as a worrying practice calling for specific rules and regulations, and then explore how the Van Gujjars came to be identified – and victimized – as habitual lopping offenders, and eventually as a criminal race. As this chapter shows, the indictment of lopping shaped Van Gujjars' identities, politics, and conduct in important ways.

### **Lopping rules and authority claims**

As powerful technologies, the lopping rules intersect other processes of knowledge production and identity formation. Additionally, the grazing and lopping rules have been redefined many times over the past 100 years as components of a broader regime of power. These rules have also conspired to reduce the share of forest products allocated to the Van Gujjars. As these herders saw their forest access wither away like the parched leaves that signal the onset of summer and the time of their departure to the hill pastures, they felt increasing pressure to leave their ancestral range and nomadic practices (see also next chapter). In this chapter, I also describe ethnographic technologies deployed by the Indian state which have criminalized lopping and stigmatized Van Gujjars. Lastly, I will contrast the state's vision about race and criminality to the narrative of lopping-as-care which is actively promoted by the Van Gujjars, showing how their

perspective elaborates a complex modality of knowledge production which the forestry apparatus has historically attempted to silence and discredit.

The point I wish to make in this chapter has perhaps become less controversial given the explosion of governmentality studies over the past two decades. Drawing from studies that apply governmentality to research in the environmental field, I argue that the relation between knowledge-production and power in political arenas such as state forests should be reexamined in a critical manner. In the previous chapter, I looked into the property conflicts that have metamorphosed the Van Gujjar's wealth into a liability, considering that their financial obligations including mandatory “gifts” and bribes have increased over time. I introduced the *lambardars* – traditional leaders who acted as tax collectors on behalf of the colonial powers, but who were also identified with the political institutions that were responsible for maintaining Van Gujjar forest access during the nineteenth and early twentieth century. The present chapter tracks concomitant political and ecological transformations in the twentieth century taking the lopping regulations as a point of entry to the study of jungle government. The lopping rules altered how territory and natural resources would be conceived of and accessed, by whom and for what end. My interest in this chapter goes beyond the lopping rules as such. The indictment of lopping by the FD and the measures taken to ensure its containment required different modalities of enquiry, novel ways of framing the issue of environmental degradation, and innovating solutions for what was imagined as a Van Gujjar problem.<sup>175</sup> Therefore, this chapter analyzes the dominant modes of enquiry of the FD about lopping, namely, its territorial, technical and ethnographic modes. Alternatively, the Van Gujjars used historiographical, politico-legal and pedagogical angles to imbue lopping with

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<sup>175</sup> Drawing from Bernard Cohn (1996), I argue that modalities of knowledge conjoin three types of epistemic labor: firstly, a perceived need for a specific body of knowledge defining an initial problem or a broad objective; secondly, the proposal of methods to gather this body of knowledge; and thirdly, the techniques to spread this knowledge (pedagogical techniques, oral histories, laws and discipline, and so on).

meaning. None of these techniques of “knowing” were exclusive to either state agents or community members. Rather, they co-participated to create a larger conversation defining controls over natural resources, social positions and identities (as enforcers, loppers, criminals, or forest-dependent people, for example). Therefore, to study lopping regulations presents not only an opportunity to question the formation of a disciplinary regime over forests – a jungle governmentality – but it also permits us to illuminate how the Van Gujjars engaged with regulations that forced them to adopt new conduct and behaviors, while their best hope to retain access was to work on the “good nature” of the officials.

### **The specification of lopping through territorial, technical and racial technologies**

The FD introduced detailed lopping rules in the Doon Valley and the Shivalik Hills of the Saharanpur District during the first third of the twentieth century. At first, lawful lopping was confined to distinct patches of open forests and pastures whose value was considered trivial. Lopping areas were judged better fit to fulfill the requirements of the cattle industry represented by the Van Gujjars and other so-called “professional herders” than for the timber industry. Together, these pastoralists paid substantial access fees, as presented in the previous chapter. The territorial aspect of the first iteration of the lopping and grazing rules was explicit and their fiscal objectives too. In the years that followed forest demarcation by the British, the foresters of the Raj further divided and subdivided the territory which was under their jurisdiction to create zones corresponding to their economic utility criteria. Territorial technologies were also used to question the profitability of lopping. Colonial foresters grouped the poorest forest and labelled them the *Grazing Circle* in the case of the Doon, and the *Grazing Circle* or the *Lopping Circle* in the Shivaliks. The segregation of grazing areas between those where lopping was tolerated, and



those where it was prohibited, was supposed to facilitate surveillance and monitoring. This territorialization should have been a strategy for the foresters of learning and knowing about lopping. That this specific zoning did not result in sound research and more accurate assessment of the ecological impact of lopping also seems to betray that the prime motivation of the officials was to generate revenue.

Between 1923 and 1989, the contours of the grazing circles were constantly redrawn, often to mask the negative impacts of forestry operations in other circles. Meanwhile, the data relating to lopping was not compiled systematically, and no comprehensive knowledge of the impacts associated with this activity was gained. Later, the territorial regulations were progressively relinquished, replaced by technical and even racial specifications, further discussed in the three following subsections. The third subsection is itself subdivided into many parts, each addressing issues associated with Van Gujjar representation as outsiders, childlike trustees, criminals, unscientific forest users, and objects of discipline, colonial representations creating expectations regarding the way these jungle pastoralists ought to behave and thus exerting an influence on governmental activities within forests.

#### *From exclusive territoriality to “overlapping” zones: rendering lopping flexible*

During the heyday of “scientific forestry”, the FD drew boundaries on the ground with a view to rationalize resource exploitation. A quick glance at the management plans of the FD reveals that, compared to other subdivisions of the forest territory, the existence of the exclusive category “grazing circles” was rather short-lived. Initially, these areas called “circles” encompassed swaths of open and degraded forests counting sparse timber-bearing trees. Over

time, the extent of these exclusive zones shrunk significantly as grazing lost its prominence as a source of revenue for the state compared to timber, whose market value continued to rise sharply.

In 1923, Conservator M.P. Bhola became the first to demarcate a “Grazing Working Circle” in the Dehradun Forest Division. The conservator wrote that his decision was based “on purely economic grounds” (Bhola 1923). Leaving nothing to chance, Conservator Bhola calculated that selling grazing permits would generate 150% higher profits than normal timber operations. This was chiefly because the degraded forests selected for conversion to grazing and lopping needed work and costly artificial regeneration, without which they probably would never bear commercial timber. Bhola's Grazing Circle encompassed a total land area of 19,671 acres in 1923. His successor to the conservatorship, F. W. Champion, extended the circle to 21,087 acres. The latter's increase of the grazing zone brought no real benefits to the cattle herders, however. On the one hand, the slight areal expansion was linked to a more roundabout way of demarcating circle boundaries; quicker plotting procedures included “dry *rao* beds” inside the lopping circle, although fodder and grass never grew in these seasonal rivers.<sup>176 177</sup> On the other hand, Champion added seasonal closures within grazing circles. Under his management, up to one half of the area devoted to grazing and lopping could be closed as a measure promoting the natural regeneration of the green cover, while the other half of the grazing area had to remain open, with both halves being alternated at regular intervals according to a “rotational” calendar. Such measures effectively reduced the area exclusively dedicated to grazing to half its former size. It is also at that time that the Van Gujjars were being forced to change land “compartments” after every one

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<sup>176</sup> The inclusion of dry *rao* beds for the purpose of quicker surveying revealed that surveying ranked higher than, say, water management. Forest territorialization never aimed at representing the territory perfectly. Some techniques employed to render the territory governable – mapping, for example – implied smudging. As such, the map was always more closely connected with the foresters' objectives than with any “real” geography (see Ingold 2000, Scott 1998).

<sup>177</sup> The term *rao*, meaning river, is rarely if ever spoken by the Van Gujjars, but is a common occurrence in the management plans.

or two years, the forestry regime once again increasing Van Gujjar mobility, instead of producing the opposite effect (see discussion about the effects of the leases in the previous chapter, and mobility as a state effect in the next). Which areas were opened or closed was determined by the foresters' rough-and-ready estimates of the cattle requirements, especially the number of trees required per buffalo per year. After Champion, Conservator Sen further augmented the circle to 23,925 acres (of which roughly half, or 12,917 acres, was wooded), but kept the rotations. His successor, Sahai, was dissatisfied with the rotations, and decided to cancel them, probably because grazers and FD workers disregarded them anyway. Somehow, the Van Gujjars managed to stay within one "compartment" for more than a few years at the time and move whenever they wished to do so. In a management plan published in 1954, Sahai confined the grazing circle to 9,966 acres, a fraction of what it used to be. A decade later, Kuber Nath followed in the same direction: in the 1963 working plan, only 2,723 acres remained as "exclusive" grazing grounds.

One innovation in the way of representing the forest territory was at the origin of this steady decrease in the area reserved for grazing and lopping. Under Sahai, and later Kuber Nath, more and more emphasis was given to so-called "overlapping circles." The main idea of the overlapping circles was to simultaneously allow multiple uses and users within a given forest area, always subject to conditions, of course. It was believed that these overlapping schemes could improve forestry operations and make more efficient utilization of the natural resources. An early manifestation of this overlapping rationality was found in the strategy that made the *khair* tree (*Acacia catechu*) available for commercial exploitation. *Khair* patently grew scattered all over the Dehradun Division. Thick and pure stands of the species were virtually nonexistent. Consequentially, the exploitation of *khair* called for a flexible working scheme covering all circles within a division. Over the years, the foresters coordinated *khair* fellings across the

different management units composing the Dehradun Division, and they called this new endeavor the “overlapping khair circle”, defining this “circle” more in technical terms than geographical ones. Cuttings were regulated according to rules-of-thumbs producing equivocal results at best. The staff whose duty was to harvest *khair* experienced difficulties interpreting the Byzantine technicalities of the working plans. Time and again, the imprecise rules were left open to the interpretation of the FD workers and the contractors, and quite often the carrying capacity of *khair* was overshot.<sup>178</sup> Pressures leading to the overexploitation of *khair* were not limited to the economic realm. The FD personnel had various reasons to try to accommodate the forest users that converged into the overlapping circle, whether personal gain or their own standards of justice. In the end, the “overlapping” approach reduced the rules' intelligibility and made monitoring more difficult. It is also revealing that the “overlapping circles” emerged in the environs of the Doon following WWII, in other words, after two world wars had put extraordinary pressure on global forests, upsetting preestablished exploitation calendars, and nearly exhausting the economic viability of the timber industry.

The overlapping approach had a negative impact on the herdsmen who relied on centrally-managed grazing and lopping grounds. Whereas a small area was still reserved for grazing under Misra and Joshi (1970) and Singh and Gupta (1979),<sup>179</sup> Kumar and Khanduri (1990) finally buried the grazing circle under multiple overlapping circles. The term

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178 During Sahai's plan, “*khair* was enumerated over 13,379 acres. The silvicultural system adopted was selection. Exploitable diameter was fixed at 12” with felling cycle of 10 years. Selection fellings were controlled by Smythie's formula [an index of maximum sustainable yield] and not more than 50% of the *khair* selection trees present at the time of marking were to be marked for felling in any year subject to a maximum of 1,600 trees.” Of course, the preventive measures leaving every second tree standing and the capping of extraction at 1,600 trees were difficult to coordinate across all semi-autonomous management units, whether concessions, beats, or ranges. Overcutting did occur, pushing Sahai to review the maximum number of the selected *khair* trees to be cut down to 1,000 per year (1954).

179 Misra and Joshi (1970) dedicated 1,143 hectares (2,824 acres) for the sole purpose of grazing but then placed much more grazing lands under an overlapping scheme. Singh and Gupta (1979) similarly delimited 1,128 hectares (2,787 acres) strictly for lopping and grazing and much more in an “overlapping” areas (this figure show the total in Singh and Gupta's East and West Dehradun divisions).

“overlapping” does not seem to be part of the Van Gujjar vocabulary, although the latter note that now more than ever more land-uses and users compete for resources within the boundaries of any given forest area, a phenomenon that the exclusive management of the forests by and for the Van Gujjars might have prevented.

The gradual erosion of the area exclusively dedicated to grazing also had an impact on the relationships between foresters, forest guards and Van Gujjars (and/or other forest herders). After all, all components of forest governmentality affected the way FD officials interacted with forest dwellers on a daily basis, and vice versa. Crucially, it was during their encounters that the category “forests”, which the FD was supposed to unilaterally manage, could acquire its contested character.

To obtain a clearer picture of the conditions of rule within state forests, one should consider the diverse strategies of control deployed by the FD and other dominant players of jungle government, including strategies that were only tangentially territorial, and observe how the latter were actually implemented on the ground. One example was the limit to the number of cattle allowed within the forest boundaries. On the face of it, these “cattle quotas” looked like any other territorial rule. The ingress of a certain number of cattle was authorized, whereas the entry of supernumerary animals was restricted. But in reality, these quotas applied to the territory only indirectly. First, this measure impinged more directly on the cattle and their owner than it did on any territorial right. In other words, the quotas did not vest exclusive land rights, and the grazing permits did not guarantee the availability of fodder, and therefore their territorial aspect also seemed secondary. Then, a cautious reading of the Department's archives reveals that the “absolute” problem of pasture and leaf fodder scarcity had a “relative” flip side expressed as a measure of population density: the number of cattle per acreage. This ratio worked independently

of the empirical observation of the resources on the ground, including observation of the stock of fodder trees. Details regarding the scientific method determining a cattle-per-acre limit were omitted in the management plans, making this procedure appear arbitrary. The cattle-per-acre ratio was reviewed on occasions, but only to meet the production targets of the timber industry, and never to support animal husbandry. In a sense, the unrealistic profit objectives of the timber industry offered a proxy measure to predict whether further limits could be added to grazing and lopping. Revision of the lopping rules was closely correlated with the value of timber on the market, and as this value increased quicker than that of most other commodities in the twentieth century, lopping quickly became marginalized. In contrast, the link between cattle control and territorial conceptions was harder to discern. With propositions to cap the number of buffaloes ranging from one per every 2 acres (1923) to one per every 30 acres (1954), the grazing circles' prescription varied wildly. This added an incentive for Van Gujjars to underreport their cattle, while also putting a premium on the fabrication of official ignorance, whether through evasion or collusion with the *munshi* – the forest comptroller.

The grazing circles vanished at the same rhythm in the Shivaliks although proof of pasture shortage there was even more difficult to obtain. Before Benskin published his *Saharanpur Forest Division Working Plan* in 1923, the Grazing Lists – a sort of fiscal map compiled for the Land Collector – held authority over the question of grazing in the Saharanpur District. The lists were generous, although attempts to cull the number of cattle in the district had been made before.<sup>180</sup> Singha still made references to these Grazing Lists in his working plan of 1938, but according to his own account the grazing rules were simplified in 1934 and the FD was

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<sup>180</sup> The number of cattle in the Shivalik hills was drastically cut down to 8,178 in 1905 compared to 22,112 a decade earlier (Singh and Mishra 1960: 114-5). This may have been the result of an epidemics, see U.P. State Archives, Lucknow, List 56A, Revenue (Forests) Dept., Box 6, File 32: “Grazing of Gujar cattle and other rights in the forest of Jaunsar Bawar”. According to the figures provided by the Shivalik working plans, the herds didn't fully recover in the hills before half a century had passed, though they did much faster in the plains.

allowed to monitor cattle entry within demarcated forests as early as 1935. This is effectively saying that the lists of the Land Collector became obsolete in the 1930s. The total area allocated to the grazers on the lists was 123,709 acres in 1895-96, 91,372 acres a decade later and 86,437 acres in 1921-22. Yet Benskin (1923), the first conservator to propose a comprehensive grazing circle for the Shivaliks,<sup>181</sup> reserved only 36,045 acres for grazing, or less than half the extent specified on the Grazing Lists appended to his management plan. The Grazing Lists were predominant until the 1930s, but then the acreage of the area specially reserved for grazing only decreased as overlapping schemes were also introduced by the FD. Ultimately the Shivalik Grazing Circle was resorbed within the category of “Minor Forest Produce Circle” in 1989 – which was itself an overlapping circle! The overlapping logic still predominates in the Shivaliks today. According to the working plan for the Saharanpur Shivaliks for the period 2013-2022, two territorial filters currently apply over the forests of this region. The first divides them into three exclusive parts: protected forests, sal forests, and plantations. The other consists of six technical layers that overlap the whole division (as well as the boundaries of the three previous categories). This means that the three dominant categories of forest in the Saharanpur Shivaliks are simultaneously governed by the following six conflicting agendas: soil, fire, and wildlife protection being the first three, while the three remaining concern non-timber forest products, joint forest management (JFM), and forestry (timber production and marketing). All pertinent numbers indicating the passage from an exclusive to an overlapping logic for the years 1923-1989 are reported in the following table:

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<sup>181</sup> In 1896, Grenfell proposed to set aside 28,555 acres for the exclusive purpose of grazing, but he did not add any more specific regulations on grazing than those already passed by the N.W.P. administration in 1886. The rules of Grenfell's “grazing forests” were quite underspecified in comparison to those of later grazing circles, and I have thus decided to exclude Grenfell's grazing ranges from my calculations.

**Table 4.1 – Land area of the grazing/lopping circles by year**

Year	Conservator	Exclusive area*	Overlapping Area*	Total*
1923	Benskin	36,045	-	36,045**
1930	Mobbs	40,063	-	40,063**
1938	Singha	22,885	85,182	108,067
1951	Srivastava	22,535	82,388	104,923
1964	Singh	17,918	86,235	108,347
1970	Joshi	12,034 (4,870)	88,881 (35,969)	103,386 (45,894)
1979	Gupta	14,728 (5,960)	89,427 (36,190)	104,155 (42,150)
1989	Uma	The Grazing Circle is incorporated to the Minor Products.		
* Original numbers in acres. When originally expressed in hectares, equivalent in acres are given, followed by the figure in hectares within brackets.				
** The Grazing Lists still had preeminence and they allocated more or less 100,000 acres to the purpose of grazing.				

Foresters dreamed of a “win-win” scenario. In theory, an overlapping circle could preserve the herders' access without constraining the timber industry. At times, however, the complexity of the overlaps was overwhelming. Conditional grazing and lopping was allowed for short periods within sections of a forest whose primary objective was timber production, and then cancelled at a latter stage of the production. As specific zones were opened and closed periodically, customary forest users were expected to become more mobile and more flexible. Likewise, rule enforcement was complex, if not confusing. Forestry calendars spanned centuries, assuming that regular growth was regular, yet the forests were divided into a mosaic of individual blocs, concessions, and “coupes” that all had distinct histories and rates of productivity. The schedules had to be constantly readjusted to fit the changing conditions on the ground, and herders were moved accordingly. The Van Gujjars who practised lopping held the short end of the stick and the foresters believed that their lopping was wasteful and destructive. As the foresters



relinquished a clear territoriality in favor of the overlapping circles, they began regulating *how* lopping was done, rather than simply decide *where* it was allowed. As the exclusive grazing and lopping circles shrank and disappeared underneath the various layers of multi-use zones, and as grazing continued to lose its economic relevance, the rules applicable to this activity began to define it *as an object of technique*. The next section explores these concomitant changes.

*Rendering lopping technical: specifications relating to its practice*

The first attempt to regulate lopping *as a technique* began in the Doon Division under the conservatorship of Mathura Prasad Bhola in 1923. His rules were few and simple. He specified minimum and maximum sizes for the material qualifying for lopping – only medium-sized branches could be lopped, whose diameter was less than 4 inches. Likewise, the trunk of a loppable tree had to be of 8 inches in girth at shoulder height. The remainder of the crop was considered either too valuable, or too feeble to have fodder material gleaned from it. Bhola's rules “protected” young saplings on the one hand, and on the other hand “reserved” all bigger poles, timber-bearing branches, and mature trees for utilization as timber. These lopping regulations remained unchanged for the period covered by two subsequent plans in 1932 and 1941, though it was added that *ber* shrubs (*Ziziphus mauritania*) could be lopped without restrictions since they could become invasive under favorable conditions.

In 1954, Conservator Sahai passed a resolution according to which the trees marked for imminent felling could be lopped indiscriminately. This decision conferred some elbow room for the Van Gujjars. This policy statement was also unique in the sense that Van Gujjars removed the branches as a first stage of the transformation of a standing tree into timber worth hauling out of the forest and claimed some benefits from this work. This saved the FD some labor, and

rewarded the Van Gujjars with fodder material: such measure rendered management slightly more inclusive. To prevent the jungle pastoralists from appropriating timber, meanwhile, the use of “heavy instruments” was proscribed, defined as blades longer than 10 inches. The permission to lop trees marked for felling was not reiterated in subsequent working plans, though the prohibition of long instruments was. It is interesting to observe that the restriction concerning the use of heavy tools set the Van Gujjars apart from other types of loggers. Still today, the axe is a rare sight in the *deras* of the Van Gujjars. Instead, they use a *patal*, a tool that has become their typical instrument and an identity marker of their “Gujjarness”.

Conservator Sahai toughened other restrictions as well. Under his govern, the minimum diameter of the branches that could be lopped was brought down to 3 inches (compared to 4 inches before). Then, Kuber Nath (1963) further reduced the maximum dimensions of the branches one could lawfully lop, this time to 2.5 centimeters. 2.5 cm roughly is a third of the diameter previously prescribed.<sup>182</sup> The limitation to 2.5 cm remained after 1963. The costs incurred to the Van Gujjars in terms of increased labor-time and reduced output were more important than the 66% loss that a decrease from 3 inches to 2.5 cm might suggest (see *Illustration 28*). Rarely observed, the stricter regulations still implied that the Van Gujjars were losing access to material that they earlier diverted from their lopping such as firewood and building material. To my knowledge, no scientific study has ever compared the impact of lopping branches with a 3-inch diameter versus 2.5-cm on the various tree species that the Van Gujjars lop and feed to their buffaloes.

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<sup>182</sup> Three inches roughly convert to 7.6 cm.



**Illustration 28** – A branch 4 inches in diameter contains 4 times the material of a branch of the same length whose diameter is 2 inches and 16 times that of a branch the same length whose diameter is 1 inch, areas being 12.57 sq. in., 3.14 sq. in. and 0.79 sq. in. respectively (c) Pierre-Alexandre Paquet.

Lopping was restrained in another major way during the same time period. Conservator Bhola never distinguished tree species that could be lopped from those that could not. His successor to the conservatorship, F. W. Champion, excluded two species from lopping, namely *khair* and *sal* (1932). Starting 1941 however, N. N. Sen insisted on banning *gutel*, *sain*, *semal*, *sissu* and *tun* also. In 1954, *tumri* was added to the list of forbidden species, but removed again in the following plans. In 1963, *semala* was added too, for a total of 8 banned species. The situation only worsened for those whose livelihoods depended on leaf fodder during the 1980s, when “minor forest products” (MFP) markets were regularized (see Chapter 3). The framework imposed by state-owned timber corporations encouraged large cooperatives and powerful private actors to begin trading MFP. As many species became of commercial interest, the “Grazing Circle” segment of the 1989 management plan for the Doon boasted a list of forbidden trees whose length was second to none. In total, *sal*, *sain*, *khair*, *semal*, *sissoo*, *tun*, *amaltas*, *gutel*, *jamun*, *haldu*, *kanju* and *sandan* were off-limit; that is to say that 12 species were banned in 1989 compared to the average of seven or eight species that were banned earlier.

To recapitulate, no single species was prohibited before the 1930s, and then only two species were banned during that decade. Later, the number of proscribed species hovered anywhere between seven and eight for 45 years. It increased abruptly to 12 in 1989-1990 as a result of the “regularization” of MFP markets and the entry of new powerful players into this trade. One reason for these policy changes was that the value of tree products had increased manifold through the twentieth century, including species never marketed before. Although they produced a milk of high quality and fat content, the Van Gujjars were not considered by the new market arrangements.

The restrictions on lopping held throughout the 1990s in spite of joint forest management (JFM) circulars heralding a new mode of economic valuation for “minor forest products” including grass, fruits, bark, and leaves.<sup>183</sup> Decentralization of forest resource management under JFM officially began in the 1990s, but the FD fought to protect its vested interests in timber by inscribing as many species as possible on the list of exceptions. This led to an ironic result whereby minor forest products were more easily accessible to the Van Gujjars and other forest dwellers before the advent of JFM, than they were after, although one premise of JFM was “decentralization.” Jeffrey and Sundar (2003: 82) had perspicaciously remarked that the term “minor” reflected colonial categories which had subordinated certain economic activities and furthered the marginalization of forest dwellers.

In addition to the rules already mentioned, more lopping restrictions were added over the years. Consisting of technical stipulations, they often came in a piecemeal fashion. For instance, in 1979, it was resolved that cattle should no longer be taken to the base of the trees

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<sup>183</sup> The concept of MFP is much older. The only novelty under JFM regarded the marketization of these minor products. JFM circulars, which the International Monetary Fund helped to design, predicted gross domestic product growth as the informal sector comprising these minor products was suddenly formalized.

while they were being lopped – leaves needed to be brought to the animals instead. As such, this rule asked the jungle pastoralists to husband their buffaloes like cattle owners would in the plains: stationary and in stalls. Elsewhere, the forestry code stated that the Gujjar buffaloes should not be allowed within jungles on any condition – even though grazing and lopping circles had been created for them, and taxes were officially collected from Van Gujjars living *inside* the jungles on the basis of an historical agreement with the FD! The decennial plans revealed a desire on the part of the forest administration to discipline the Van Gujjars and stop lopping of leaf fodder which was seen as wasteful and destructive. In the same *ad hoc* manner, it was resolved that “lopping of solitary trees in grassy blanks should not be done” (1990: 358). Even though I suspect that most of the FD's decisions were taken to protect natural resources, it is highly problematic that the plans defining “scientific forestry” neglected citation of any serious, longitudinal study to support their resolutions.

The genealogy of the lopping rules is very similar both in the Doon and the Shivalik Forest Division. In the Shivaliks, lopping was first regularized through technical specifications by Conservator E. C. Mobbs, a decade after Bhola had done the same for the Dehradun Forest Division. Mobbs remarked that: “Lopping of certain species has been practised under permit by Gujjars wherever they have been allowed to graze, and also by local villagers in Barkala range in the west of the division.” (1932: 43) Mobbs explicitly recognized that: “Although lopping was not mentioned in the working plan, it has been permitted in the Grazing working circle, and also in parts of the Hill working circle to external (Jamboowala) Gujjars, and at Barkala also to local villagers.” (*Ibid.* 67) Needless to say, Mobbs’ initial interest in the demarcation of a grazing circle was economic, just as Bhola's was. The foresters of the Shivaliks reckoned even more openly than their counterparts in the Doon that lopping “formed an important subsidiary source of

revenue” (*Ibid.*). To them, lopping could be tolerated at lower elevation and around villages, but was believed to be very “destructive” in the hills, in agreement with theories about Himalayan degradation and dessication (see previous chapter).

In many ways, the evolution of lopping in the Shivalik Division followed a similar pattern to that which had prevailed in the Doon. There were no specific restrictions on lopping for a longer time in the Shivaliks, but by 1960 the rules had become as thorough and stringent as they could be. Trees selected for lopping had to have a diameter of 12 inches or more at breast height and the lopped branches had to be one inch in diameter at most. A record number of 13 species were prohibited.<sup>184</sup> As in the Doon, the maximum size of the “sickle” used for lopping was specified at 10 cm. Interestingly, the lopping rules in the Shivaliks officially deputed the Van Gujjars to certain tasks such as the cleaning of invasive plants and especially of “climbers” clinging to the trees. Therefore, forestry planning in the Shivaliks saw Van Gujjar labor as a boon. In the Shivaliks, the trees marked for felling remained accessible for lopping, contrary to the Doon where this regulation was abrogated shortly after having been tried. Van Gujjar labor was alienated in two distinct manners in the Shivaliks: first, the Van Gujjars were expected to clear the trees from the climbers “smothering” them, meaning that Van Gujjars assisted with the maintenance of the crop; secondly, the Van Gujjars were expected to prepare the trees for cutting by removing smaller branches that the contractors would not carry away.

Lopping and thinning were not really distinguished prior to Sen's plan that came into effect in 1941. Up until that point, lopping was used to name activities performed by the Department within the Shivalik Division. If the words of Conservator Sen can be trusted, a few Van Gujjars had even received wages for their assistance in lopping. Over the years however, the

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<sup>184</sup> *Sal, siris, khair, chir, semal, baurang, haldu, jamun, tun, bamboo, pial, kusum, and tendu* were all prohibited species in the Shivaliks.

vocabulary employed by the FD segregated lopping from thinning more and more. This lexicographic “boundary-work” overspecified the inherent differences between lopping and thinning. The positive impact of lopping disappeared from official communication as a result of these semiotic manipulations. Lopping actually became a “pernicious practice”, and the Van Gujjars' reputation suffered from this change of meanings (Srivastava 1951: 129).<sup>185</sup> Alternatively, silvicultural operations continued to include substantial cleaning and “thinning”, which were officially performed by day laborers who were rarely Van Gujjars. More often than not, labor recruitment discriminated against the Van Gujjars, who were thus further isolated from the economic benefits linked to forestry in general and “thinning” in particular. Discrimination against the Van Gujjars still exists today in hiring practices for plantation work and “employment guarantee schemes” (for example, MGNREGA). I elaborate more on segregation and stigmatization in the next section, but before going there a few concluding remarks are in order.

In brief, the review I have provided here shows that, with time, the web of regulations that surrounded lopping became increasingly specific and fine-meshed as it moved from a territorial modality to a technical modality. Decade after decade, the ceiling of the resources available to the Van Gujjars fell lower and lower. Overlapping schemes eclipsed the exclusive grazing and lopping circles. Then, the size of the branches allowed for lopping became smaller and smaller. Numerous species were forbidden and other peripheral regulations were also added, often in an *ad hoc* manner and without scientific support. These restrictions sensibly furthered the economic marginalization of Van Gujjar households, though reliable data on this topic seem unsatisfactory.<sup>186</sup> Of course, these general observation only make sense if the regulations were

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185 The semantic field never really changed after this. Harihar et al. employed the term “deleterious” as recently as in 2015.

186 Increasingly stringent regulations and additional fees and fines had a negative impact on Van Gujjar incomes, although it is difficult to quantify it with accuracy. For the extended period of time covered in this chapter, there is not reliable source of data. On the one hand, colonial political economy compartmentalized forestry as an

strictly enforced. Some evidence suggests that this was rarely the case, but then extra-legal payments were obtained under duress which did more than compensate for the negative impact of regulations on Van Gujjar livelihoods. Regardless, it is certain that *what the Van Gujjars could do* and *where they could do it* were questions that the foresters sought to address through the adoption of specific lopping rules. What is less clear, however, and that I now want to clarify, is how the lopping rules also came to define *who the Van Gujjars were* in the eyes of state officials.

*The development of jungle anthropology: Racial constructions of “Gujjarness” and lopping*

The cardinal objectives of a good forest working plan were providing a snapshot of the current condition of the timber crop and prescribing future actions aiming at sustaining the level of extraction known as “maximum sustainable yield”. The working plan also reviewed silvicultural activities attempted in the past, summarizing the forest history circle by circle, range by range, and block by block. A good plan was thorough, leaving few issues untouched. It disseminated information relating to local populations and was even replete with advice regarding the proper way for forest managers to deal with locals. These recommendations were based on the amateur ethnographic observations and past experiences of foresters, and they betrayed their worldview. These bureaucrats lacked the knack for conducting social studies in

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official sector of production whose output could be quantified. On the other hand, the total value generated by customary forest usage could only be roughly estimated as a share of the total income of forest-dependent populations in India. Official censuses have persistently ignored those living within unrecorded hamlets deep in the forests, making longitudinal comparisons difficult. Bharadwaj (1994) described Van Gujjar *oikos*, or household economy, as in shambles: according to his numbers published in 1994 on the basis of surveys conducted towards the end of the 1970s, expenditures exceeded the available income year in, year out. Van Gujjars inherited colossal debts from previous generations, cementing their dependence on exploitative moneylenders. Bharadwaj did not differentiate between rich and poor Van Gujjar households, however. Unpublished dissertations at various Indian academic institutions might provide further, first-hand data, but comparison poses various methodological problems. This issue is compounded by the fact that Van Gujjars regularly under- and over-report their gains and their losses. Based on my own experience with surveys, numbers provided by the Van Gujjars must be understood as a political statement within the context of a struggle over forest resources, rights, and self-representation, rather than an open disclosure of verifiable economic facts.



highly unequal, divided societies. Their observations answered instrumental ends, such as alleviating “unnecessary friction” caused by timber exploitation, a reality previous chapters have outlined.<sup>187</sup> Still, state ethnography generated knowledge about local forest management systems and the form and organization of this knowledge primitivized forest-dwellers. Local knowledge was gathered only for finding items of curio, and local systems of value and standards were rarely respected. The following sections inspect representations of Van Gujjars as outsiders, habitual offenders, a criminal tribe, all of which are revealing of forestry's enduring biases.

Despite their population being significantly smaller than that of the settled villages located on the outskirts of the forest, the Van Gujjar became the principal object of the FD's ethnographic attention as well as the topic of detailed anthropological descriptions. This was plausibly due to the fact the Van Gujjars lived in places that were totally under the FD's jurisdiction. The foresters' interest in the Van Gujjars focused on lopping and the legitimacy of their access to the natural resources, which clashed with the British framework of property and ownership. Publicly, the FD maintained that it had only reluctantly granted access to the Gujjars.<sup>188</sup> The unclear legal status of the nomads helped keep these “unsettled subjects” of the Raj under constant pressure and discipline.

Colonial anthropology postulated that nomadic peoples did not have a clear concept of property, that they lived as free-loaders, and did not deserve special protections (Mayaram 2014). The British found it preposterous to bestow land rights on people whom they deemed too primitive to understand what to do with them. As Gooch pointed out, colonial narratives:

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187 Revenue (Forests) Department, File 32, 1883-4.

188 See Chapter 3. Many scholars have argued that colonial debates regarding the existence of customary rights versus temporary privileges were pivotal in alienating forest dwellers from their birth rights (cf. Guha 2001, Gooch 1998 and 2009). Still, it was not rare that colonial foresters regarded “village privileges” as an inalienable right, and protected them as such, thus maintaining good terms with locals. The debates contained in the archives of the Revenue (Forests) Department, File 32, 1883-1884 offer an example of this.

...saw the pastoralists as being beneath the peasants on the evolutionary scale, “those who master nature are advanced; those subject to the rhythms and dictates of nature are primitive” (Bhattacharya 1995: 76) As such when wilderness is seen as chaotic and hostile; the people depending on it are classified in a similar way. One thing was also clear: the pastoralists could never aspire to acquire ownership over the land on which they lived. An owner ‘improved’ his property while the pastoralist ‘just’ utilised it in its feral state. (1998: 136).

Historically, the field of evolutionary anthropology has been complicit in colonialism's denial of native land and forest rights in India. Still, the foresters applied a policy of minimal tolerance toward pastoralists. Not only were they aware that applying the law to the letter would be fairly oppressive, but also that it would disrupt existing agreements with the pastoralists that benefited the forest staff too.

#### *Van Gujjars as outsiders*

Land rights were denied to the Van Gujjars because they were viewed as intruders of foreign origin. Conservator Benskin averted in-depth investigation about the rights of Van Gujjars, believing that they “came from a distance” (1923). His successor, Mobbs, consistently called the Van Gujjars the “external gujjars”. Mobbs was a resolute man when it came to curtailing pastoralists’ forest access (1932). Others preferred the term “outsiders” yet held similar views. These monikers had one thing in common: they created a stigma that justified denying tangible land rights to the Van Gujjars. Sadly, Van Gujjars are still termed “outsiders” and “aliens” to this day (e.g., The Tribune of India, 2009).

“Outsidering” (a form of “Othering”) marginalized Van Gujjars and enforced racial lines in the process. Offering an apt illustration, in 1937, the grazing fees were reduced for all non-Gujjar herders because the going price of milk had plummeted. The Raj administration had

advised the FD to show leniency toward the herders grazing inside demarcated forests too, but no relief was granted to the Van Gujjars on two premises: firstly the “gujjars [were] not *really* inhabitants of the United Province” and, secondly, they were viewed as a different *kind* of herders that damaged the forest.<sup>189</sup>

The Van Gujjars acknowledge a distant origin in Jammu, which seems to corroborate colonial historiography painting them as outsiders. However, for a majority of Van Gujjars, the names Jammu and Kashmir are only synonym with places never visited and a remote and uncertain past (see Chapter 1). As a matter of fact, the Van Gujjars' myth of origin only seems to have become meaningful after they began to engage with the forest staff, who used it as a justification for their exclusion.

### *Van Gujjars as childlike*

The British treated nomads as foreign elements, but their feelings towards them were often more ambiguous. The personnel of the FD infantilized the Van Gujjars, rather than feared them. They construed Van Gujjars as specimens of a previous stage of human civilization, following evolutionist theories, and also regarded them as childlike, but not prone to commit malevolent acts. This is how a British official described the Gujjar pastoralist of Jammu in the 15<sup>th</sup> volume of the *Gazetteer of India*:

Some of them have settled down to agriculture; but the great majority are herdsmen, and in the summer months move up to the splendid grazing-grounds above the forests with their buffaloes and goats. They are Musalmans by religion, and many of the Gujar tribes speak a dialect of their own known as Parimu. They are a fine tall race of men, with rather stupid faces and large prominent teeth. They sacrifice every consideration

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189 Lucknow National Archives, G.O. No. 1119 / XIV-332 dated November 23, 1937. The quote continues: “In view of the damage caused to the forest growth by their cattle, it is desirable to control their number. No reduction is, therefore, necessary in the present rates.”

for their buffaloes, and even in their cultivation, chiefly maize, their first thought is for these animals. They are ignorant, inoffensive, and simple, and their good faith is proverbial (1909: 101)

Van Gujjars were not likely to arouse colonial suspicions. Their good temperament could be explained as a governmental effect produced by the kind of intimate and everyday relationships that they needed to cultivate with the forest guards in order to maintain access to the forests and their resources. Colonial foresters acted in a paternalistic fashion, as they professed to act “for the Van Gujjars’ own good” or “in the interest of the *gujars* themselves” – as the incipit of this chapter has imparted. Meanwhile, these officials also accepted bribes in exchange for their “good” (and however fraught) governance. By contrast, colonial administrators were more suspicious of settled constituencies, which were for them a hotbed for rebellions. They notably kept a close watch on the Department’s underlings recruited locally. These workers were known to entertain conflicting loyalties – a potential source of insubordination according to top-level British officials. As for the forest herders, they were not seen as capable of forming and maintaining strong political organizations.

The British were convinced of the existence of several divisions of kind between their many Indian subjects. Some they thought were shrewd and thievish whereas others were simple and backward, or even childlike.<sup>190</sup> Following colonial classification, many groups of tribals and forest dwellers known for resisting colonial usurpation such as the Bhils, the Dangs, and the Santhals were categorized as criminals (cf. Gough 1974, Guha 1983, Abraham 1999). Others like them who were recognized as criminal-by-nature under the 1871 Criminal Tribes Act were subjected to intense surveillance, random but regular inspections, control by passes, forced

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<sup>190</sup> These differences did not always follow the opposition between mobile and sedentary subjects. Still, it can be shown how these divisions were essentialized and racialized.

settlement, and roll calls both mornings and nights (Skaria 1999, Schwartz 2010). In a few states, the Hindu Gujjars were declared criminal under the Criminal Tribes Act, only to be later de-notified (Moodie 2013, Marayam 2014). The Van Gujjars themselves escaped similar cataloguing and policing in Uttar Pradesh, but still many reformatory schemes usually reserved for habitual offenders targeted them too.

### *Van Gujjars as criminals*

Through their commentaries, generations of foresters and amateur colonial ethnographers supplied the intellectual scaffolding and scientific alibi to a gamut of disciplinary interventions against segments of the population identified as “criminal tribes”. The labels “criminal tribes” and “criminal castes” underpinned racial theories in British India. Colonial ethnography used these labels to brand peoples they believed were more susceptible than the average Indian subject to exhibit criminal tendencies. The logic for the categories criminal castes and criminal tribes was circular: colonial policies prohibited native customs without offering alternatives, rendering everyday practices illegal, thereby creating criminal “races”. This was the case with the lopping rules and regulations applied to the Van Gujjars, which provided the background against which Van Gujjar “criminality” became detectable.

The discourse about “criminal tribes” was particularly effective for practical and epistemological reasons. For every crime reported to the British police, the search was much more susceptible to result in the incarceration of a member of the so-called criminal castes. The resulting inflated incarceration rate among profiled populations was then used as a confirmation of the colonial racial theories. Criminalization was a self-fulfilling prophecy. Institutionalized racism was important to the colonial order in other ways too; when breach of the law could be

blamed on one's membership in an unchanging caste, instead of collective action or political mobilization, individual agency was erased. Lack of agency then justified foreign trusteeship (Dirks 2001: 182 and 188).

Because the Van Gujjars and their lambardars cultivated intimate relationships with FD workers, they were not considered so violent or thuggish. Colonial officers imagined that Van Gujjars were primitive producers belonging to an innocuous and "dying race" (Turner, Deputy Conservator in Dehradun, 1931, quoted in Gooch 2009). Because they are tall and fair, the Van Gujjars have also been likened to other "martial races" from whose ranks the British recruited for their army (Wilmot 1870, cited in Gooch 1998: 34, see also Omissi 1991, Streets 2004). This appellation had a much more positive connotation than criminal tribes, though it too conveyed heavily stereotyped views framing what forms of bellicosity and masculinity were acceptable, and for whom. The martial label did not stick well to the Van Gujjars, however, because the FD personnel never saw them as belligerent, and it was believed that their sole priority was the buffaloes. That the Van Gujjars could be understood as children, criminals, and warriors under the same regime shows how ambiguous their relation with the British was in former years.

With the passing of every decade however, the Van Gujjars became increasingly criminalized. FD officials were convinced that the pastoralists slowed down forest modernization and were also an obstacle to their own progress. Here again, the Department's prognostic was steeped in evolutionist thinking. It was suggested that the Van Gujjars would remain captives of earlier stages of human evolution and become more bothersome if allowed to rely on forests in perpetuity. Thus, the officials always believed that the actions taken to remove the Van Gujjars from the forests, or to reform their lifestyles, were "in the interests of the *gujars* themselves", as mentioned by the incipit of this chapter.

The extravagant anthropological science of the FD that was essential to construe Van Gujjars as criminals was refined with time. Prior to the twentieth century, colonial officers used the terms *gujar*, *herder* and *grazer* indiscriminately. It is only later that the Department developed a sufficiently sophisticated ethnographic machinery to pigeonhole the *Jammuwala Gujjars* of U.P., whom are called the Van Gujjars today. Under the colonial gaze, the *Jammuwala Gujjars* presented a set of unique traits. In 1952, the following typology was introduced as a tool for identifying different types of Gujjars whom the forest staff encountered during the exercise of their duty:

- 1) *Jammuwala gujjars (coming originally from Kashmir)*
- 2) *Jamnawala gujjars (mostly from Ambala)*
- 3) *Saharanpur gujjars*
- 4) *Dehra Dun gujjars (local professional graziers of buffaloes)*

The four entries were registered for the first time in the Dehradun Forest Division Working Plan of 1932. They were followed by the phrase: “By far the most destructive to the tree forest are the *Jammuwala gujjars* who are notoriously unpopular wherever they go.” These words were copied word-for-word in the subsequent plan, published in 1941. The passage was slightly paraphrased in 1954, but reappeared closer to the original in all of the following working plans for the Doon published in 1963, 1970, 1979, and 1990, respectively. The foresters maintained that, compared to the Van Gujjars, any other category of “*gujjars*” (herders) was “more amenable to reason and will even go to the length of purchasing leaf fodder.” (Sahai 1941: 229) Similarly, Mobbs (1929: 43) described the Shivalik Van Gujjars as:

...particularly unamenable to discipline. They frequently ignore the lopping rules and trees have been completely killed by their ruthless hacking; while in the hills prohibited species, such as *sain* and *sandan*, have not infrequently been lopped. Lopping is also carried out by the

*charakats* of domestic elephants, and by the attendants of camels, the latter being often as ruthless as the Gujjars.

Generations of foresters after Mobbs used lopping – which was identified as a crime – as a metonymy representing the Van Gujjars. Whenever non-Gujjars lopped in U.P., the foresters invariably compared them to the Van Gujjars (for “being often as ruthless,” Mobbs, *op. cit.*). The correspondence established between lopping and an imaginary Van Gujjar essence was pernicious in the sense that it discriminated against the nomadic herders and rendered them responsible for all lopping, even that which was not caused by them. Consider the following statement: “Till Sahai's plan, lopping was practiced by *gujjars* only but during Kuber Nath's plan the art of lopping was mastered by local villagers, which proved more fatal to forest” (Singh and Gupta 1979: 112). Factually, Singh and Gupta's statement was wrong. Mobbs had observed as early as 1923 that lopping was performed both by the Van Gujjars and the residents of Barkala, a village located at the northern tip of the Saharanpur Forest Division. For Mobbs, the question of identifying the inventors of lopping never was important. The Van Gujjars lopped at intervals interrupted by the migrations, whereas the villagers of Barkala lopped year-round. For decades, foresters regarded the continuous lopping of the villagers as the most destructive form of lopping.

A spat of articles published in the pages of the *Indian Forester* also commented at length about *village* lopping in the Western Himalayas and Uttar Pradesh before Singh and Gupta broached the topic in their management plan (Turner 1920, Dass 1936, Gorrie 1937, Chaturvedi 1945, etc.). The *Indian Forester* had reported of numerous cases of lopping in distant *villages* of Punjab, Haryana, and all the way down to the Bombay Presidency. These articles seemed to prove that there was nothing inherently “Gujjaresque” about lopping, the practice being prevalent throughout the sub-continent. In his *Forester's* article, Chaturvedi even had estimated that leaf



fodder (in other words, material gleaned from lopping) supplied an important part of the diet of “5 out of 39 million domestic animals in the United Provinces” during the cold season (1945).<sup>191</sup>

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The picture of millions engaged in lopping hardly supported the slur that Singh and Gupta had intended against the Van Gujjars. It would be difficult to explain why the two authors remained impervious to the wide occurrence of lopping across U.P., were it not for the existence within the FD of an ethnographic activity whose primary contribution to knowledge was the conflation of lopping with an inherent “Gujjarness”, and whose instrumental ends were to further control the jungle pastoralists.

Singh and Gupta's formula was infelicitous, yet firmly moored to official discourses indicting lopping and framing it as an irrational land use. The science behind lopping was inherently racial, and stereotypical depictions of Van Gujjar lopping became an old tradition within the Department. Essentialist representations of Van Gujjar nature extended from the equation drawn between the latter and lopping (as voiced by E. C. Mobbs in 1930: “Gujjars

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191 Consequentially, Chaturvedi advised the FD to plant fodder trees in earnest. The Department never took his proposition seriously however, probably because it did not give additional revenues or more control to the FD.

192 Likewise, Gorrie's article on lopping (1937) was revealing of its politics. Gorrie sketched a picture of villagers exploiting their jungles beyond regeneration capacity. Paradoxically, Gorrie found that the same villagers that lopped state forests indiscriminately also monitored offtake from their commons and private estates. Unlike state forests which were constantly used, private and village forests were given one or two years of respite between episodes of lopping. This was village “custom”, Gorrie commented. Some village councils even considered “excessive lopping” a punishable offence. This demonstrates the auto-regulation and self-policing capacity of villagers. It also suggests that overexploitation was perhaps less the result of a *tragedy of the commons* than a specific effect of a colonial governance that was far from perfect (on this topic, see Ostrom 1990 and Bromley and Cernea 1989 *contra* Hardin 1968). Village councils presumably held more authority on village forests than the FD did over state forests. Village councils could afford to enforce stringent lopping rules and prosecute offenders whereas the FD could not, lest risking retaliation, arson, and protests. Meanwhile, the Raj managed the largest patches of contiguous forests on the subcontinent as if they were its exclusive property. By implication, the Indian subjects of the Raj could not find sufficient natural resources in their smaller strips of commons or private jungles. Access to state forests therefore remained essential to the reproduction of agrarian life. In this context, even “strong” and “traditional” authority at the village level could not guarantee that their constituents used regional resources sustainably – since the majority of extraction actually occurred outside their purview, in state forests. In the end, these different systems of authority were intricately related to one another, through various, fluctuating modalities of appropriation of the resources.

cannot exist without lopping”, a sentence repeated in ulterior management plans, e.g. Srivastava 1951: 129) to photographs adorning the working plans of the 1980s and depicting middle-aged Van Gujjar males in front of a dead tree, the caption reading that they had allegedly “hacked [it] to death”.<sup>193</sup> Textual and visual techniques showed the persistence of a bias against lopping, one which conflated lopping and “Gujjarness” into one essentialized stereotype.



**Illustration 29** – *In cities, villages, and hill forests (pictured here), one can see trees that have been lopped regularly, however not by Van Gujjars (c) Pierre-Alexandre Paquet.*

Prejudicial views against nomadic herders continued to be propagated as part of the official forestry dogma in spite of intervening changes passed by the Government of India in closely related matters. The repeal of the Criminal Tribes Act by the Government of India in 1949

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<sup>193</sup> The picture from the Dehradun Working Plan is reproduced in Gooch 1998. I have also found similar graphic representations and stereotypes in the working plans for the Chakrata Division published at the same period.

expressly aimed at stopping institutionalized discrimination against minorities. Nevertheless, Indian foresters continued to draw on colonial records to furbish their own narratives about the Van Gujjars. The result was an enduring racialization of the debates about lopping, in which the FD has a dominant voice. State foresters looked as determined as ever to establish a clear-cut division between modern and primitive forms of forest exploitation, and unfortunately here rhetoric has prevailed over empirical research (cf. Saberwal 1997, 1999). Foresters still reiterate today a rule of separation that long ago defined a split between colonizers and colonized, state experts and customary forest users. For example, the notion that the Van Gujjars lopped “unscientifically” did not fade; it is still being conveyed in documents published by the FD. The formula was popularized by Conservator Joshi (1970), and has since replaced older but similarly untoward colonial expressions against the Van Gujjars.<sup>194</sup> Recently, Singh et al. 2001, Joshi 2009, Husain et al. 2012 and Negi et al. 2013 have all unabashedly restated the phrase “unscientific” to describe lopping. Their comments seemingly express a persuasion that only scientific forestry will succeed at optimizing timber production and magnifying forest revenues. If this is the case, these academics failed at recognizing community forest management as a valid project.

### *The science of lopping today*

How strong is the FD's case against lopping? The main source of scientific authority about “Gujjar lopping” is a master's thesis submitted by Advait Edgaonkar when he was a student at Saurashtra University, Rajkot (1995).<sup>195</sup> Scientists and conservationists have quoted him to the effect that: “Intensive lopping, grazing, and firewood extraction [in the forests] led to

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<sup>194</sup> Joshi's plan was published in Hindi. He uses the word *aveigyanik*, whose only translation is “unscientific”.

<sup>195</sup> The other paper is an economic analysis in an artificial setting (young plantations, 5 and 8 years) in a semi-arid region of Haryana (Rawat 1993). In other words, its relation to Van Gujjar lopping may be questioned.

proliferation of weeds and lack of sustainable regeneration of various tree species” (this quote is originally found in Harihar 2007; it is slightly paraphrased in Harihar 2008 and 2009, and plagiarized by Hussain 2012). However, one has only to skim through Edgaonkar's findings to be convinced that his case was not as clear cut as these natural scientists would like everyone to believe. Edgaonkar found an increased presence of seedlings in areas that had been moderately lopped in comparison to his control plots which had no incidence of lopping. This is suggestive of a standard bell curve distribution, its “hump” rising over a horizontal axis running from “no lopping” to “more lopping”, giving more seedlings when the correlate is “at least some lopping”. In other words, the impact of lopping on natural regeneration does not follow the linear function that has been taken for granted for decades if not centuries. It seems that some lopping causes no harm within preset parameters; quite the contrary, a regulated amount of lopping might foster forest regeneration. A NGO report remarked, tongue-in-cheek, that the author of the 1995 thesis was himself “at a loss to explain results contrary to the initial hypothesis” (RLEK 1997: 96). This statement is (slightly) misleading, as it suggests that Edgaonkar had preconceived ideas about lopping, and that his conclusions were not very clear, whereas in fact Edgaonkar's point was well articulated, and not influenced by any particular bias: according to him, “there [was] insufficient evidence to blame lopping for the lack of regeneration.” (1995: 35). The problem – which is one of interpretation – does not lay with Edgaonkar himself, but rather articles citing his thesis as an instrument to prohibit lopping (cf. Nusrat 2011: 97)!

Edgaonkar's study is not unique, in the sense that others before him had noted the lack of evidence supporting the FD's claim that lopping imperilled natural tree regeneration while speeding up erosion (cf. Clark, Sewill and Watt 1986). The FD had disregarded Clark et al.'s work, however, attacking the “foreign experts” as “anthropological voyeurs” writing “tendentious

reports” (Dang 1986 cited in Gooch 1998: 171). In fact, Van Gujjar lopping was never studied conclusively. Still today, there is a lack of longitudinal studies that adequately disaggregate the respective impact of lopping, logging, *bona fide* uses, and natural events within the complex “overlapping circles”. If the goal of the FD ever truly was to modernize forests by using a scientific method, then it has deluded itself with its cavalier approach to Van Gujjar lopping.

### *Disciplining the loppers*

One is tempted to say that the Department has failed to render forestry scientific, but succeeded at primitivizing the nomadic Van Gujjars. The identification of the *Jammuwala*/Van Gujjars with irrational and destructive lopping was never grounded in empirical evidence, but structured the relationship between the Van Gujjars and the Department nonetheless. Historically, the narrative concerning lopping's destructiveness legitimized the curtailment of access, disciplinary actions, and increased fines and fees for the migratory loppers.

The FD's policy on lopping was prejudicial to the Van Gujjars who were only allowed to enter forests after the requirements of the other herders had been fulfilled. For example, “*Gujars* other than the *Jammuwalas* have a prior claim on lopping as they are mostly residents of the United Provinces and are not so destructive” (Champion 1932: 112, Sen 1941: 229, etc.).<sup>196</sup> Illustrating further the institutional discrimination against *Jammuwala*/Van Gujjars, Champion made “arrangements” for (i.e., limited access to) 2,750 buffaloes within the boundaries of the Grazing Circle under his authority. He specified an additional limit of 500 for which lopping was permitted, even though he had prior knowledge of the fact that the Van Gujjars alone required lopping and grazing facilities for 2,500 heads of cattle. Champion's orders were unequivocal:

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<sup>196</sup> This sentence was reported without alteration in all in every subsequent working plan for the Dehradun Division.

...preference must be given to those *gujars* who do the least damage. The local Dehra Dun *gujars* should, therefore, be given first claim, then the Saharanpur and *Jamnawala* men in that order, and lastly whatever room there may be left should be allotted to the *Jammuwala* men. (1932: 114)

To support their discriminatory policy, foresters drew on the sentiment that the nomadic Van Gujjars were not “proper” residents of Uttar Pradesh, as explained here above. Additionally, the FD granted priority access to those Van Gujjars who abided by the Department's rules. Those who were known to have committed breaches of the forest codes in previous years could be punished and denied entry to the jungles. The Van Gujjars were particularly vulnerable to this threat because they always remained criminals *in potentia* in the eyes of the FD. Supporting this argument, a record of violations of the grazing and lopping rules perpetrated *specifically by Van Gujjars* was created by Kuber Nath who then decided to include it in the management plan of 1963:

**Table 4.2 – Kuber Nath's Racial Records of Offence (originally numbered 14.19/ix)**

Name of gujar	Block and compartment	Period for which allowed	No. of buffaloes allowed	Violations etc. of grazing / lopping rules
...	...	...	...	...

Kuber Nath's grid supplied a simple technology to track the Van Gujjars and their “criminal” career. Because Nath's record explicitly targeted Van Gujjars, it reveals how foresters viewed their identity. According to the forest legislation in vigor when Nath was in office, the Forest Department had the power to summarily prosecute forest offenders. The idea of a separate criminal record for Van Gujjars was as blunt as it was dangerous: it gave a lot of weight to the

notion that the Van Gujjars, as a group, were more susceptible to reproduce criminal elements among their ranks than any other population, all other things considered equal. As Henry Schwartz put it, in reference to other notified criminal tribes, “crime became identified with the totality of the tribe’s behavior and became synonymous with its identity as a whole” (2010: 2). When lopping began to be regulated, the basic question was restricted to the idiom of the law, without the racist overtones. With some give and take, the idea was: Should lopping be allowed or forbidden within state forests? A small amount of lopping was considered harmless and was tolerated in the 1920s and 1930s, as indicated above. Lopping in excess of that limit was thought to be dangerous and made illegal. This approach defining sovereignty and rights over forests created a new category of crime: “excessive lopping”. Naturally, the Van Gujjars who had adapted their husbandry to forests where grass was scarce became more likely to breach this law and over time, they would be increasingly identified as criminals along racial lines.

The rationale indicting lopping changed as state ethnography and new disciplinary instruments were deployed. Making the comparison between Van Gujjars and a criminal tribe was as effective as registering them as such, because the same mechanisms, monitoring, and enquiries that applied to other criminals could then be applied to Van Gujjars too. Surveillance increased (for instance, Srivastava wrote in 1951 that the “graziers” were systematically searched for matches upon entry in the forest areas, p. 64), and they were subject to quicker prosecution (the forest guards could legally prosecute offenders on the spot, cf. Chapter 3 and the Act of 1878). Big fines and sanctions applied to the Van Gujjars too (at a harsher rate than the average, see previous chapter). Also, after decades of forced “rotations” managed by a lottery system, Van



Gujjars were assigned to one place – called a “compartment”, which was duly numbered, mapped, and monitored.<sup>197</sup>

Kuber Nath thought that only Van Gujjars did not understand the damage that they (supposedly) caused. The reason why they failed to comply with forestry regulations, he assumed, was neither the pangs of hunger, nor the rumble of their stomach, nor the wretchedness of their souls, nor their self-interest; rather, it was their genetic endowment. Kuber Nath diagnosed lopping through the eyes of a biologist. He deemed it a dangerous and irremediable form of deviance, a condition premised on the radical difference of the forest herders viewed as a parasitic species: “Briefly speaking, gujar-menace is a form of parasitism that has defied all administrative correctives, because of the absolute dependence of gujjars on forests and their non-rehabilitation possibilities” (1963: 167). Having located the seat of Van Gujjar criminality in the concept of race (of a distinct, parasitic species, even), Kuber Nath expressed strong doubts about the chances of redemption of the jungle pastoralists.<sup>198</sup> Perhaps for this reason, the conservator simplified and streamlined the disciplinary measures adopted by his predecessors.

There were antecedents to this racialization. Before Kuber Nath, Srivastava had wished to reintroduce an obsolete system of badges that visibly identified the herders (see previous chapter). This proposal remained a moot letter. Srivastava had also supported strict oversight of Van Gujjar activities. To this effect, he had deputed higher echelon officers to the cattle census, holding subordinate staff and local lambardars in distrust for he believed that these men colluded together to conceal how many domesticated animals there were in the forests. To

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197 FD officials found it difficult to identify offenders within forests without first assigning each forest user to an exclusive territorial area: “The *gujar* is still afraid of being penalised, for on him the responsibility can be fixed for violating lopping rules in his own area. The villager generally gets away scot-free. The *gujar* takes advantages of this and he too lops outside his boundary and unless caught red-handed, blames the villager.” (Misra and Joshi 1970: 115)

198 I am liberally adapting Foucault when he writes that nothing was less certain for power than the results of “mechanisms with the function of modifying something in the biological destiny of the species” (2007: 10).



keep Van Gujjars under pressure, Srivastava also shortened the number of days between impounding and liquidation for extra and trespassing cattle. He advocated for “surprise checks” to catch the “habitual offenders” red-handed (1951: 129, 247-50). Like Kuber Nath, Srivastava had interest in keeping separate records about the Van Gujjars. However, his concerns revolved mainly around the mapping of Van Gujjar lineages, because kinship regulated the distribution and transmission of the grazing and lopping permits within the community. Srivastava certainly contributed to creating a situation of exception concerning the Gujjars, and linking Van Gujjar criminality to the notion of race was made easier by him.

Van Gujjar eventually became racialized scapegoats for the whole of forest degradation. The definition of lopping as a criminal practice, and the identification of Van Gujjars as a race of regular offenders distracted from firewood collection and logging by other forest users, whether villagers, lessees, contractors, or even foresters themselves. The ethnographic gaze of the state, the criminal files, and the disciplining of the Van Gujjars through sanctions also provided mechanisms and technologies within a larger strategy of cattle control which, if successful, would result in either reforming or eradicating this group. This had always been the backbone of the forest policy towards the nomadic herders. Early on, Conservator Mobbs had admitted to the fact that he aspired “to reduce the number of cattle in respect of which lopping is permitted, till the practice is completely extinguished.” (1932: 185) And Srivastava wrote 20 years later: “It is highly advisable to stop lopping altogether, but this is not feasible at present AND SHOULD BE ENFORCED GRADUALLY.” (1951: 129, CAPITAL LETTERS in original) The program, then, had always been to dispense with a race of bothersome herders, although this plan never was implemented on the ground without substantial modification.

### **Asserting rights: Van Gujjar perspectives on lopping**

The lopping rules discussed above aimed at subjecting Van Gujjars to a strict discipline and erasing their lopping rights. These regulations did not prevent the jungle pastoralists from enacting their lopping right concretely or developing their own self-representation, however. The Van Gujjars have protested against being unequivocally portrayed as agents of environmental destruction too. They are aware of and resent the bad press that they receive. Van Gujjars from several different *kholes* would tell me: “Many people say that Gujjars did this or that mischief. They sully our reputation (*badnam dete*) without any reason.” And: “Whenever something wrong is committed in this country, the Van Gujjars are the one to be blamed. I ask myself why.” For Van Gujjars, lopping is primarily a source of livelihood. Even then, they still see the work that they do as a caring and loving labor performed for the benefit of their kin, and for that of the trees as well. What follows convey the unique perspective of the Van Gujjars on lopping. Certain Van Gujjar representations might be instrumental to their political negotiations with FD officers, and should not be considered as genuine expressions of a *jangli* community living in communion with nature. Forests are political and yet, Van Gujjars do care for them.

The foresters' authoritative narratives never fully grasped the phenomenological experience involved in lopping and gleaning. Still, the official treatment of lopping as a criminal activity has left a mark on this practice and on the subjective experience that is associated with it. Thus, lopping is not an autonomous system. The sustained encounters between Van Gujjars and FD officers have altered how lopping might be performed. That being said, the nomadic herders still speak about lopping using modalities of representation that do not perfectly coincide with those of the FD. In what follows, I discuss three of these modalities of representation. Firstly, I

question the Gujjars' historiographic perspective, asking myself what representations do the Van Gujjars mobilize to reconstruct environmental history and assess ecological change within forests? Secondly, I analyze their political perspective, asking what kind of rights do loppers affirm while lopping? And thirdly, I explore the Gujjars' pedagogical perspective, trying to understand how do Van Gujjars instruct others about lopping? A fourth section also introduces dissenting voices among the Van Gujjars, as opinions about lopping can diverge within Van Gujjar groups.

*Lopping as historiography: the moral divide between the British Raj and the postcolonial state*

According to the Van Gujjars, the history of lopping can be summarized as an uphill battle against increased restrictions. Interestingly, the sheer number of rules seemed to bother Van Gujjars less than the arbitrariness used in their implementation. Looking back at forestry in its historical dimension, my informants reported that British forestry was relatively easy to understand. There were fewer but more straightforward rules. In comparison, my informants generally thought that the Indian *sipahis* and *munchis*<sup>199</sup> were dishonest and unfair in their application of the forestry code. That the departmental force counts honest workers in its ranks goes without saying, but to the Van Gujjars, a big gap separates colonial and postcolonial authorities in terms of ethics and behavior. As such, from a Van Gujjar perspective, the history of lopping does not unfold in abstract, universal time. The Indian Independence has created a historical break that Van Gujjars highlighted by attributing distinct moral qualities to different epochs. According to them, the truly moral officers were the British, and the forest guards of the Indian FD were worst crooks than their colonial counterparts.

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199 Literally *soldiers* and *accountants*, some of the FD employees with whom the Van Gujjars interact the most.

The nomadic herders never said that the virtue of the British was immaculate. They remembered the British officials for their violence and cruelty too. Indeed, one favorite story narrates the punishment of an offender of the forest codes – a timber smuggler – whom the British punished by crucifixion. Nails were driven through the smugglers' hands as his arms were stretched around the large tree trunk, in imitation of a cross.<sup>200</sup> Another gruesome, notorious story among the Van Gujjars recounts that the British ordered forest dwellers to walk barefoot within the jungles, not to startle wild game. As for the British *shikari*<sup>201</sup>, only he could don the type of hard-soled, studded leather boots that marked an important social distinction between the colonizers and the colonized. Parsing such stories, it seems counter-intuitive that Van Gujjars held fond memories of the grim colonial officers. This might be surprising, but understandable considering that Van Gujjars regard rectitude and integrity as two superior moral qualities.<sup>202</sup>

It should also be noted that the way the Van Gujjars represent the colonial past is not entirely original or idiosyncratic. It is not rare to hear Indians talking about the British era with a dash of nostalgia. This tone is usually taken to criticize government corruption today, whether real or imaginary. Nevertheless, forest conservancy was not as strict during colonial times as the Van Gujjars might remember it. British foresters were sometimes whimsical and unpredictable too. Previous chapters have discussed this point at length. Regardless, I was repeatedly told by informants that they preferred strict and impartial enforcement of the laws, though at the same

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200 I could neither confirm the veracity of this account nor date this event with exactitude. The paschal motif of the punishment awakens suspicions regarding its authenticity. However, I discovered that the story also belongs to *Taungya* folklore. The *Taungyas* are plantation workers who were held in bonded labor by the FD until the early 1980s. *Taungya* villages exist almost everywhere where the Van Gujjars are, especially around Rajaji National Park.

201 A hunter.

202 This does not mean that the Van Gujjars could afford honesty, whether their own or others'. By definition, living within jungles requires that the rules be broken.

time they admitted that they could not live inside forests today were it not for their collusion and extra-legal exchanges with forest officers who bent the rules for them.

However, from a Van Gujjar perspective, the lopping rules have progressively lost intelligibility. Since the 1950s, they have been navigating a quagmire of overlapping territorial entities and confusing calendars (see above). From the herders' point of view, forestry's "modernity" resulted in less, rather than more legibility, and more confused state agendas. Van Gujjars themselves might not speak in terms of overlapping circles, as they were never instructed about their intricacies, but they are very familiar with other dimensions of these rules such as the now defunct "lottery system" and the compartmentalization of their living arrangements, which they since have internalized. At the same time, collusion, concealment, and evasion remained the norm, and forest access came to hinge mainly on extra-legal payments. This system has made it difficult for the Van Gujjars to trust the FD employees who are constantly changing or breaking the rules for personal gain. This law of the jungle has also made it difficult for the Van Gujjars to voice their land claims in terms of "rights", which is the topic of the next section.

#### *Lopping as subsistence and narratives of persuasion*

Lopping politics are closely related to the Van Gujjars' claim to a right to subsistence. Since Independence, much has been done in India to hollow out tribal claims to land sovereignty. Displacement and rehabilitation outside forest areas, land transfers to industrial interests, and large-scale timber extraction and plantations have conspired to marginalize and even extinguish tribal land uses, and the forest dweller's autonomy has suffered as a consequence. Over time, the Van Gujjars have also experienced increased insecurity and vulnerability. For Van Gujjars today, the Department has expressed no clear desire to relinquish its prerogatives over forests.

Alternatively, supporting pastoralism does not seem to fit well into any current plan or agenda of the Indian state. Van Gujjars' sense of injustice and insecurity is also exacerbated as a corollary of their everyday encounters with forest constables. After the lopping rules were rendered technical (cf. above), there has been an increase in the number of altercations between individual Van Gujjars and forest guards. Consequentially, these everyday encounters became a focal point of the Van Gujjars' struggles. "What could be done within jungle areas", and "who was allowed to do it" were questions met with different answers depending on the type of rapport one cultivated with forest patrols. Corruption and bribery gave more leeway to the richer Van Gujjars. Meanwhile, the territorial staff of the FD took advantage of their everyday encounters to remind the Van Gujjars that their lifestyle was not compatible with the standards of modern forestry which state institutions were meant to realize.

Paradoxically, as the lopping rules became more stringent, and Van Gujjar livelihoods were put in jeopardy, the territorial staff of the Department began to exert more discretion. Without mutual understanding and reciprocity between the FD staff and the Van Gujjars, their husbandry would have been condemned to an early demise. However, other forest-dependent populations besides the Van Gujjars also compete for access using extra-legal payments. This situation has intensified environmental degradation and also undermined the source of everyone's livelihoods. Corruption degrades forests, because surplus-production is required to effectively grease the palm of the state worker who is otherwise also supposed to act as a forest steward. The extra-legal components of India's forest management also blur the distinction between subsistence economies and capitalism or for-profit economies. Even contractors in the timber business invest a share of their marginal benefits into cultivating privileged relations with forest authorities.

In this context, Van Gujjars pay constant attention to the authorities' temperament. Even when they parse memories about times long past, Van Gujjars recall details about an officer's demeanor, whether or not his protection could be obtained, and at what cost. Still today, information about the temperament of the forest guards is exchanged to determine the amount of lopping that will be tolerated, or how many buffaloes can be raised without incurring a hefty fine. To the Van Gujjars, proficiency in reading the moods of the forest constabulary is an essential skill. Furthermore, Van Gujjars work to impress upon the forest officers that there is a difference of kind between their subsistence-based economy (*bona fide* use in FD parlance) and industrial exploitation. Asserting that respecting this difference is the moral thing to do, Van Gujjars claim privileges not available to the industrial sector.

Top-level forest managers have always suspected that their staff took advantage of their position to their personal benefit. Already during the nineteenth century, the forest administration had reasoned that forestry operations had failed in different districts because lower-rung employees of the Department were only motivated by greed and their personal interests. This truncated view never seriously considered that forest subordinates were also compassionate individuals, or had dual allegiances to both the Department and to local populations. Such dual allegiance could be described as a cultural, social, and psychological factor shaping law enforcement (Vasan 2002). One conservator also declared that “the territorial staff ceased to be an effective organ...”, explaining that this was “...probably because of the orders that are received from above in favor of the Van Gujjars” (Kuber Nath 1963: 149). In this case, “above” meant politicians, public figures, and officers in the Revenue and other departments who had more political clout, and more interest in garnering democratic support than they had in timber. But whenever other agencies tried reaching forest dwellers, the FD felt that its

capacity to manage forests and their populations was undermined. Even lower-rung FD staffers told me they felt local and regional politics tied their hands.

Complex multilateral commitments also shaped forest access: the FD and the timber contractors needed the labor of local villagers, the Van Gujjars had to sell their milk, etc. Meanwhile, the Van Gujjars continued to experience a prisoner's dilemma: their forest access depended on illicit exchanges, but they had to conceal this fact, or even maintain that the rules were strictly followed, lest they lose what they had bargained for. Therefore, forest governmentality remained opaque, and highly dependent on face-to-face, interpersonal relationships. For example, for generations, the Department collected approximately the same fees from Gujjars who possessed a permit and from others who did not. Therefore, to say that holding a permit is a proof of legitimate forest usage and a crucial element of forest governmentality obscures time-honored transactions between the FD and the Van Gujjars. These unrecorded transactions could still be considered as basis for rights claims in the light of Van Gujjar marginalization; in any case, the Van Gujjars do (see the mention of “haqooq” in the previous chapter). However, archival evidences of legal breaches and discretionary management are slim. As circumstantial evidence of this system of extra-legal exchange, it was documented that in the nineteenth century nomadic herders “poured into” the Shivalik region in larger numbers than were initially allowed.<sup>203</sup> Departmental authorities were prompt to put the blame on those on the lower rungs of the hierarchy, who were seen as opportunists collecting bribes. Meanwhile, the FD administrators continued to collect fees from all supernumerary cattle, as well as others fees and fines, and did nothing to regularize the situation. As later reported by a division

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203 Revenue (Forests) Department, File 32, 1883-4.



administrator, Srivastava, top-level officials were under the impression that the rules were either not enforced or constantly broken (1951: 129).

Srivastava also wrote that the Van Gujjars were “notorious” for keeping more buffaloes than their permit allowance, working “with the connivance” of the territorial staff (*Ibid.* 130). In the light of previous discussion, the links of confidence were very weak across the different levels of the Department's hierarchy. Internal communication was another issue: information from officers on the ground travelled with great difficulty to their superiors. As Bayly (1996) and Shwartz (2010) have pointed out, the colonial administration was able to compile and manage fabulous amounts of data compared to previous rulers; however, the cultural life and politics of most village communities was still not very well understood by them. Shifting agriculturalists, nomads and forest dwellers were considered to be the most mysterious cases. Constables and officials working in the field made repeated incursions into these remote realms and yet reported little about it. Bayly called these holes that made colonial records so patchy “knowledge gaps”, adding that the different layers of the colonial bureaucracy were “weakly integrated” (1996: 165). At the highest levels of the state administration, lacunary knowledge could only be filled with approximation, stereotyping, and the use of inaccurate theories, as shown in previous chapters.

#### *The pedagogy of lopping: Law, knowledge production, and care*

The Van Gujjars are able teachers in matters of lopping. Van Gujjars need to cultivate common grounds with the FD and concede to certain rules, however, and therefore lopping pedagogy is not indifferent to scientific forestry systems. Nevertheless, a lot of what Van Gujjars say about lopping contradicts dominant FD narratives. Most contend that lopping does not do any

damage, that in fact it is just the opposite. For them, lopping is part of the normal care that should be given to trees. Based on the Gujjars' own experience, a tree that is not lopped every few years becomes more prone to drying and dying. Likewise, heavy branches might break on windy days, causing splinting wounds that can lead to exposure and kill the tree. This might be prevented by unloading the trees by careful lopping. Van Gujjars even compare tree care to the care of the human body. During her fieldwork thirty year ago, Pernille Gooch was told by her Van Gujjars informants that lopping was like trimming one's beard and hair (1998). I heard similar comments myself: it is still the general opinion that a tree looks better after having been lopped, just like a man coming back from the barber shop. Lopping is performed very gently – the Van Gujjars even say that it is done lovingly (in Hindi, *pyar se, aram se*). Only very fine branches are removed (in Hindi, *barik barik Daliyan*). Van Gujjars emphasize that they glean from the trees in a deliberate, calculated manner that actually promotes a plentiful regrowth. Such views are radically different from those of the FD that asserts that lopping is indiscriminate and “unscientific”.

It is not all Van Gujjars that publicly voice ideas in contradiction to departmental views. Informants now living in the resettlement colonies outside the Rajaji National Park are more vocal, however, and frequently blame it on the forest authorities that the trees have dried up and that conservation has failed inside the park. It must be noted that the legal situation of these Van Gujjars is more settled than that of their brethren in the forest, meaning that Gaobasti's residents can speak with more confidence. Some even say that their caring labor in the Rajaji was much more successful than the departmental management. On many aspects, the level of sophistication of Van Gujjar discourse about lopping is remarkable:

Sir, it is because of us if the jungles survived. Without us, not a single stand of trees would have been saved. Can the government save the jungle? I do not think so. We love the jungle (in Urduized Hindi, *janglon se hame mohabbat hai*). We get our livelihood (in Hindi, *rozi-roti*) from the jungle, we collect fodder from the trees. Even lopping is something that we do with love (in Hindi, *pyar se*). Other people do not have the same love (in Urdu, *mohabbat*) for the jungle, for we have come to live in the jungles centuries ago.

– *Alam Din, a middle-aged oustee from Rajaji National Park who has squatted a field in Khetiwala with his family for the past ten years.*

Van Gujjar lessons about lopping combined lopping rules and “local knowledge” almost seamlessly:

If you do something wrong, then you need to pay a fine (U. *zurmana*). But we cut as little as needed. If you are caught cutting branches over three inches [diameter shown with the fingers], then you will be fined. If you cut over three inches, the tree will become weak. For this reason we only cut very fine (H. *barik-barik*) branches.

– *Noor, an outspoken Gujjar whose dera sits on the boundary of the Rajaji; Noor has recently bought a plot of land further north in the District, because he believe he will be evicted.*

These excerpts from my interview would disappoint any ethnographer on a quest to gather unadulterated “traditional environmental knowledge” (“TEK”), defined by Gadgil, Berkes and Folke (1993) as the cognitive models of indigenous societies that explain ecological phenomena based on accumulated observations. I argue that the “traditional” in Van Gujjar “TEK” must not be taken-for-granted. Their tradition was reinvented as a result of contact and negotiations with the FD. As such, processes of knowledge production and validation were inherently political. The relationships of patronage characterizing jungle government also influence knowledge production, accumulation and dissemination among the Van Gujjars.

The founder of a non-governmental organization (NGO) in Dehradun with whom I shared my impression that lopping-knowledge was influenced by the forestry code begged to disagree. To me, lopping-knowledge always presumed “the prior presence of the law, the state emissary” as Ranajit Guha, Upendra Baxi, and Shahid Amin have theorized (1987, 1993, 1995). These scholars have shown how a dominant legal framework can effectively decode and then re-code subaltern activities, translating them in forms that official institutions can understand, such as crimes. This argument also suggests that finding an untouched, immaculate expression of subaltern knowledge is impossible. Van Gujjar's awareness of the legal context in which they evolve changes not only how they act, but also how they speak about both themselves and the forests.

For his part, my interlocutor from a local NGO distinguished the traditional from the state register. For example, he drew my attention to the fact that the law forbade lopping the “top third” of a tree, whereas Van Gujjars would say that they refrain from cutting the “leading shoots” of a tree. According to him, these two distinct expressions were proof of an irreconcilable divide between the two modes of knowing. After this interview, I found the formula “leading shoots” in an old working plan, casting doubts on the analysis of the NGO director (see Bhola 1923). In the same vein, jungle pastoralists use the English “lopping” more than the Hindi equivalent “*shakakartan*”. In fact, they even ignored that lopping was of English origins, so used they are to using it. Gujjri, their own language, has no distinct entry for lopping.<sup>204</sup> The thesis suggesting that the two political idioms of the Van Gujjars and the FD are asymptotic, never crossing each other, fails to explain the protracted dialogue between these two systems of representation and

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204 Of course, the lack of a word does not signal the absence of a concept or, in this case, the absence of a practice and the knowledge that it entails. My point rather is that this lack of a specific term in the Gujjri vocabulary questions assumptions about the “traditional” and “authentic” character of lopping.

languages. Undeniably, lopping procures a first-hand experience of the material world to the Van Gujjars. As incommensurable as this experience might be, it remains bounded and constructed in relation to state forestry regulations, forest tenure systems, and face-to-face encounters with FD workers. Briefly, lopping neither is a derivative discourse based on dominant worldviews, nor is it an autonomous domain of activity.

Subaltern subjects like the Van Gujjars had to adapt their conduct according to the legal context in which they evolved. Marginalization is a political experience that alters subaltern epistemologies: it changes how subalterns conceive of themselves and of the problems affecting them. By subverting the dominant legal register by linking lopping to environmental care, Van Gujjars successfully challenged dominant (statist) representations. State agencies could not unilaterally decide which forms of ecological knowledge were legitimate or necessary inside jungle areas, although the law was on their side. As such, the boundaries of the “epistemic community” that created lopping-knowledge have to be enlarged; state foresters were not alone in defining lopping (Haas 1992: 3). The Van Gujjars actively participated to creating lopping-knowledge and jungle-knowledge too.

In other words, the Gujjars' views about lopping never simply reproduced departmentally-sanctioned ideas, though elements were borrowed from the legal framework in place (“three inches”, “prohibited”, “fines,” etc., cf. above). It is only when the Van Gujjars speak about lopping metaphorically that their discourse becomes starkly contrastive. To the Van Gujjars, their relation with the trees is a form of kinship. As the former leader of Amnadi, Roshan, would say: “We consider the trees as if they were our brothers. If we don't stay in good terms with them, what will we eat?” To him, caring for the trees was a question of survival. “If a tree dies, it's the same as if one of our buffaloes dies.” Skeptics may feel that these feelings were

simulated. It would be tempting to interpret these words as a deliberate attempt at pulling at the heartstrings of an audience that is gained to the ideals of environmental conservation. This view that subaltern discourses are always strategic and instrumental needs to be contended with, however. The notion of care conveyed a message about everyday life within jungle at the same time as it served instrumental ends.

Furthermore, Van Gujjar discourses sought to attain a threshold of intelligibility and to become compelling. It has been vitally important to the Van Gujjars that they be understood and recognized by the departmental personnel, the public at large, the state, NGO workers, and so on. Perhaps this is not exactly the meaning that Jasanoff had intended for her concept of “civic epistemologies” which referred to the “traditions of generating and debating public knowledge” in democratic societies (2005: 143). Civic epistemologies define the “practices by which members of a given society test and deploy knowledge claims used as a basis for making collective choices” (*Ibid.* 255) to explain “how knowledge comes to be perceived as reliable in political settings, and how scientific claims, more specifically, pattern as authoritative” (*Ibid.* 250). It is my contention that the Van Gujjars consciously test the limits of the legal framework that structure the knowledge claims of the FD and circulate alternative understandings (reinterpretations) of the same framework, adding new empirical claims of their own, in a contest for garnering support and legitimizing their land use. Van Gujjar traditional knowledge is thus always also “public knowledge” questioning the official, state-centered point of view and the legal code.

The forest management plans did not do justice to the complex decisions of Van Gujjars who constantly modulated their logging based on minute observations of the condition of the forests and the trees, the mood of the forest personnel, and other circumstantial constraints.

And yet, their explanations about how they hedge risk seemed to be quoted from colonial prescriptions: “In a thousand trees,” one informant told me one day, “only half or 500 should be lopped one year so that those left can be lopped the following year.” This utterance closely echoed the systematic forest management of the colonial Raj. The similarity between colonial and Van Gujjar “rotation” and “conservancy” could be mere coincidence. However, the compatibility between their forms suggests the possibility of a protracted dialogue about lopping between the foresters and the jungle pastoralists.

Alternatively, lopping-knowledge is more than a mere “commentary” written in the margins of the forest law. As the following quote clearly indicates, lopping is intricately linked to daily life:

I can tell you this about lopping: we select many kinds of trees and for us it's the same thing as agriculture for other people [H. cara, pasture, fields]. Some people plant lentils, others plant potatoes. The trees grow just like that in the jungle. The buffaloes are happy with some of the leaves that we give them, and other kinds of leave upset them [H. naraz]. Some leaves make them give a lot of milk and others none at all.

Anthropologists working in different settings on the Indian subcontinent have observed that it is not unusual for forest dwellers to “civilize” and “rationalize” their own sylvicultural practices (Pandian 2009, Skaria 1999). In contrast, the FD continued to portray activities like lopping as unscientific, primitive, and criminal. Sipping tea inside the *deras*, lopping became one of my favorite topics.



**Illustration 30** – *Mustafa was the only Van Gujjar I knew who worked part time for the Forest Department; his words often contrasted with those I heard from other residents living in the same khol (c) Philippe Messier.*

Looking back at my experience in a critical way, however, I question how my ethnographic gaze identified the Van Gujjars with their lopping, an activity that could easily make them an item of curio and difference. However, I also think that the deliberate, pedagogical tone of the discussions fuelled my interests. Lopping also raised an ineffable sense of danger as it connects matters of life and death. Whereas lopping fulfills the needs of the household and the buffaloes, it is a dangerous activity. Countless Van Gujjar youths have been disabled or have died after falling from a tree they were lopping.<sup>205</sup> From the Van Gujjar's perspective, to instruct a sibling or a child about the dangers of a fall, about the strictures of the law, or about the temperamental moods of the forest guards is to keep them away from harm. Thus, lopping is a central concern for the Van Gujjars. I vividly remember Faruk's father (Shakeena's husband) telling me when he was alive that: “When we were young, father would scold us if we cut the head of a tree while lopping.” For all the reasons discussed so far, lopping connects the intimate

<sup>205</sup> Conservator Sen also acknowledged how dangerous lopping was (Sen 1941: 34). His remark about lopping and the risk of falling were copied in the next management after his, but disappeared from all subsequent plans.



and the everyday with jungle politics. It intertwines issues of subsistence, resource management, land rights, knowledge production, and status.

*A Van Gujjar Counterpoint: Divergent views on lopping*

Most of my informants shared the above historiographic, political, and pedagogical views about lopping. Some prominent residents of Gaobasti, the Gujjar resettlement colony, had a different opinion, however. In particular, the elected leader of Gaobasti, Baboo Pradhan, had a contrasting but still very elaborate discourse about lopping. Using a literate vocabulary, he emphasized a divide between two irreconcilable spaces, one for humanity and the other for bestiality. In his mind, the agrarian order and the jungle would remain forever divided. My impression was that his words chiefly targeted two people: an imaginary version of myself as a “state ethnographer” and the forester as the official jungle authority. The “imaginary version of myself” fulfilled his duties by filling surveys, polls, and censuses for the state. The type of research he led sought to know whether state intervention produced their desired outcomes, such as reproducing disciplined bodies, rendering populations more productive, increasing levels of education and employment, lowering criminality rates, etc. As such, Baboo Pradhan's response anticipated the norms of ethnographic surveillance. His words depicted lopping as a vestige of the past even though all around us, including in his own courtyard, the trees far-sightedly planted and nurtured by the Van Gujjars had been carefully lopped, telling a different story. I don't think the *pradhan* wished to fool, deceive, or manipulate me. As far as I could understand, Baboo Pradhan spoke to me in officialese because he felt, during our interaction, that he was subject to an ethnographic form of state control.

The utterances of Baboo Pradhan also bore the mark of the influence of FD concepts on Van Gujjar imagination. This constant communication between Van Gujjars and state workers was not trivial and it should be understood in a context where the FD still administered a majority of the funds allocated to rural development within the resettlement colonies. As such, the foresters and the *pradhan* remained in close interaction throughout the year, and they had to find a consensus about the improvements to be brought to the colony.

This was confirmed to me during my first visit to the second-highest authority of the Rajaji National Park. The assistant-director was patently in charge of Van Gujjar resettlement programs. During our meetings, he praised the *pradhan* of Gaobasti for his common sense and worldliness. In the nondescript offices of the FD on Tilak Road in Dehradun, he exclaimed: “You should see *my* [SIC] Gujjar, he is the *pradhan* of Gaobasti. He is a very powerful man!” (I48) At the top of the Department's hierarchy, the relation between power and knowledge was a practical matter indeed: it seemed essential that the community leader in the colonies share the same premises and see issues and solutions in the same way as the FD staff. The assistant-director of Rajaji told me he cherished the dream that one day a “well-educated” Van Gujjar (read: a civilized, tamed Gujjar, one sharing his point of view and his academic credentials) would sit, in his stead, at his desk on Tilak Road. I can only imagine that the Van Gujjar of his choice would feel perfectly at home at his desk. Such a Van Gujjar would share his views and thus have little motivation to remove the inspirational scotched-taped on his wall, in plain sight, reading in capital letters, “REHABILITATION IS NECESSARY FOR WILDLIFE CONSERVATION”.

Like I said above, Baboo Pradhan addressed the two figures of the state ethnographer and the forester when speaking to me about lopping. At the same time, his words revealed his political influence and his social connections. Baboo Pradhan had mastered a distinct modality of

producing lopping-knowledge that most Van Gujjars did not use. What sort of knowledge was “permissible” within the oppressive political arena of the forests, or inside the colonies, is a complex question. Claims to possess “information” did not exist in a political vacuum in the case of Van Gujjars. Knowledge dissemination depended on the political context and on how different bearers of knowledge represented themselves and their interlocutor. In Amnadi, I was clearly told that knowledge production was a moment of struggle for the Van Gujjars:

“Listen, our elders (*buzurg*) were saying the same long ago. The trees don't die from our lopping and our cutting. Rather, they grow, they increase. Yet the workers from the Forest Department (*janglat wala*) say that our people damage the jungle. [Several NGO workers] have insistently repeated to them that our people have caused no harm, that a tree going 10 or 20 years without lopping will dry while the tree that is lopped stays green. [...] The Gujjars have fought for their rights [both terms *haq* and *adhikar* being used in this interview]; they should get some recognition. In the jungles, the Van Gujjars should come to a deal with the *munshi*. [...] Earlier the Gujjars used to think that they had to remain in the jungle – and that they had to live with the *janglat*. Now, here's the issue. The deal is over with the forest staff (H. *janglat wale*). You can see it for yourself. There is nothing left here – we die from hunger, nothing is left to eat, nothing is left in the jungle.”

What is considered useful knowledge at a given time and place may not be relevant in a different context. Van Gujjars, for this reason, seem to give “traditional knowledge” less importance than the ethnographer would. The important epistemological question for Van Gujjars is “what good will knowing do me, inside the jungle, *now*”? Elders were concerned with access to a forest that was full of resources and possibilities. The regulatory mechanisms have changed since and so too has the forest ecology. Things have become less certain. If nothing is left to lop, how could Van Gujjars raise buffaloes, distribute their gifts, and fight for ancestral jungle lands? NGO workers may repeat that the Van Gujjars do not harm the forest because they follow

traditional norms, but what the Van Gujjars truly are saying is that they have not exhausted the resources, and for this deserve recognition as respectable citizens, because today lopping and gifting are mostly over, and their livelihood in the jungles along with them.

## **Conclusion**

Beginning in the 1930s, several rules were added in the divisional plans to regulate Van Gujjar lopping. Specific areas were designated for graziers to raise and graze their herds. Lopping was regularized against the payment of a seasonal fee which the Van Gujjars called a “permit”, though sometimes no document was delivered against the payment of the permit fees. With time, the proposition to set aside large swathes of land for the exclusive purpose of lopping and grazing came to be seen as underproductive. Instead, overlapping schedules were introduced with a view to optimize production. The overlapping schemes brought various forest users in competition to exploit the resources found in the same areas. Overlapping schemes also decreased the legibility and the intelligibility of the rules, which paradoxically created opportunities to overexploit the natural resources with impunity, since monitoring detecting offence was complicated. The forest staff could also use their discretionary powers even more effectively than before. During the same period, the technical aspects of lopping were strictly codified. This shifted the object of surveillance and monitoring away from the territory to the forest dwellers themselves. The number of altercations between the territorial staff of the Department and the Van Gujjars grew as a result of these new rules. The impact of these policies on the availability of the resources and the marginalization of the forest dwellers cannot be overstated. The enjoyment of their “rights” (though never recognized as such) came to increasingly depend on their appeal to the “good temper” and arbitrary powers of the forest staff.

Lopping also became a device used to identify Van Gujjar racial nature. Whereas anthropological theory identified the jungle pastoralists with the past, others administrators believed that the Van Gujjars belonged to a criminal race that was by nature more susceptible than others to cut trees illegally. These processes of identification, objectification and criminalization never eliminated the distinctive understanding of lopping that the Van Gujjars had, transmitted, and circulated, however. Memories concerning lopping helped Van Gujjars represent the passage of time and the differences between the colonial and postcolonial periods. Negotiating their right to lop also informed how Van Gujjars perceived the state officers and related with them. Colonial knowledge sought to render lopping visible, but new opaque areas were also created, without offering a solution adequate to both the Van Gujjars and the foresters. Meanwhile, based on their distinct experience of lopping, the Van Gujjars continued to circulate new contents, reinterpreting the legal text and engaging with state representatives in new ways. But as a result of the tense and unpredictable politics of forest management and natural resource access, combined with environmental degradation, the jungle pastoralists have also begun to contemplate a future outside the forests, a crucial point that I discuss at length in the next chapter.

## CHAPTER VI

### Nurturing Desires for a Sedentary Life: The rehabilitation of one's animal nature and the development of the Van Gujjars

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This last chapter explores changing Van Gujjar attitudes towards state-led reformatory schemes, including “rehabilitation”, as the rubric of sedentarization has been called in India. I draw numerous connections between the desire for a sedentary life that is currently expressed by the Van Gujjars and their situated understanding of the kind of “development” that is promoted by state and non-state agencies.<sup>206</sup> My focus is on the post-independence period, but will recall events from the colonial past to retrace the longer genealogies of development that had moral, political, and epistemological implications for the formation of Van Gujjar subjectivities.

This chapter begins with a review of classical anthropological theories about nomadism and pastoralism that, in India as elsewhere, have been instrumental in elaborating “development” policies and managing human mobility. For the reader who is already acquainted with the discipline, these anthropological views might feel outdated. Nomadism in India is still often depicted either as a colorful cultural universe that is bounded unto itself and opposed to sedentism, or as a “natural” adaptation to forbidding environments and harsh climates stunting

<sup>206</sup> Throughout this dissertation, I have defined forests as territorial entities, the boundaries of which are enforced by the Indian Forest Department. “Jungles” comprise all areas of green cover over which people maintain access to forest products such as timber, firewood, leaves, grass, and so on; connivance between various forest users and FD staffers invariably blurs this distinction however.

agrarian development. In response to the instrumentalization of these anthropological theories by the India state, I will explore alternative narratives and show that the spatial distribution, land uses, and mobility patterns of the Van Gujjars are the result of historical contingencies, political struggles, and meaningful interactions between these jungle pastoralists, bureaucratic institutions and settled communities as well. This shift of understanding from bounded nomadic cultures to wider social context, from natural adaptation to historical contingencies, stands in parallel to the evolution of the field of nomadic studies, which I will also discuss and summarize.

Thus, this chapter scrutinizes theories concerned with human mobility and nomadism, changing rural institutions, and concomitant transformation of Van Gujjar desires in the postindependence context. This approach questions the results of recent surveys that show a preference among Van Gujjars for settling permanently outside jungle areas. One example presented here that also raises question about this preference is the ambivalent experience of the Van Gujjars who have been relocated in Gaobasti – a resettlement colony – after having been evicted from the Rajaji National Park in the 1990s. One last topic addressed in this chapter is the specific idiom that the Van Gujjars use to ascribe meaning to their own actions within a development perspective, a language articulating profuse animal metaphors and animal stories. Using animal metaphors as semiotic devices, Van Gujjars manage to better define their position in the Indian national context and comment on the mechanisms that force them to vacate jungle areas. These animal metaphors also bespeak the lasting exchanges and the “moral economy” that the jungle pastoralists have maintained with state bureaucrats, politicians, and neighboring villagers. The Van Gujjars' animal stories open a window on jungle subjectivities shaped by their protracted conversation with India's dominant agrarian order, its bureaucracy, as well as its mainstream ideals of modernity and development.

Chapter 4 described the *lambardars* as intercessors and go-betweens in an abusive system of prestation and counter-prestation stemming from legal exclusions and controls of the pastoralists' freedom of movement. The *lambardars* were shown as being directly involved in the activities linked with jungle governance. They lobbied for informal access to natural resources for the herders' community and therefore made an impact on the way forestry was administered. In the long run, however, their extra-legal transfers and gift payments have been exploitative, furthering the marginalization of the Van Gujjars. In contrast, this chapter relates the slow transition from previous, *zamindari*-type tax collection systems to the formation of a "development state" promoting various programs like education, public health, and agricultural extension. Such change had implications for the Van Gujjar leadership which will be investigated here. Chapter 5 has then showed that, from the 1930s onward, stricter lopping regulations framed the Van Gujjars as a race of habitual offenders. Advancing my analysis of the causes of Van Gujjar marginalization one step further, the current chapter looks into programs that did not originate in forestry, but aimed nevertheless to redeem the nomads' purported criminal nature. This analysis thus adds to my previous argument by paying attention to seemingly new Van Gujjar desires and ambiguous modes of self-representation, changing political institutions and authority, and development programs promising to "cure" or "rehabilitate" mobility and criminality.

Unbeknownst to him, an illustrious Van Gujjar leader named Safi Lambardar – that is to say, the *headman* Safi – was my inspiration for this chapter. Safi Lambardar had been lying on his deathbed for months when I began my fieldwork in 2013. He was highly respected among his peers, and the NGO workers that knew him held him in great esteem. This is why, early on during my fieldwork, it had been suggested that I meet him. Every Gujjar I knew had a personal opinion



about development. However, leaders like Safi Lambardar might possess a privileged perspective, I thought. Maybe they remembered specific meetings with officials and the promises that were made to the Van Gujjars on such occasions. I visited the honorable Safi on a number of occasions, but the pain had confined him to silence. We could never exchange more than a few polite words, if any.

On the occasion of Safi's funeral, Van Gujjars from every corner of U.P. and Uttarakhand poured into Amnadi. For three continuous days and nights, the river overflowed with an uninterrupted procession of Van Gujjars arriving and departing by foot, motorbikes, cars, and lorries. It is believed that Safi Lambardar succumbed to a brain cancer in the fall of 2013. In India, health facilities located outside urban areas usually lack the necessary medical equipment to detect cancer before the disease runs into an advanced stage (Pramesh et al. 2014).<sup>207</sup> The prohibitive costs of cancer treatments had also contributed to making Safi's death a tragedy. Even Gujjars who are better off could not afford to pay for such medicine. For Van Gujjars supporting ailing relatives, heavy medical bills epitomized their powerlessness. Many Van Gujjars philosophically told me that the fate of a cancer victim entirely rested in the hands of God. Although faithful Muslims might often profess in public that death must be accepted with calm and resignation, this should not be interpreted as fatalism. Such statements can still be a roundabout way to blame the national health system that has, so far, failed to respond to the needs of the country's poorest.

Safi's passing away reignited two different debates in the *kholes* of the Shivaliks, both relating to (re)settlement as an effective approach to “development”. First, the case for sedentarity was framed as an issue of social development, access to healthcare, social welfare,

<sup>207</sup> Still, the founder of a NGO based in Dehradun was concerned that a recent increase in heart diseases and cancers among Van Gujjars might have happened, but his remark was not supported by a thorough methodology or statistically significant numbers.

and education. Being forest dwellers, the Van Gujjars never enjoyed the same access to state programs as settled communities. The delivery of most amenities to the semi-nomadic Van Gujjars has not only been deficient, but has literally been nullified at the forests' boundaries. This gave everyday life in the jungle its specific taint of harshness, violence, and injustice. This injustice never was anecdotal, though my informants often illustrated it with graphic anecdotes. For example, medical doctors have acquired a reputation among the Van Gujjars for being expeditious in dealing with people whom they saw as uneducated and backward. Dialoguing with jungle pastoralists over the years (and a few medical practitioners too, although the majority of those who actually dared venture inside the jungles seemed to be, or were known to be, quacks and charlatans who also avoided me), it became obvious that shortcuts were taken in the treatment of jungle denizens like the Van Gujjars. Several times I heard of Van Gujjars sent home early from the hospital without having received sufficient care or information. This compromised patient recovery and could even lead to painful outcomes such as – in the most extreme cases – child mortality. This continues to happen today, even if the number of child deaths per thousand live births is a development indicator that the Indian delegates to the United Nations have sworn to improve as part of their country's commitment to the Millennium Goals, a program that has produced uneven results across the different states of the Indian union (Claeson et al. 2000).

When I went back to the field in November 2015, I was saddened by the news that Faruk's sister's baby boy, born a few days before I left in June 2014, had died. His mother did not know what caused his death – all she could say was that her firstborn had been “weak”. Pregnant a second time during my absence, Maryam had also lost her second child before the girl had reached the age of two months. Over the course of the following days, I broached the topic of child mortality in the Van Gujjar homes I visited and every time I collected more devastating

stories of infants lost to unknown afflictions. Having heard too many tales of erroneous medical prescriptions, exorbitant fees, illegal billing practices, undue delays for treatments, and rude treatment at the clinic, it became impossible for me not to draw connections between these issues and the general argument of this thesis. How, I asked myself, could this public health tragedy operate as an active component of jungle governmentality? What could be the effects of human loss and suffering on jungle subjectivities? What was the influence of these individual dramas on the life choices and trajectories of these pastoralists? And through which practices could they subject themselves to such horrible conditions, or seek emancipation from them?

To me, the generalized lack of heartfelt feelings for Van Gujjars on the part of health practitioners only added to the ordinary lack of concerns of the average politician who rarely saw forest dwellers as their responsibility. Because forest dwellers live in unsurveyed forest habitations, it has been difficult for them to gain either a voice or a footing in the agrarian landscape, whether at the village level or in higher spheres, although astute Van Gujjar leaders were sometimes able to make the votes of the *khols* count. Still, lack of care and attention from service providers, bureaucrats, and politicians remained a territorial effect that recast jungle boundaries in unexpected ways. It also rendered forests less welcoming to those who inhabited them. This effect was then amplified by the monitoring, racial profiling, policing, and stereotyping of the FD, whose personnel also distributed well-meaning, but otherwise unsolicited and biased advice to forest dwellers, encouraging them to leave the jungles. To this should be added offensive and humiliating representation of Van Gujjars in the press. Today, the Van Gujjars painfully become aware of their social position – and the social opprobrium that exists against them – through an accumulation of everyday experiences that leave them hurt both physically and psychologically. This, I argue, composes a system of governmentality, a diffuse

police system that pushes them into thinking more and more about leaving the forests, reforming their lifestyle, and seeking rehabilitation. This “absence of care”, I argue, has given form to the Gujjars' specific understanding of social change in the postindependence period. This same absence of care has also worked as a mechanism exploited by state workers to convince forest dwellers of the necessity of leaving forests and sedentarizing. Whereas previous chapters made it clear that the forestry paradigm that was dominant in jungle areas did not boost Van Gujjar's self-reliance, confidence, and autonomy, but marginalized and criminalized them instead, this chapter considers other “modernist”, state-sponsored activities mostly unrelated to timber production but still steering the conduct and behavior of the jungle pastoralists in determinant ways.

The other crucial point of discussion that emerged following Safi's death was that he probably was the last *lambardar* of Amnadi. By itself, this was indicative of a change that had occurred in state designs and the official governance apparatus during the postindependence period. Several political functions earlier attached to the *lambardarship* were devolved to a new type of leader that the Van Gujjars called *pradhan*. The term *pradhan* was borrowed from the village governance nomenclature, although Van Gujjar *pradhans* were neither officially recognized by other state institutions, nor democratically elected like village *pradhans* ought to be.<sup>208</sup> As a result of contextual change, different dimensions of the original *lambardar* portfolio had lost their former relevance. After the *zamindari* (land collection) agreements were repelled in 1952, land reforms were effected and a new roster of technical experts (extension agents, etc.) rolled into the rural landscape. With the modernization of rural governance, forest dwelling communities would be exposed to the national vision for social development too. For Van

208 The rules for electing a village *pradhan* are found in the *panchayati raj* and rural *swaraj* (self-rule) policies that were amended in 1993 with a view to further decentralize state program governance (Johnson 2003, d'Souza 2000). In the case of the Van Gujjars, it is the women's suffrage and the non-recognition of forest constituencies by state administrators that makes the election of a *pradhan* problematic.

Gujjars, this reflected on community structures of leadership, as their customary leaders increasingly worked as *pradhans* instead of as *lambardars*. In other words, Van Gujjars did not only attempt to create new alliances with recognized village *pradhans* who administered the state development schemes at the local level, but they themselves began to look at village *pradhans* as legitimate models of leadership, that they could emulate. Such transformation entailed a modification of the relation between Van Gujjar authority figures and state bureaucrats as well. This, and other idiosyncrasies which I discuss towards the end of this chapter, have ultimately shaped decision-making processes, collective action, and attitudes towards sedentarization among the jungle pastoralists.

### **Anthropological and policy perspectives on human mobility**

Anthropology's relation with pastoralism is old, and it is possible to say that it was instrumental in the development of the discipline. Until quite recently, however, cultural anthropology upheld a romantic representation of pastoralism. The “traditional” aspects of pastoralist lifestyles were overemphasized, as well as the “strong sense of individual worth” of the pastoralists themselves, *ipso facto* attracting generations of researchers to the study of these groups (Dyson-Hudson and Dyson-Hudson 1980). Various anthropological theories have tried to identify cultural factors promoting human mobility, but until the 1980s none of them seriously challenged the tacit convention that mobile peoples were opposed to sedentism and aloof from everything “mainstream”, whether development or society. Mobility might remain a useful criterion for identifying cultures that actively encourage it, but it might also distract attention away from the fact that most of the world's nomads are in close contact with their agriculturalist neighbors, with whom they exchange, trade, and share many traits (Chatty 2006).

From a functionalist perspective, mobility has been a human response to the problem posed by hunger and the presumed constant search for food. Pastoralism and nomadism thus encompassed livelihood strategies well-suited to harsher, arid environments that only allowed the development of a marginal form of agriculture. Structural functionalism added substantially to such a common sense (and materialist) observation by pointing to the way mobility can pattern social organizations and imbue life with meaning. This implied that pastoralism did not only deal with the material dimensions of life, but carried implications for the social and symbolic planes as well.

Moving forward, academics continued cultivating new interests in, and generating new theories about, pastoralism. In many cases, these reflected global shifts in the cultural and political context in which science was produced. The focus of pastoralist studies would thus shift away from monographic studies to efforts aiming at synthesizing knowledge about mobile tribes and their relation to the state (Khazanov 1984). More nuanced examination of pastoralist attitudes towards development and change was also conducted (Salzman 1980). For their part, human ecologists and anthropologists who have looked into nomadic pasture management have also substantiated the claim that, indeed, pastoralism implied efficient management and excellent coordination, traits that are highly compatible with developed economies (Humphrey and Sneath, 1999). These studies demonstrating the strengths of pastoralist practices, however, sometimes came at the cost of a more refined political analysis, save perhaps in the field of political ecology where the “naturalness” of environmental change and adaptation was increasingly questioned (Bassett 1988, Blaikie and Brookfield 1987). In the last few decades, the scope of pastoralist studies has become more eclectic. Whether this is a sign of renewed scholarly interest, expansion of academia, or vitality of the pastoralist societies themselves, is open for debate. Recent edited

books have managed to explore an extraordinary diversity of topics related to pastoralist peoples in different regions of the world, a proof that these mobile groups lead complex lives in no way limited by their productive activities. Some key themes in recent studies are pastoralists' conceptions of space, relationships with the bureaucratic state, integration of new, emerging markets, environmental management, and shifting gender roles in the context of market integration, economic diversification, and agrarian reforms (Ikeya and Fratkin 2005, Chatty 2006). Recent calls to reconsider existing theories about human mobility and the rapid development of a field of “migrant studies” are likely to introduce further theoretical refinements in the field of pastoralist research as well (Glick-Schiller and Salazar 2013, Urry 2007). This seems to indicate that, within academia at least, pastoralism and nomadism have ceased to be considered ancient cultural forms simply determined by the ecology and herding technologies.

The same cannot be said about policy perspectives on nomadism and human mobility anywhere. In India, social evolutionism has left a deep and lasting mark. Evolutionist theories assert that nomads are either a “residue of the past” or a mirror offering a faithful reflection of earlier stages of human evolution (see Shashi 2006: 25). In turn, the social-evolutionist framework uncritically accepts that agricultural land-uses, especially industrialized ones, are not only more recent, but more advanced and therefore superior.

Policy-makers processing new information through old epistemic habits and a sort of institutionalized “commonsense” have continued to view the nomads’ transition to agriculture as inexorable (Bocco 2006). For Indian policy-makers, state personnel, and politicians, it is not easy to make abstraction of unilinear models of evolution and ideas about progress and modernity that have survived, after World War II, under the guise of development utopias promising steady economic development and prosperity for all in a rapidly globalizing world (Bocco 2006, Pieterse

2010). This crude yet “progressive” vision still characterized the perceptions of many bureaucrats I met. Meanwhile, from the perspective of national security, sedentism was a well-established norm, and mobile peoples (migrants, especially) were construed as disrupting law and order.<sup>209</sup> Such ideology further legitimized reforms aiming at “rehabilitating” India's nomads in the name of development, especially in the postindependence period.

Policy-making in India is thus characterized by considerable inertia. Consider the example of the 2014 commission whose mandate was assessing the conditions of life of the country's many nomadic and de-notified (criminal) tribes. This commission relied exclusively on preestablished lists of tribes. It made no effort to contact nomadic groups who, like the Van Gujjars, were never registered on official “tribal” schedules, even though they had been in the media spotlight in past decades for their struggles against environmental conservation and evictions from their traditional range, now enclosed by the Rajaji National Park. The Van Gujjars had been governed like habitual offenders and treated as backward peoples by state officials, as previous chapters have stated. Not only the Van Gujjars, but hundreds of thousands, probably millions, share a similar story. Yet they have been ignored by this charade that was the National Commission on Denotified, Nomadic, and Semi-Nomadic Tribes (by acronym, the NCDNT).

According to the commission's reports, nomads are illiterate, aloof from society, and deprived of all material necessities. The NCDNT delayed changing the official definition of nomads that dated back to the 1960s, although the commissioners noted that this definition, which evoked the “primitive traits” of nomadic peoples, was probably out of touch with the contemporary reality of the latter. On every other aspect, the commission's findings were predictable: dismissing the diversity and social disparities both within and across nomadic groups

<sup>209</sup> Interestingly, a different context – in which the pastoralists’ political rights and clout are recognized – produced the opposite view according to which it was landless peasants who encroached upon pastoral lands (Bassett 1988).



in India, the commission advocated for the nomads' education and inclusion in “mainstream society” (Government of India 2015). The grid of analysis employed to hear the nomads' grievances was equally inflexible. On the one hand, petitions were only heeded when fitting dominant narratives. On the other hand, the nomads' pleas were summarized in such a language and manner that all specificity was forever lost to future policy makers. Commission reports exclusively focused on the perceived lacunae regarding nomads while ignoring testimonies that did not conform to their *a priori* criteria. The commission failed to record vernacular expressions conveying the nomads' experiences of marginalization as well as their deeper aspirations. Each instance of testimony from nomadic leaders and activists was translated into a laconic statement about who demanded what.

There seems to be an urgent need for integrating new anthropological perspectives to policy-making debates in India. Nomadic peoples' studies have shown that human mobility is equally subject to pushing forces (people may become mobile as a result of environmental degradation and impoverishment) and pulling forces (people may opportunistically decide to become mobile, hoping to maintain or improve their conditions of life through such strategy) (Galvin 2009). Ultimately, the choices of mobile people depend on their specific context of existence. Policy-makers must move beyond essentialist representations of nomads and mobility. State schemes, dominant discourses, and interactions with state officials exert a decisive influence on mobile subjectivities, with implications for the development trajectories that are valued by the nomads. Nomads are not *essentially* recalcitrant to change, but the changes they can imagine are partially conditioned by the social and discursive context in which they live.

### **Bathakana, int. verb, “to be caused to roam”: a Van Gujjar perspective on mobility**

A few of my informants used the Hindi verb “*bhatakana*”, which means “to be caused to roam”, to convey their point of view about their seasonal migrations, which they felt are compelled by external forces (*zabardasti*). Preserving an accumulated cattle wealth over generations was never a simple question of habit or custom for the Van Gujjars. To keep their herds, these jungle pastoralists had to relentlessly adapt to a changing environment and perform tiresome labor. Likewise, the complex herd management decisions that they take do not stem from any “natural” process of adaptation. Herd management is challenging, and ever changing, especially in a context of political exclusion. In a sense, herding may be alienating even to the Van Gujjars, and even though they are attached to their cattle. The Van Gujjar idiom in this case communicate feelings of “compulsion” and “oppression” consistent with their view that the jungles have been turned into a jail (see previous chapters).

Already decades ago, Pernille Gooch (1998) commented on the Gujjars' lingering uncertainties regarding their future. The opportunity costs associated with a semi-nomadic life in the jungles seemed high for the Van Gujjars who worried that working with (and among) animals inside demarcated state forests described by their interlocutors outside the community as unsuited for a civilized life would eventually condemn them and their children to “remain backward” while settled populations “advanced forward” (these being common expressions heard many times in the field).

No Van Gujjar ever told me they wanted to be “full nomads” who moved constantly taking advantage of the minute fluctuations of the climate that affected resource availability. Van Gujjars have been torn between nomadism and sedentarity for as long as they can remember. As noted by anthropologist Philip Salzman, moving over long distances is tiresome: considering this,

it has never been exceptional for pastoralists to delay or even skip one of their seasonal trips to rest or take advantage of any option available (1980). This is averred by Van Gujjar history. Those who wanted to stay put for a year or longer had to persuade the forest staff enforcing the departures with lavish gifts, however. Such observation seems to contradict conventional narratives of nomads resisting restraints and fighting against the winds of sedentarization and recasts the relationships between the nomads and the state as central to the definition, and trajectories, of the migrations.



**Illustration 31** – *A rudimentary camp at a stop (parao) on a narrow motorable hill road (c) Pierre-Alexandre Paquet.*

Since the colonial days, the FD has enforced imaginary boundaries that divided the Gujjars' rangelands into different territorial units. The nomads were instructed to move in pre-determined directions at precise times, the FD imposing strict calendars stipulating the departure to and return from the hills. The Department even forbade Van Gujjars building any structure more elaborate than a seasonal hut, and the latter had to be erected within a prespecified compartment only for a limited period of time, either one or two years depending on the rotational calendar (see Chapter 5). The Van Gujjars recall being randomly assigned to their compartments through an annual lottery, a system that is nowhere mentioned in the official forest management plans, however. Finally, the FD's reluctance to formally recognize any kind of tenure or land rights to these forest dwellers, paradoxically, encouraged their mobility.

Such jungle governmentality informed by scientific forestry deployed itself through the imposition of bureaucratic constraints and barriers curtailing Gujjar mobility. The response of the Van Gujjars was to create new pathways circumventing the strictures of the forestry code. Occupying the land, crossing boundaries, and using seasonal resources without permission were instances of Van Gujjar resistance to and insubordination against state schemes. However, pastoral politics entailed much more than just resistance. Everyday encounters and dealings with state agents generated “positive” effects too, in the sense that face-to-face encounters productively mediated, and reconfigured, on the one hand, policy enforcement methods and, on the other hand, the nomads' own trajectories and desires.

This view, which reflects the complex experience of nomads, has received less attention in the field of nomadic and pastoralist studies. Pernille Gooch would thus assert that Van Gujjars had “more freedom in moving” before the British claimed dominion over India's forests, and that “such freedom has been severely circumscribed during the last one hundred



years” (1998: 113 and also 2009: 241-2). This view seems to accept and maintain a dichotomous division between state and mobile social groups. However, it is difficult to know for sure whether Van Gujjars were “freer” before British colonization, as their ways of life had not been thoroughly documented before this period. Nevertheless, it is known that the colonial powers were not the first to formally regulate mobility.<sup>210</sup> Glaring continuities in the way nomads were charged linked precolonial to colonial tax systems (see previous chapter). However, the British officers wrote that they were stricter in their official communication than they could afford to be in reality. This opened a critical space between one's words and one's deeds, a space in which jungle government – understood as the conduct of conduct and the adoption of behavior which were suited to a contested forest environment – was the most dynamic and productive. Even British officers fully committed to radically simplifying the tenure systems of India unevenly applied their reforms over their forests jurisdiction. In North-Western India, the use of discretionary powers remained systematic within forests (Singh 2009, Dangwal 2009, Chhatre 2003, and see chapter 4). Informal access endured or was tolerated in many places. The Van Gujjars could not afford to openly challenge the boundaries of colonial property but still succeeded at securing access for themselves. Their negotiations and transactions with those in charge of enforcing state policies altered the various meanings attached to state property and forests. “Postcolonial development”, for all of its puzzling complexity, is a legacy of such protracted political conflicts and active processes of negotiation and contestation between rulers and subjects, that question our understanding of the state and civil society (Gupta 1998). Van Gujjars were fine strategists in the sense that they always placed themselves on the good side of the forest guards in order to maintain their access, rather than directly oppose state authority

210 In view of the permit system, the Van Gujjars could legally lop only in specific forest blocks between November 1<sup>st</sup> and March 31<sup>st</sup>, by which date they were expected to have begun their uphill migration. This rule was first introduced in the Dehradun Division by Conservator Sen in 1941.

(Scott 1976). Through sustained social interactions, Van Gujjars got involved in jungle state-making, and this would change the forest guards' view of them, while also creating mutual understanding and norms of reciprocity where milk could be traded for access privileges.

After Independence, the Van Gujjars began to seek the support of the members of the political class who could protect them from zealous (or violently opportunistic) forest officials threatening to cancel their forest access. Van Gujjars creatively engaged with all representatives of state power, such as experts, constables, and politicians. On occasions, they paid scribes and petitioned local authorities or asked them to intervene on their behalf in matters that were normally settled either by the river council (*panchayat*) or by FD officers at the Range or higher level. Interestingly, the nomads regularly self-identified as victims and backward people when soliciting the support of state officials. That the Van Gujjars mobilized official discourses painting them in a negative light has been yet another strategy for them to stir up emotions and take advantage of the “soft corner” that certain officials had for the weak and the poor, as Bharadwaj has noted, however uncritically (1994: 28). In other words, the jungle pastoralists actively promoted the formation of a paternalistic government that, they hoped, could protect their interests.

The Van Gujjars' manoeuvres to curb state policies did not always prevail, and it has happened that intransigent forest officers stopped the herders in the scorching heat of the plains at the onset of the Indian summer, or on a grazed-out hillside at the tail of the monsoon when temperatures drops and the grass no longer regenerates (Gooch 2009). Nevertheless, Van Gujjars have been able to enforce some of their choices regarding the pattern and trajectory of their migrations through both lavish extra-legal payments and “self-deprecating identity politics” according to which they were just simple people with many mouths to feed, no other possession

aside from their buffaloes, and little knowledge except for their skills as herders. However violent their effects could be, FD judgments were habitually negotiable. Performing a discourse that misrepresented them, Van Gujjars strategically took advantage, and reinforced, a jungle government that was paternalistic.

This underscores that Van Gujjars were not passive victims of state regulations, but rather active subjects who were well aware of the “style of government” that prevailed inside jungles, and who behaved accordingly. In his 1959 report about the state of grazing in Himachal, Parmar spoke directly to these politics of persuasion. He advised state workers and officials not to view these nomads as poor:

"the economic condition of the Gujjars cannot be judged by their appearance or ornaments. The sight of a family of Gujjars moving up or down the hill gives the impression that theirs must be a precarious existence and incredibly uncomfortable one. But it has got to be remembered that these are the only people who sell milk and ghee on a commercial scale. It is not possible to ascertain correctly as to how much profit a Gujjar makes from the trade after paying the grazing dues, satisfying the requirements of petty officials and village dignitaries and getting the financial relief obtained by manuring private fields during transit. For all intents and purposes, it cannot be incompatible with his hard work particularly when the dues paid are low and grazing availed is enormous. My own impression is that, on the whole they are better off than the Zamindars [landlords]..." (cited in Shashi 2006: 88)

Parmar had wished to hike the grazing fees, hoping that this would discourage Gujjars from keeping “extra” buffaloes, or even force them out of transhumant pastoralism altogether. By encouraging the FD staff working on the ground not to look at Van Gujjars as though they were absolutely destitute, Parmar was preaching to the converted, however. Forest workers nipping daily at the profit margins of the Gujjars through illicit demands and extortion had developed their own ways of “ascertaining” the latter's wealth. Like the British foresters in

their time, Parmar had anticipated opposition to his proposal to hike grazing taxes, especially on the part of populist politicians and elected officials who needed popular support.<sup>211</sup> Attacking the image of the pastoralist-as-poor, Parmar was simply trying to render his proposal more palatable to the authorities who had reasons to shut it down. Considering the limited impact of Parmar's policy, it appears that the image of the poor pastoralist could not be dislodged so easily. Also, already in 1959, the authority of the FD over forest dwellers was increasingly contested by politicians and the postcolonial state.

Within the FD, institutionalized bribery had implications for state workers' performance on the job, individual career choices, and the FD's system of internal promotion. For example, among the four Range Officer postings of the Shivalik Division, the direction of Amnadi's Range Office was – and still is – considered to be the best, notably because Van Gujjars have always been more populous in Amnadi in comparison to the adjacent rivers. According to stories heard in that *khol*, in 1985, Amnadi's Ranger was getting approximately 55 liters of milk delivered at his door every day – a substantial “gift” to say the least! Such quantity of milk could not be consumed in twenty-four hours, so it would be distributed down the hierarchical ladder and shared with political allies in the villages around the range offices and the *kholes*. This indicates that, as the Forest Department would try to curtail Van Gujjar mobility, inversely, the Van Gujjars altered career trajectories and the wider networking strategies among the forest staff.

Bribery imposed additional social costs on the Van Gujjars. In a political economy dominated by exchanges of gifts against favors, whoever had more means, more disposable labor, and more buffaloes, ultimately enjoyed better access to the better lands and other tangible benefits. To illustrate, in a section below, I detail how Van Gujjars transitioned to Gaobasti, a

211 See U.P. Forest Department, File 260, 1902-1903, particularly the debates between the Secretary of Government and Conservator Dickinson. Saberwal has studied similar debates in H.P. There too, pastoralist peoples self-identified as poor to win over the support of (populist) politicians and to protect their access to the forests.



colony created in the late 1980s for the Rajaji National Park oustees, and explain how affluent Gujjars delayed their eviction and also bought their way into the colony when the moment was right for them to diversify the income sources of their household. The take-away lesson here is that the rich had ample opportunities to settle opportunistically – and even decide who among the family would settle, and in what order –, while the poor generally settled after having exhausted all their options, following forceful eviction, or after seeing their herd decimated by an epidemic (Galvin 2009: 190). The wealthy Van Gujjars did not really have to compromise their pastoralist lifestyle either, as a mixture of fee and bribe payments could get them access to both forests and agricultural lands. On the contrary, the poorest generally had to move out of pastoralism completely as they resettled. In this context, mobility required economic and social investments, and was not a symptom of poverty or a means to “adapt” to a harsh climate and environment.

Still, it cannot be assumed that, if unfettered from political and economic constraints, pastoralists would naturally opt for enhanced mobility. After initially showing resistance, both rich and poor Van Gujjars have chosen to take land in the colonies, although they did so for very different reasons and following different trajectories. Theories positing that mobility is the most important part of the Gujjars' identity, one that the nomads would unquestionably fight for, actually ignore the very diverse perspectives that nomads have on mobility. Theories essentializing the nomads' mobility also fail at explaining complex and fragmented patterns of Van Gujjar settlements. As shown in following sections, the Van Gujjar “community” did not offer a level playing field for the delivery of social welfare and development programs in the colonies that they would eventually claim as their own. Some would benefit more from these programs in the colonies and others not at all, diverse social and geographical mobilities being produced as a result. There is thus scope for further studies showing who among the Van Gujjars

benefited from state rehabilitation, and who did not. Likewise, it seems important to ask who inspired Van Gujjars or instilled ideas of rehabilitation and sedentism among them, ideas that have had an impact on their subjective feelings, cognitive processes, and pragmatic choices. The next section takes a first step in this direction as it raises questions about the role of the herders' traditional authority in mediating state reforms targeting their constituencies. Such an approach avoids the pitfalls of essentialism and allows for a better comprehension of Van Gujjar mobility by paying attention to its historical and political dimensions.

### **From *lambardars* to *pradhans*: Van Gujjar authorities in transformation**

Until the end of the colonial era, the *lambardars* were privileged intermediaries between forest officers, state bureaucrats, and the herding community that they belonged to. The *lambardars* collected fees and taxes on behalf of the FD, and also administered the local justice system, which had the particularity of blending elements from forestry handbooks and community values such as honesty, kinship, and labor. For example, deeds like lopping trees in a neighbors' forest compartment and watering down milk destined to be sold outside the *kholes* were considered punishable offenses in Van Gujjar society. The *lambardars* settled internal conflicts in the *kholes* with the support of other affluent men who were members of an elders' council (*panchayat*). Occasionally, the *lambardars* reported to the forest ranger who embodied a different type of, and a more formal kind of legal authority. *Lambardars* kept forest administrators informed about different topics as well, for example, fluctuating herd sizes through filling an annual cattle census (see Chapter 4). These exchanges between *lambardars* and state officers were not insignificant. They flagged a certain back-and-forth made of material, informational, and knowledge-based transactions that was the backdrop of jungle government.

India's Independence brought universal suffrage, party politics, and state reforms that transformed the political landscape of the country both in urban centers and the countryside (Brass 1994: 248). The 1950s introduced several new nation-wide programs aimed at “better” integrating citizens politically, socially, and economically. These programs mainly targeted citizens living within villages and city boroughs that already appeared on the official revenue lists. On paper, most unsurveyed jungle habitations were left out of this fresh planning exercise fleshed in Delhi's quinquennial programs. Nevertheless, even state schemes that were officially out of the reach of forest denizens could make an impact on the structures that governed their communities and their aspirations. Of course, state-sponsored “modernity” looked quite different from the vantage points of rural areas and forests, and the wide gap in terms of the type and level of public services extended to citizens within villages, on the one hand, and jungles, on the other hand, was equally easy to discern. Analytically, forests could be described as zones of exclusion where the delivery of state schemes lags constantly. Likewise, they are areas where singular, forest-dwelling subjectivities and institutions are produced.

Post-1947, the *lambardars'* role was redefined following a change of direction by nationalist intellectuals and the Indian Congress Party. Their core strategies of nation-building were rapid industrialization, import substitution, and infrastructural development. State agencies subsidized large public works that drastically changed the lives of millions of Indians. The face of India was changing for forest dwellers too, but not in the same way. Prime Minister Jawaharlal Nehru spearheaded the re-engineering of the nation's infrastructures, capturing the dominant vision about modern development in an iconic statement that touted the great hydroelectric dams under construction as the “new temples of India” (Morrisson 2010). But there were no equivalent forest temples.

Overall, state modernists were optimistic. For them, better infrastructure would bring a definitive solution to issues of poverty and hunger. Land and tenure reforms could then also redistribute land, optimize agrarian production, and incite investments in technology and mechanization. In this cheerful picture, economic prosperity would also solve social ills; employment in newly industrialized sectors of the economy would end labor exploitation, and migrants and precarious workers would finally settle and bring order to their lives. Meanwhile, the position of those who traditionally dominated rural life were slated for liquidation. In the agrarian sector, for example, efforts were made to get rid of absentee landlords, traditional moneylenders, and traders-middlemen seen as depressing the rural economy, enslaving the work force, and, in short, hindering modernization (see Gupta 1998: 75-77, Byres 1988, Whitcomb 1972). In regard to pastoralists, the architects of India's rapid industrialization retained a negative view (see also Chapter 3). Their ideas about pastoralism compared eerily to those endorsed earlier by colonial administrators. Fratzkin pertinently observed that: "In the modern era of nation building and global economic integration, nomadic pastoralism has been seen as an obstacle to social and economic development, 'primitive and wasteful' that leads to environmental degradation and impedes market development" (1997). Such was the background against which the distinct notion of "tribal development" was born, a rather unique form of development that would in time bring important transformations to the Van Gujjars and their leadership.<sup>212</sup>

The highest authority on tribal societies in India at the time of Independence was Verrier Elwin. Through his efforts, tribal assimilation was ruled out as an inadequate strategy to "develop" tribals, forest dwellers, and other marginal producers. Elwin was a staunch Gandhian and a critic of any uncompromising modernity. Interestingly, in a bid to rally the Congress Party's

<sup>212</sup> Generally speaking, policy proposals promoting different worldviews generated significant opposition from politicians who see this agenda as trivial in comparison to the urgent task of alleviating poverty. Most social reformers never envisioned a path for tribals other than modernization (Singh 2009: 67).

intellectual vanguard to his views, he molded his guidelines for tribal development not on Gandhian philosophy, but rather on the outline provided by Nehru's "pansheel principles". The original "pansheel" comprised five key points for the institution of diplomatic foreign relations between the non-aligned nations. These principles had been exhorted by Nehru in 1955 at the landmark Bandung conference gathering representatives from nations that wished to protect their independence in a world that was divided between two super-powers.<sup>213</sup> For Elwin, tribal difference was sizable and, to some extent, tribal communities deserved to be treated as non-aligned nations too. In spite of the fact that the term *pansheel* bore Nehru's *imprimatur*, not everyone in power rallied themselves around Elwin's proposal. The "tribal *pansheel*" would be hotly criticized by ardent nationalists who refused to acknowledge the fragmented nature of Indian society, and argued that protecting national unity was the priority.

Like the original *pansheel*, Elwin's doctrine was five-pronged. The first step of his doctrine was to unambiguously embrace tribal differences. Point two and three then respectively advocated minimum intervention in tribal areas and avoiding drastic changes. The fourth component of the *pansheel* conceded that tribals had a right to develop "according to their own genius". Lastly, the final point of the *pansheel* pushed for a "psychological approach" to tribal development. This last point did not translate into immediate action but ultimately it meant that tribals' rights must not endanger national integrity, which was sacrosanct. Elwin's *pansheel* was about respecting cultural differences of the so-called tribal peoples, but clearly, this would not be allowed to pose a challenge to the dominant nationalist vision.

Nehru's original *pansheel* principles were meant to establish peaceful relations between independent nations. It did not cause any commotion in India at a time when Nehru still inspired unflinching confidence. In contrast, Elwin's vision for tribal development attracted overt

213 *Panch* means five in Hindi.

criticisms. To some, Elwin's approach was oddly similar to the British's "indirect rule", and therefore far too isolationist (Misra 2005, Roy Burman 2005). That the "tribal *panscheel*" also informed the development strategy for "NEFA" territory – the North-East Frontier Area – did nothing to dissipate the doubts surrounding Elwin's new brand of tribal development. NEFA was described as an underdeveloped area and the home of many tribal groups. The British had refrained from deploying a full-fledged administrative force there, but then the Indian modernizers wanted to unify every corner of the nation, and they were coming to be at loggerheads with the non-intervention policy of Elwin, especially in NEFA territory (Roy Burman 2005). To maintain isolation might not have been part of Elwin's original intentions, however. This missionary-cum-anthropologist had explicitly worded his desire "to bring the blessings and advantages of modern medicine, agriculture and education to tribes, [however] without destroying the rare and precious values of tribal life" (Elwin 1957 cited in Rath 2006: 76). Verrier Elwin wanted to strike a balance between isolationist and assimilationist approaches, both of which he found too radical. He therefore called for a middle ground that he termed "tribal integration" (Rath 2006). Without surprise, the two camps at each extreme of the ideological spectrum judged his position unsatisfactory.

Elwin's contribution to tribal policies eventually fell into disgrace, mainly due to a later proposition of his that stirred controversy. Always searching for an alternative, Elwin suggested enclosing tribals areas inside a new category of "National Parks". With this proposal, Elwin might have been trying to realize Gandhi's ideals of self-governance and village autonomy, granting tribals a right to self-administer. The suggestion did not please the political majority, however; Elwin's proposal to deny "park entry" to politicians, scientists, and even non-ethnic citizens, raised strong objection (Rath 2006). In and of itself, the "national park" denomination

was unfortunate. It gave serious grounds to Elwin's critics, who vehemently accused him of wanting to preserve tribals as museum showpieces or, to say it differently, as zoological specimens (Karnik 1998). Van Gujjar leaders have themselves been very sensitive to similar vocabulary. Pastoralists already have a feeling that India is not treating them like citizens, but rather like animals (see below). This is perhaps why vocal elements among the community have regularly sided with politicians who supported aggressive integrationist policies.

Interestingly, this debate pitting so-called isolationists against assimilationists is still alive in India today. When, in 2006, the Forest Rights Act (FRA) was enacted to bestow land rights upon traditional forest dwellers, the opponents to this rights-based approach claimed that such a measure would keep tribals secluded within forest areas, depriving them of any chance of capturing the benefits associated with agrarian development. FRA sympathizers were blamed for wanting to keep tribal peoples in isolation as pristine “anthropological showpieces” (DNA 2014). At the risk of denying tribals rights over lands that they had occupied and cared for in customary fashion for generations, the assimilationist camp unabashedly claimed that the “right to development” of tribals was preponderant. The underlying (territorial) premise here was that “development” would never reach inside jungles, and this ironically was a recognition by Indian officials that forests had been, and still are, managed as areas of exclusion.

The *pansheel* philosophy has remained in currency to this day, as it continues to be referenced in the grey literature on tribal issues, even though this five-fold philosophy never materialized into a clear program benefiting tribals. This later role was instead devolved to the reservation system that set aside a percentage of seats in schools, public jobs, and government offices for tribal status holders. Reservation has been the hallmark of state development programs catering to disfranchised classes, oppressed castes, and so-called tribes in India. This approach is

also contested, notably on the grounds that, whereas it benefited sections of the tribal population in India and members of the oppressed castes too, it has generated very limited social gains in truly isolated areas, in which category forests and jungles undeniably fall. For tribals who never appeared on the official tribal schedules in their home state – like the Van Gujjars who, unlike the Gujjars of H.P. and J&K, have never been officially registered as a tribal group – the gains have been even more slim. Even in such zones of occlusion and official ignorance as forests, however, the concrete absence of state-driven development did not mean that tribal life remained unchanged. Through agile political brokering, politically savvy tribals have been able to garner state support although, according to official schedules and censuses, they do not even exist (!), or are ineligible for state promotion and welfare. Other changes occurred too which were the result – intentional or not – of policies whose primary goals were not tribal development *per se*, but the management of forestry, conservation and mining operations, to name only a few.

For Van Gujjar society, a reform like the abolition of the *zamindari* agreements brought more substantial changes than the *panscheel* philosophy. The *zamindari* abolition stripped the largest landlords of India of territorial privileges obtained under colonial rule. The repeal of the *Zamindari* Act had significant repercussions both in rural and forest areas. Territorial boundaries shifted, the FD's jurisdiction over the country's green cover was suddenly extended, and the local balance of power was also upset as a consequence of the overhaul of the colonial tax system (see Chapter 3). The FD gained extensive land, but also contracted new obligations, like collecting its fees directly from individual forest users. This last initiative was part of an effort to modernize state institutions (including tax collection systems) and remove tax-farming intermediaries, starting from *zamindars* all the way down to the *lambardars* whose position was prominent among pastoralist society throughout the colonial period (see Chapter 4).



These reforms were not at all consensual. Even FD officials opposed them, on occasion openly vouching for the Van Gujjar headmen who were their main interlocutors among the pastoralists. The following is the integral transcription of a letter extolling the services of one such traditional *lambardar*. I luckily stumbled upon this document when going over the personal archives of one of my informants in Gaobasti. The letter was penned by R.N. Kaushik, a Forest Ranger and overt partisan of the “headman system”:

Shri Noor Mohammad Gujar Headman has been attending to the milk supplies of the Forest Ranger Classes during their camps in Saharanpur Division. His arrangement have been satisfactory.

He tells me it is getting difficult for him to make arrangements now as the system of Headman has been recently given up. In a forest with the Gujars scattered all over, it is obviously much more convenient and efficient to deal with them through a headman.

Anyway it is for the D.F.O. to handle these gujars. I am only suggesting the retention of Headman system amongst the gujars in the Forests.

Signed at Camp Dholkhand on December 12<sup>th</sup>, 1956  
by R.N. Kaushik, Principal of the Forest Ranger College, Dehradun

This official show of support for the *lambardars* runs counter to the conventional idea that the interactions between forest officers and jungle dwellers were predominantly antagonistic. FD officers who, like Kaushik, challenged the tax reforms in order to retain the services of their *lambardars*, were confident that they held the latter in a tight grip. The fact that the *lambardars'* allegiances were split between their constituency and the FD seemed inconsequential to them.

The *lambardars* would nevertheless progressively lose their authority independently of the FD's reluctance to see them go. In hindsight, the tax reforms did not cause disadvantages to the FD. The Van Gujjars recalled that the removal of the *lambardars* resulted in a loss of bargaining power. Until Independence, many details relative to forestry (and grazing)

management had been left to the discretion of forest guards and traditional leaders. In this context, the *lambardars'* cooperation with the forest workers had implications beyond the economic sphere. The FD needed efficient *lambardars* to rule in all legitimacy, and the *lambardars* had interests in staying informed by, and in the good favor of, the FD staff.

Following the reforms, the modalities of encounter between Van Gujjars and state constabulary were further individualized. Likewise, forest regulations increasingly targeted specific individuals performing specific actions in specific ways (see Chapter 5). The absence of recognition of Van Gujjars as a legitimate tribal group in U.P. and Uttarakhand allowed this atomization to occur. The residence pattern in isolated households also undermined cooperation between families, and overall the forest guards could manage to put more political and psychological pressure on individual household heads as the *lambardars* were losing their prerogatives. With the *lambardars* progressively fading from the picture, the FD workers began to collect their fees in person. My informants described how forest workers took advantage of their visits to provide unsolicited advice, talking about sedentarization, and threatening those who could not pay with eviction. To a point, however, individualized encounters were desirable for certain Van Gujjars who wanted to circumvent the power of their headmen. It is even doubtful that the *lambardars* could have lost their prerogatives were it not for the maneuvering of their constituents themselves. A mix of opportunism and resistance to abusive *lambardars* motivated a strata within the pastoralist community to distance themselves from their traditional authorities. Needless to say, more affluent Gujjars preferred negotiating the terms of their access directly with the forest guards and the *munshi* – as controllers and accountants are locally called –, their economic leverage guaranteeing them access rights that only a *lambardar* could oppose on moral grounds, but even then with great difficulty, for example, when the land customarily occupied by a neighbor was infringed upon.

The rise of “development” to a hegemonic status played a considerable role in the *lambardars*'s demise. *Lambardars* might have initially enjoyed the protection of the FD, but decades of state-sponsored interventions in rural settings transformed popular expectations even in the most peripheral areas. Van Gujjars learned to ask for state subsidies, compensation for a lost buffalo, reparation for damages caused by a natural cataclysm, and so on, in accordance with rapidly changing state programs that shielded marginal producers against unpredictable losses. Van Gujjars were informed about these schemes by villagers, word of mouth, rumors, and radio and newspapers coverage. With time, the need for literate leaders, or at least leaders who were conversant with the forms, formalities, and rituals of state welfare, grew exponentially (Dyer 1998). State bureaucrats and party workers also supported, encouraged, and in some ways preselected Van Gujjar leaders who were cognizant of their own procedures and who shared their ideas. Even the FD, which was initially in favor of keeping the old *lambardari* system in place, joined the ranks of the modernists eventually, and adapted to the development discourse for their own benefit. On a few different occasions, I was able to observe conversations between constables of the FD and Van Gujjars. Forest guards generally advised jungle pastoralists to think in the same terms and language as those which state schemes employed. They encouraged Van Gujjars to strategically self-identify as poor and deserving. It is also interesting to note that the FD would tried to change the attitude of the Van Gujjars. Brandishing promises of future income as an incentive, the FD has tried to coerce people into adopting different views and changing their behavior towards trees and forests (Agrawal 2005). The specific kind of *modernization* that shaped jungle government over the last few decades has transformed Van Gujjar leadership on many counts. Literate *pradhans* capable of maintaining a productive relationship with state workers working outside the narrow frame of forestry, who also showed dedication in furthering the state agenda for development, gradually came to replace the *lambardars*.

In Gaobasti, this change was completed many years ago. The current *pradhan* of the colony is praised by the directors of the Rajaji Park because of his work as a community modernizer. Everyday, he received visitors including brokers and fixers, state experts and rural extension workers asking him to fill forms, sign engagements, send requests, administer funds, provide different services, and distribute benefits and favors. Agrarian development provided the thematic background of these interactions. Also worth mentioning, even within forest zones excluded from state development initiatives, Van Gujjars felt it necessary to keep themselves informed about state welfare schemes as they applied to agrarian settings. Van Gujjars' political imagination expanded through the Gaobasti experiment and their everyday engagement with state workers after Independence.

Changes in governance structure and community institutions, the new development agenda, and revised modalities of contact with state officials have all been instrumental in transforming jungle government. This might explain why, in Amnadi, no one expressed the need to choose a new *lambardar* after the respected Safi passed away. For many years, the *lambardar* had not been required to mediate encounters with the constables of the FD or secure access to the forests. In the contemporary context these issues could be dealt either in person or through the *pradhans* – the new face of community leadership. Jungle *pradhans* also kept alive a protracted discussion with politicians and state welfare administrators about the dual agendas of (tribal) development and rehabilitation. Van Gujjars' *pradhans* cultivated personal connections with politicians and state workers, and endorsed whoever promised to settle Van Gujjars for their social betterment. For this reason, the next section is devoted to the genealogy of state rehabilitation programs that were central to reshaping Van Gujjars' political imagination during the post-independence period.

## **Working towards rehabilitation: new political channels and new silences for Van Gujjars**

In the years after Independence, the Indian state worked assiduously to change popular mentalities towards government and reform norms of behavior that were deemed incompatible with modernity. For Van Gujjars, one concrete manifestation of this reformatory drive consisted of five public conferences which they attended as they were held in various locations of Himachal Pradesh and Uttar Pradesh (in areas that now belong to Uttarakhand) between 1959 and 1961. A positive outcome of these conferences was the creation of new bridges between pastoralists and the political class. Until then, jungle dwellers had been maintained under the exclusive govern of the FD. Their initial contact with the nationalist elites of the Congress Party remained steeped in prejudice and inequality, however. The opening addresses of each conference made this point quite clear to Van Gujjars, while also fleshing out the objectives pursued by state rehabilitation programs. In the stark words of one speaker, nomadism represented “a dark stain on the white cloth” of national progress. Similarly, at the 1960 Nomadic Tribes of India Conference in Delhi, it was:

...recommend[ed] to the Government of India for allocation of substantial funds for the rehabilitation of the Nomadic Communities so that they stay at a place, build their own houses and subsist as a good citizen of the community. Such a course will also wean them away from criminal tendencies if and where they exist consequent on the nature of their unsettled lives. Such a provision should also include the opening of a considerable number of schools for them, so that the allurements of an honest livelihood may stand against their lust for wandering (First Resolution of the Nomadic Tribes of India Conference reported by Shashi 2006: 93).

In the aftermath of these conferences, various settlement experiments were tested in Himachal Pradesh, producing mixed outcomes. Some new settlement colonies were briefly inhabited, only to be deserted again (Bharadwaj 1994). It had been hoped that the so-called

“wanderlust” of the nomads would be cured if they were granted land, and especially fields to sow. But forceful sedentarization remained inadequate to “rehabilitate” nomads because mobility had never been the irrational pursuit that bureaucrats assumed it was. For cattle herders, mobility was both a way of life and a coping strategy. It had never been exceptional for a family of pastoralist herders to settle down for a few seasons, only to resume their migration when the resources on which their buffaloes thrived became unavailable or overly expensive locally, or even more simply, because they felt like moving again. But bureaucrats wanted nomads to become attached to the land and to settle once and for all. Contrary to widespread beliefs, however, Van Gujjars were not ignorant of the value of the land. I knew a family who had held onto the same property since 1961. Their late grand-father had taken the advice of one of his political allies who was a local figure of authority in the vicinity of the city of Haridwar. He bought land that used to be a jungle tract as an investment. In subsequent years, a few of his sons sold their share of the land and resumed a nomadic life inside the forests. One of them kept the land, however, and today that son raises buffaloes in the protected forest areas nearby while enjoying possession of the land. Other Gujjars I knew had land that they did not occupy permanently, still hoping to amass enough capital to build a decent property on it. The diversity of Gujjars' trajectories does not lend itself to making blanket generalizations.

Diverse historical and institutional traditions explain why bureaucrats would want to “rehabilitate” Van Gujjars, however. According to the Merriam-Webster dictionary, *to rehabilitate* means:

- : to bring (someone or something) back to a normal, healthy condition after an illness, injury, drug problem, etc.
- : to teach (a criminal in prison) to live a normal and productive life.

The term rehabilitation began its eventful career in India as one of several thousand alphabetical entries compiled in the index of the colonial Home Affairs, now stored at the National Archives in Delhi.<sup>214</sup> Under the colonial Raj, rehabilitation conveyed either one of the two above-cited meanings. The archival documents of the Indian Home Affairs filed under the rubric “rehabilitation” between the end of the 19<sup>th</sup> century and Independence spoke of Indian Services personnel injured and disabled on duty. The state had a policy of compensating wounded officers either by offering them a new source of income or a pecuniary compensation. The term rehabilitation also spoke of convict probation in penal colonies like the infamous Port Blair in the remote Andaman Islands. In her book *Subaltern Lives*, Clare Anderson relates how convicts there were guided through a disciplinary process of “rehabilitation” that involved several steps (2012: 30-32). As the prisoners completed each one of these prescribed steps, they gained the trust of their jailers and were given greater responsibilities including that of looking after other convicts. This gradual process established a tiered government of sorts within the penitentiary, institutionalizing norms of good conduct there. A key concept in reformatory approaches, rehabilitation was clearly painted with penal hues in the Andamans. I believe this example may actually reveal a few things about rehabilitation in other contexts as well – with forests dwellers, nomads, and tribal peoples, for example.

For Van Gujjars, “rehabilitation” would be ascribed a new meaning following the traumatic events of the Indo-Pakistan Partition that left tens of thousands of lives shattered. During the troubled period that followed the Declaration of Independence, the focus on

214 At the National Archives in Delhi, the librarian in-charge introduced the yearbooks of the Home Affairs as a source of information about the Van Gujjars. I learned later that this was a mistake when I serendipitously found separate indexes for the archives of the Forest Department, the “authority” under which the Van Gujjars fell. Another challenge was that departmental archives often appeared in the indexes but could not be found. A majority of request stubs I submitted were returned with the mention “N.T.” (i.e. not transferred). Fortunately, I was more successful at the archives in Lucknow, U.P.

rehabilitation shifted to the displaced persons who had moved across the Indo-Pakistani border hoping to flee the bloodshed along this new boundary. In India, new institutions called “rehabilitation boards” were created at every administrative level, from the municipal to the national. These boards were tasked with the re-settlement of those displaced by the Partition. The boards and their mission eventually outlived the events that had justified their creation. They took charge of flood victims, dams oustees, and even slum-dwellers who were “legally evicted” because they arguably needed “rehabilitation” too.

Rehabilitation programs operated on a large scale, and their ecological impact was perceptible in North-Western India where they significantly altered land uses and the landscape. Strathorn's *Environmental History of Postcolonial North India* addresses this question (2009). Large groups of displaced peoples and demobilized soldiers were sent to the Tarai region situated beyond Dehradun. This malarial zone could not have been reclaimed by the British, but the Indian state conquered it by way of the application of DDT and the power of bulldozers rendering the marshy expanses of the Tarai more hospitable to agriculture. As such, the rehabilitation programs were instrumental to the extension of the agrarian order in the North-West, while also perpetuating colonial ideas of improvement and land reclamation for agricultural purposes.

How rehabilitation could impact the lives of Van Gujjars is more difficult to ascertain. According to Manku, Muslim Gujjars massively fled to Pakistan during Partition (1986). Similarly, Bharadwaj has argued that sizeable contingents of Gujjars deserted Himachal Pradesh around 1947, moving as far as J&K where they already formed an important part of the demographics, but probably not farther (1994). Shisha thinks Gujar pastoralists initially fled to Pakistan and came back, a theory my informants never once mentioned (2006). Bharadwaj's account sheds additional light on rehabilitation because it includes a comprehensive summary of



the epistolary exchanges between various government officials who expressed concerns for the nomadic Gujjars during these agitated times. Bharadwaj's rendition of their correspondence shows how rehabilitation board members, social reformers, and elected politician – including Prime Minister Nehru who attended the last of the five above-mentioned conferences – came to learn about the condition of pastoralist peoples. This recognition of the nomads' predicament was an important event even though most politicians persisted in considering nomads as *homeless* and *landless*. According to these politicians, there was no reason that rehabilitation programs compensating material losses could not improve the living conditions of the Gujjars. The first official use of “rehabilitation” as a potential answer to the perceived needs of the Gujjars is most likely found in the document titled “Starred question No. 1182 by Shri Kajrolkar for 17/8/1956 in the Lok Sabha regarding rehabilitation of Gujjars of Himachal Pradesh”. The polysemic nature of the term rehabilitation would here enlist jungle pastoralists as both displaced and homeless, and peoples who needed to improve their lifestyle and collective morale.

Politicians were not alone in considering pastoralists through the lens of rehabilitation. The Van Gujjars themselves would gradually learn through their acquaintances with bureaucrats to express their reality through terms directly borrowed from state programs. Within the bureaucratic machinery, prevalent practices and mechanisms automatically translated Van Gujjar grievances into officialese, too. Through the written words of their paid scribes, the Van Gujjars petitioned their elected representatives. Jointly, they mobilized official state language and drew new connections between their reality and state programs and provisions. State officials habitually appended the pastoralists' petitions and grievances to their correspondence with other members of government. Unfortunately, authors like Bharadwaj omitted to copy the original demands of the jungle pastoralists and the specific idiom of the latter was thus lost in translation.

This unexamined form of “censorship” transformed politics from below into reified state interventions – a process recurring in reports by the NCDNT, presented above. Insidiously, such process equally imparted the impression that state officials and administrators were the sole instigators of “rehabilitation” programs, whereas in reality those at the receiving end were involved in rendering rehabilitation concrete too, mobilizing, agitating, and asking for concrete responses. Recovering the voices of Subaltern subjects like Van Gujjars through the uninterrupted textual production of the dominant state is essential, but complex analytical work. Below, I will provide examples of the linguistic manipulations and animal metaphors that Van Gujjars might use to make sense of rehabilitation programs, as a way to show how state programs have been shaped by idioms from above and below.



**Illustration 32** – *The Van Gujjars take pride in knowing that their lambardars have met the leaders of the nation. Here, a prominent leader is seen in the company of Prime Minister Indira Gandhi in 1976 (c) Pierre-Alexandre Paquet.*

In many respects, the 1950s and 1960s were a pivotal period for Van Gujjar politics. Because of “rehabilitation”, the “Gujjar question”, which had earlier remained confined to the FD's purview, began to receive the attention of the country's political class. The interactions between Gujjars and politicians became more sustained. This was particularly true in regions such as Jammu, Kashmir, and Himachal Pradesh, where Gujjars represented an important voting bank, but even the Gujjars of Uttar Pradesh later to be known as Van Gujjars could not be entirely ignored. Members of government at different levels of administration – from the village to Parliament House in Delhi – had stakes in responding to the demands of the Van Gujjars that diverged from those of the FD. Van Gujjars could utilize these new channels by sending delegations to the district magistrate (DM) and even higher offices to convey their grievance. For example, when around 1974-1975 problems erupted in the Rupin-Supin area of what was then Uttar Pradesh (present-day Uttarakhand), Van Gujjar representatives traveled all the way to Lucknow, the state capital of Uttar Pradesh, where they knew they could count on a receptive ear in government (these events reported by Vashita 1994). For jungle pastoralists, the new democratic channels indeed opened opportunities to have their voice heard. Their poverty spoke enough to populist politicians and bureaucrats like the DM, who also was a public figure, and this created opportunities for Van Gujjars to momentarily escape FD rule.

These transformations of the political landscape occurred although, *strictly speaking*, the promises of rehabilitation were short-lived for the Van Gujjars. Van Gujjars were rapidly declared ineligible for the assistance distributed through the rehabilitation schemes. Nevertheless, a process had been initiated through these talks about rehabilitation, the result being these new bridges between Van Gujjars and state officials working outside the FD. In Himachal Pradesh, the politicians and state servants who had become involved with Van Gujjars handed their files over

to the Tribal Welfare Department (Bharadwaj 1994). It is that Department that was responsible for implementing various “rehabilitation” measures aimed at improving the Gujjars' life conditions. In U.P., however, there was a hiatus of more than 20 years before new options for relocation were made available to Van Gujjars, and these only arrived in a context of impending evictions created by the enclosure of the proposed Rajaji National Park. How pastoralists first responded to the offer of land in Gaobasti, the resettlement colony for the Rajaji oustees, and how they view it now, are very different propositions. The next sections track these changing views from the Van Gujjar perspective as a means to understand the many layers of meaning attached to an idea such as rehabilitation in postcolonial India.

### **Forging opinions on relocation: comparing the case of Gaobasti and the recent surveys**

In the early 1980s, the FD produced a list of 512 Van Gujjar families which were slated for relocation from the area that has become the Rajaji National Park. This number officially grew to 1390 families by 1998 after a second, more thorough census was taken at the joint request of Van Gujjars, a local NGO, and social activists. Again, in 2009, 1610 additional Van Gujjar families self-identified as either deserving or displaced Rajaji residents during a voluntary roll call organized by the FD. Whereas the first two censuses led to the creation of an equivalent number of places in Gaobasti, the results of the third survey effort have remained moot. The FD is now of the opinion that Van Gujjars lie about the settlement history of their household to be enlisted on their censuses and take advantage of the rehabilitation opportunities extended by government.

Meanwhile, Indian conservationists working in the Doon area have generally applauded rehabilitation initiatives. For them, these programs represent a win-win scenario

allowing wildlife protection to be strengthened, on the one hand, whereas, on the other hand, Van Gujjar life standards can be expected to improve within the relocation colony (Harihar et al. 2015, Harihar et al. 2014). As such, rehabilitation through resettlement and sedentarization effects a transition from nomadism to sedentism which has been continuously framed by politicians and policy-makers as both “normal” and a step forward. This belief, a caricature of the anthropological theories discussed above, needs to be critically reappraised as it ignores the views of the displaced themselves.

This issue is complex. Recent surveys conducted among the Van Gujjars effectively show that the buffalo herders have a marked preference for sedentism over nomadism (Hussain 2012, Harihar et al. 2015). Those results require further attention. The two latest opinion surveys have been administered by fellows at the Wildlife Institute of India and the Department of Forestry at Hemvati Nandan Bahuguna Garhwal University, respectively. That the pollsters were not career sociologists with prior experience among forest dwellers and tribals, but ecologists strongly in favor of relocation, not only raises healthy skepticism, but signals the persistent clutch of the forestry nexus over Van Gujjar destiny. In 2015, Harihar et al. asked forest dwelling Gujjars if they were in favor of “co-existence” – meaning living with wildlife (and the megafauna, the populations of tigers and elephants that the Rajaji National Park and the FD wish to protect in priority) and pursuing a livelihood based on semi-nomadic, jungle and hill pastoralism. Survey participants were asked to select up to four areas in which their livelihood needed urgent improvement. These included animal feed subsidies (to decrease lopping pressure in state forests), health and education (either through doctor visits and nomadic schools, or transportation to existing healthcare facilities and rural schools, but the building of schools and health centers within forests was not an option given), fences protecting livestock from carnivore

depredation, and veterinary assistance. Other issues were overlooked by the scientists, such as the use of the budget for plantations by the Forest Department to reclaim the *tappars* or grassy banks used by the Van Gujjars and the premeditated planting of trees that are not palatable to the buffaloes, a mode of intervention which is effectively cutting the supply of leafy fodder and marginalizing Van Gujjar livelihoods. Such plantations replace the natural canopy with timber species, which the Van Gujjars cannot use without risking prosecution. Through the deployment of plantations, the FD is nowadays squeezing pastoralists out of forests and also criminalizing them. Other issues ignored by the scientists were the necessity of improving forest productivity through the removal of *Lantana camara* and other invasive species, creating income opportunities linked to forest management for local forest dwellers, and of course distributing land rights. Harihar et al. never questioned how the FD could use forestry as a technology of power and an instrument of oppression. Neither did the pollsters neither question the legitimacy of the FD that maintained forest enclosures and enforced their boundaries.

Responding to leading questions, the Van Gujjars told the researchers that they preferred relocation over “co-habitation” and “co-existence” due to the constraints that existed within forests. The analysis of survey responses shows little reflexivity. The simple fact that the researchers probing the Van Gujjars were affiliated with institutions producing knowledge for state forestry is problematic. Van Gujjars know from experience that the FD is not ready to relinquish its grip over either the Shivaliks or the Rajaji. During a video interview that I recorded, a forester confirmed this view by explaining that U.P., although being a big state, geographically speaking as well as demographically, only has dense forests in the Shivalik region. Because of this, U.P.'s Shivalik Division had to be protected at all costs, he added.

Moreover, Van Gujjars do not trust the state regarding the provision of services within

jungle areas. Health and education programs that Van Gujjars considered of utmost importance ran periodically within jungle areas during the past years. There have been visits of itinerant doctors, teachers, and adult literacy programs delivered to the *deras*. These schemes ran at the initiative of a Dehradun-based NGO with close ties to the Congress Party. The Congress Party has not been in power for decades in U.P., however, and the capacities of the NGOs to provide services suffered. Lack of funding and staff shortage meant that initiatives aiming at providing health and education services to the Gujjars collapsed. From a Van Gujjar point a view, the take-away lesson here was that the U.P. state could not fulfill its role of providing social amenities in forests even though the Van Gujjars are, or feel they are, citizens too. This also explains why many Gujjars prioritize moving to better serviced rural areas, instead of living within forests.

Van Gujjars also know from experience that the delivery of social services within forest areas comes at an extra price, which is a further disincentive for them to stay. For example, doctors and veterinarians will not enter forests unless they get special compensation. The same is true for FD staff collecting information about the Van Gujjars, an exploitative practice whose impacts on survey results – whether analyzed by an Indian institute or a foreign anthropologist – cannot be discounted. Every year or so, surveyors from the FD extort money from the jungle dwellers, telling them up-to-date numbers are required for any one of several purposes, upcoming state elections, rehabilitation programs, etc. FD workers do not register the forest dwellers' names without having their palm greased, although this is tantamount to erasing the social existence of the Van Gujjars starting with the poorest among them. For decades now, forest guards and *munshis* have also hammered home to the Gujjars that building schools and roads inside forests is impossible firstly because it violates forest policies and, secondly, because construction along the seasonal torrents would be unreasonably expensive and risky.



In this context, Van Gujjars might think it is better to opt for relocation because they have been convinced that their “development” depends precisely on the services and support that forests lack. To frame Van Gujjars' preferences as free of constraints as recent surveys have done is to mask the social exclusion, criminalization, and marginalization that forest territoriality has created. More than anything, I feel collecting Van Gujjar opinions unreflexively in today's context only serves to justify rehabilitation programs while concealing a century of systemic abuses. When academics like Harihar et al. write from the point of view that pastoral livelihoods are “no longer viable” within state forests (Harihar 2015: 127), and then seek Van Gujjar confirmation, they become actively involved in the creation of a narrative which has benefited the state's modernization projects by erasing the exclusion that its forestry has produced.

Surely, Van Gujjars want a legitimate address (*thikana*) and recognition. For one thing, this could get them out from under the yoke of the FD. A permanent address on revenue land would also render them eligible for social welfare, social recognition, security, and a certain degree of sovereignty over their own affairs. Yet, Van Gujjars wish to continue raising buffaloes – however, as my informants explained, the opportunity costs seem too high under the current regime of forestry. At the same time, Van Gujjar history shows something else entirely. Thousands of Van Gujjars have resolved their contradictory aspirations to settle and continue being pastoralists. When they moved to Gaobasti, they sent some of their buffaloes with a relative, usually a young adult, who could continue fighting for and maintaining access to the jungle resources in the Shivaliks or those interstitial spaces described as “Kethiwalas” in the first chapter. The mobility of the group was thus redeployed and livelihood specialization preserved through a reconfiguration of kinship and networking. This way, rehabilitation has endowed the most resourceful Van Gujjars with opportunities to become land owners while dividing the herd



between allies, sometimes to the detriment of those who were not as quick to pull this trick of claiming land in the colony while keeping a thriving milk business through diverse arrangements.

Still, for many, the transition to a sedentary lifestyle was a bumpy road. To build the colony, the FD razed thousands of acres of degraded forests south of the city of Haridwar. Van Gujjars were then moved to this waste land. The irony is that they migrated from nearby forests which were located no more than 20 km away as the crow flies, leaving behind a lush environment that they had cared for for generations, only to occupy recently deforested land. The trees' roots and stumps had been left in the fields demarcated by the Department, so that on the very first day of their agricultural career, the Van Gujjars had to dig them out, a backbreaking toil. Also, from a Van Gujjar point of view, this labor was objectionable on moral grounds. The jungle pastoralists scorned the act of cutting trees “from the roots”, as they would say, a task which they specifically identified with lowland agriculturalists. In their own words and narratives, Van Gujjars never cut entire trees. Since they depended on the trees' foliage as a source of fodder, they care for them, and would never fell them unless absolutely necessary. As such, the transition to a “settled life” involved crossing several moral boundaries.

For their part, the Van Gujjars I knew were not convinced sedentarization improved their morality. Affluent Gujjars bought their way to relocation in Gaobasti although they never lived in the Rajaji and were not entitled to a relocation package. Meanwhile, many were evicted from the Rajaji without compensation. The story of Gulam Din and his brothers is illustrative in this regard. After their father suddenly passed away, the four brothers could not claim the plot registered in his name. When I visited Gulam Din who now squats on *gram sabha* land<sup>215</sup>, he showed me the photocopy of an official list on which his father's name originally appeared. The name had been crossed off by the stroke of a pen and that of a different Gujjar had been written

215 Land legally owned by the village entity.

over it. Gulam Din knew that the family that had claimed the land of his father were not residents of any of the Rajaji's *kholes*. Later, other residents of Gaobasti confirmed that this was not an isolated case.

The initial hesitation, reluctance, resistance, and unwillingness of the Rajaji oustees to resettle in Gaobasti and the coerced nature of the resettlement process was noted by several studies (e.g. Gooch 1998, Lasgorceix and Kothari, 2009). Meanwhile, little was written about competition between Van Gujjars for limited colony land holdings. With time, many Van Gujjars saw opportunity in Gaobasti although the FD's views about rehabilitation were strict. FD officers believed that Van Gujjars should downsize their herd and fully dedicate themselves to agriculture. This approach resurfaced in Harihar et al.'s survey as one of the items addressed by the questionnaire queried the Van Gujjars about their willingness to participate in a cattle buyback program meant to decrease livestock ownership following a hypothetical resettlement (Harihar et al. 2015: 128). Of course, the Van Gujjars only showed an inclination for selling "extra" buffaloes when the terms of the buyback program guaranteed that their investments in cattle would double.

Van Gujjars are well aware that Gaobasti is being used by the FD as a reformatory technology aiming at changing their lifestyles. Still to this day, not a single Van Gujjar possesses the property deeds of the land allotted to them. This is the result of a 30-year probationary period that was imposed by the FD before any herder gets their legal ownership of the land approved, a period during which they had to prove their commitment to an agrarian way of life. During this interval – which, incidentally, coincides with a human generation –, all of the colony land would remain the property of the forest department. This "probationary period" clearly reads as a rehabilitation mechanism in the penal sense of the term. Now, this period is about to expire for those who have been the first to resettle in Gaobasti. They themselves doubt the land titling

process will be duly completed when the time comes, however. Some even fear that the FD will go back on their promise and redistribute the land to other displaced peoples instead, such as the hill communities (*paharis*) who have lost their land due to the building of hydroelectric projects like the Tehri dam and the flooding of their reservoirs. Without official property papers, Van Gujjars appear like irregular farmers and have been unable to sell their grain and sugar cane to the state cooperatives that fix a support price for many crops. Selling to private intermediaries, they lose a share of their profit every year. Van Gujjars were also kept out of the land market for the past two decades and a half, and banks added special conditions to their loans or simply refused to make them any advance since they possess no valuable collateral. Goabasti's residents have thus remained tied to traditional moneylenders *not in spite of state modernization, but because of it*.

One should also remain cautious when hearing Van Gujjars express a readiness to settle. Current opinion surveys have not considered enough of the context, and thus offer a truncated narrative. Their questions rely on the mechanisms of existing state programs and actually further the state logic (or “Raison d'État”), instead of focusing on popular opinions. Questionnaires based on the structure and logic of existing state programs simply force people to pay attention to these schemes and adopt their terms. In 2012, 2013, and 2016, I organized participatory workshops and meetings about FRA to provide a platform for hearing Van Gujjar voices about their “forest rights”, a notion that, so far, has not been institutionalized either in U.P. or Uttarakhand. From the type of responses that the participants had, I discerned the influence that politicians, FD staff, and other state workers had on them and their view about sedentariness in a nation that is mostly agrarian. The next section, which is also the last of this chapter, is my attempt at making sense of Van Gujjars narratives, animals stories, and metaphors, that for once

convey their point of view on rehabilitation programs and those who seek to implement them and change the Gujjars' ways. This approach attends to an idiom of power that has been rarely if ever considered by state experts and has the advantage of letting Van Gujjars speak in their own, idiosyncratic ways, moving the frame of analysis beyond state-imposed categories.

### **Thinking with, Behaving like, and Caring for Animals**

The above sketches have exposed the origins of rehabilitation as a concept and the process of its implementation in the Indian context. Then, the study of the social experiment called Gaobasti offered additional insights about Van Gujjar sedentarization. In this last section, my aim is to show how Van Gujjars assert themselves and understand their position as traditional forest dwellers living in the midst of agrarian majority groups. Rehabilitation and sedentarization are state programs, soaked in dominant ideology, and any analysis of them risks reifying the dominant categories that underpin them. This section therefore seeks to add to previous analysis by considering the role of animal metaphors, popular idioms, and other non-linguistic practices in shaping the Van Gujjar's sense of the self, conduct and behavior.

More than fifty years have passed since a first round of tribal welfare meetings was convened in Pathankot (twice), Chamba, and Vikas Nagar, stressing early commitments of India's political class to the rehabilitation of the Van Gujjars. Nowadays, it is very rare to get to hear the testimony of a direct witness to these meetings. Even more crucially, the context has changed since the 1950s and 1960s, and so have opinions about sedentarization. Thousands of Van Gujjars have been resettled in Gaobasti where they have thrived. This seems to have dissipated some of the doubts that jungle pastoralists earlier had about their capacity to "rehabilitate" or become sedentary. It would thus be vain to try to recover the original responses that meetings held some

50 years ago had generated. Between the late eighties and early nineties, Pernille Gooch could still record the following statement from someone who attended the last of these meetings, however. That specific meeting had Prime Minister Nehru as its most distinguished speaker. The words of Gooch's informant still stand out today because of the analogy that is drawn between the Gujjar audience and a band of monkeys, a figure that strongly, if savagely, conceptualizes the pastoralists' conduct at the meetings:

While Nehru was talking, promising land to the Gujjars, all the Gujjars present just grabbed the sweets which was given out and ran back into the jungle, saying they would keep on going to the mountains. I was only a child but I watched and I saw all the Gujjars grab the sweets and run back into the jungle, and I thought, Nehru must really think what a “monkey clan” we are.

- Yusuf Ali, Timli, April 1991 as reported by Gooch, 1998.

Gooch recorded this comment while working in the field more than a quarter century ago. To students of Van Gujjar history, she renders rare testimony by a first hand witness to the first public debates about Van Gujjar rehabilitation anywhere in India. For my part, I probed my informants searching for the imprint of these meetings in their collective memory, and fortunately would be constantly reminded that opinions can change over any period of time. More specifically, I asked some of my closest informants what were their thoughts about the fact that politicians had promised full rehabilitation of the Van Gujjars generations ago, but also about this phrase “a monkey clan”. What could this comment mean? What did the monkeys reveal about Van Gujjar identity and participation to the conferences? These questions were a cause of amusement for my informants; in particular, we shared good laughs over the monkey reference. But my interest in this topic only increased after I realized how often Van Gujjars include animal figures in their stories. Expressions such as “being uneducated”, “living like animals”, and “being treated worse than a stray dog” were regularly juxtaposed when describing jungle dwellers'

condition. Every time a new animal was evoked, the narrative disclosed more about the fact that Gujjars feel out of place and inadequate in the modern world. These pastoralists would also represent their collective history as the result of the choices made by their ancestors who “followed the buffaloes” when the rest of the country was making a dash in pursuit of modernization and “development”.<sup>216</sup>

I wanted to know what this simian metaphor featuring “a monkey clan” meant to my informants in the contemporary context. It was obvious that, to them, monkeys supplied a malleable semiotic material from which they could creatively initiate a discussion about their rehabilitation, a form of understanding grounded in their everyday experience of the jungle.

It has been remarked, convincingly I think, that numerous animal figures – monkeys and macaques in particular, because of their perceptible proximity to humans –, have been used by varied cultures as mirrors to the human Self (Ohnuki-Tierney, cited in Govindrajan 2015: 250). In the sixties, Lévi-Strauss theorized that the animal kingdom, by being so diverse, could give a form to human imagination and be used as a “conceptual support for social differentiation” (Lévi-Strauss 1963: 101, cited in Mullin 1999). Human cultures around the globe have applied the same terms to describe animal behaviors that they have been using for describing human actions. Any bestiary – whether real or imagined – comes with its own language, which can be also used as “a way of naturalizing social classifications [...] for humans who lacked such visible or “natural” means of distinction” (Ibid.). Lévi-Strauss' structuralist approach has advanced social

216 The “monkey clan” quote is not the only one that I could borrow from Pernille Gooch that mentioned an animal. Gooch's monography is titled *At the Tail of the Buffaloes*. I wanted to inquire more about this phrase when I returned to the field in 2015. I had realized that, during one year of fieldwork, I had never heard the expression “at the tail of the buffalo”. The Gujjars sometimes say, if one translates too literally, “to have many buffaloes behind oneself”. The proper translation would be “to own many buffaloes”, however. Maybe Gooch's title came from a lyrical interpretation of this “behind the buffalo”, meaning owning, possessing. To be “at the tail of the buffaloes” made no sense to those whom I asked. What made sense to them was that previous generations “stayed behind [as in “backward”] the buffaloes” and “only thought of their buffaloes”, statements suggesting short-sightedness and bad choices.

studies about human-animal relationships by leaps and bounds when he observed that humans did not develop their complex zoological knowledge simply to answer the call of necessity. Animals were never only a source of sustenance for humans, they provided food for thought too. On both the material and symbolic planes, animals have been good to think with (Mullin 1999: 208).

Over the past decade, the anthropocentric biases of anthropological theory have been pelting with criticisms. Serious efforts have since been made to counter the tendency of the discipline to consider human-animal relationships only when they cast additional light on human social and political organization, the objective being to study humans' engagement with other forms of life for its own sake, and also to come to understand how humans “grow with” non-human beings (Haraway 2008, Kohn 2013). Among the Van Gujjars, the animals are central in maintaining alliances and sociality, both symbolically and materially. How animals behave thus reflects on human nature. Herding, for example, requires the full attention of the whole family and it also involves cooperation among neighbors from time to time (or competition, sometimes too). Buffaloes are the privileged form of dowry and, as such, they are a token of the inclusion of women in extended exchange networks. A sign of the important role played by cattle in human lives, the birth of a calf is a cause for celebration. Buffaloes get named and they spend their whole existence among Gujjar families. They are allowed to grow old and die naturally. Buffalo milk not only reminds people of mother's milk; within the confine of the forests, this milk has been the lubricant of all social relationships between patrons and clients, and landlords and pastoralists, for centuries, either in kind, or through its substitute – money. In the end, cattle accompany each moment of a Van Gujjar life, and the reverse is also true. For all these reasons, human-animal interactions are worth studying for their own sake, and it would have been impossible for me to articulate the following argument without relying on different schools of

anthropological thought about human-animal relationships. Below, I will consider, on the one hand, how herding buffaloes also implies herding symbols, tending to a specific language, and thinking analogically to create meaning in the socially unequal setting of forests. On the other hand, I will investigate immediate and concrete contact with animals, whether cattle or otherwise, that also shape the herders' subjectivity without involving the mediation of elaborate symbolic processes.

One day, as Faruk returned from feeding the buffaloes to his sister who was getting breakfast ready, I would ask him about the “monkey clan” reference quoted above. Upon hearing it, Faruk burst in laughter. Unlike some other times, this time my Hindi was not to blame. My translation was accurate and Faruk had understood me well. But my question *was* funny, he thought. Still, Faruk graciously explained to me how monkeys are known for their strong cravings and mischievous habits. Monkeys cannot be trusted, he said, because they have no moral sense. They only follow their instincts and will never have second thoughts about something. Faruk did not disagree entirely with the quote: his view was that, if the meeting attendees had indeed “grabbed the sweets” and run back to their jungles, forfeiting a chance at being rehabilitated, they had acted like monkeys by proving themselves unable of adequately processing crucial information conferred to them during the meetings. Faruk's interpretation of the “monkey clan” metaphor carried his own moral judgment: Van Gujjars should not behave like inferior simians, they had to control their animal instincts, forgoing bad habits, and settle.

Faruk added that monkeys are unique in the animal kingdom because they never ask for what they want, but steal or “snatch” it instead (“*chin*”). This conception of the monkey seems to be widely accepted in India. Even Kipling in his *Jungle Book* described monkeys as pilferers frequently acting in contempt of the law of the jungle. Van Gujjars and Kipling might be



total strangers, but still they had elements of Indian culture and cultural interpretation in common. By analogy again, it could be said that Van Gujjars “snatch” their livelihood from forests legally owned by the state. But Van Gujjars rarely compare themselves to monkeys in this context, even though they will admit – speaking like FD officers in this respect – that they do not possess all the qualities that define a “modern” Indian subject – education, propriety, and so on.<sup>217</sup> In the Gujjars' own words, they lived like animals and acted like them on occasions. However, Van Gujjars insist, they neither steal nor “snatch” from the forests for a living. For them, the monkey analogy had rather clear limits.

As one respected elder from Gaureiyaghar, Biru, once told me, the Van Gujjars “nest” in jungles like birds in a tree. Old Biru was not the first person whom I heard comparing Van Gujjars and birds. Behind this was the idea that jungle pastoralists live frugally, just like the birds, and their impact is not damaging to the environment. This formula absolved Van Gujjars from the ecological crimes which are regularly imputed to them. The only kind of larceny which they would confess committing remained of trivial importance, being as inconsequential as birds eating *chapati* crumbs pushed outside the *dera* by the broom every day. First monkeys, then birds: such jungle grammar could create meaning about all dimensions of a *jangli* life.

In the days of the Raj, the colonial powers would not draw the same analogies between Van Gujjars, monkeys, and birds. They instead drew comparisons between the pastoralists and their “companion”, the buffalo. British officers recognized in both the same stubbornness, the same lack of malice, and an honesty that they saw as a sign of credulity. Of course, such views were not unanimous among the Raj administrators. Still, Van Gujjars were not

<sup>217</sup> I am not arguing that this local idiom or these animal metaphors are exclusive to the Van Gujjars. Based on my observation, forest officials and Van Gujjars share many expressions, leading me to conclude that the way Van Gujjars use the Hindi and Gujri languages is a communication system subject to internal, as well as external influence and manipulation.

violently dehumanized through comparisons with the most savage beasts; rather, they were depicted as being “naturally” submissive, and inferior to Europeans, like cattle.

For example, Sir Walter Lawrence, the author of *The Valley of Kashmir*, discerned no hostility in these nomads, but still shamelessly called them “stupid and slow as their friend and companion, the buffalo” (cited in Verma 2000: 70). In his 1850 Settlement Report on the Kangra District, the officer Barnes also described the nomadic Gujjars as being peaceful, “quite unlike the caste of the same designation in the plains” (1862: 93). The latter, probably Hindu Gujjars, and also agriculturalists, were “an idle, worthless and thieving race”. The nomadic “Mohammedans”, in counterpart, were “a fine race, with peculiar and handsome features... mild and inoffensive in manner... not distinguished by the bad pre-eminence” otherwise ascribed to plains peoples (*Ibid.*).

My informants also viewed their lack of formal education as a trait they shared with the animals. From their standpoint, “to be like an animal” was not necessarily offensive. Illiteracy rendered Van Gujjars dependent on educated interpreters. It made them become easy targets for charlatans too. Alternatively, Van Gujjars maintained, only half-jokingly, that cheating and stealing required specialized knowledge that they did not possess. The tacit inference here was that formal schooling was a source of moral corruption. Thus, the phrase “living like animals do”, meaning not having proper education, conveyed an ambivalent message. He who lacked education might not suffer from any moral deficit after all. Several pastoralists actually worried that “rehabilitation”, sedentariness, and formal education would corrupt their good nature.

“Living like animals do” also implied living from hand to mouth, improvidently. And when a Van Gujjar declared that their own children were like wild animals, they did not mean that they were feral, but simply that they were shy and fearful of strangers. Was also underlined the children's clumsiness with speech, which is generalized in these youngsters who only speak Gujri at home until, at a later age, they learn Hindi while working as dairymen. To me, Van Gujjars qualifying their own children as untamed and wild was a way of protecting them from the corrupting influence of outsiders. To say that their children were wild sent a message that these kids were of no interest for the civilized, and thus better left alone. And this betrayed caring love.

In the end, iterations of animal nature can be difficult to untangle given their ambiguity and the mixed messages that they send. To be uneducated, and to dwell in the moment like the animals, could become a problem. Biru was convinced that “[Prime Minister] Nehru had foreseen that moment when we would have just one buffalo each. He said that we would look like fools and be as powerless as children.” Like the majority, however, Biru could not be sure whether the day had come to change the path they were on. Was it too late for Van Gujjars to settle? Had Van Gujjars condemned themselves to live with the monkeys and other wild animals and tend to the buffaloes when they turned down the reforms proposed two generations ago?

Studying how marginalized, tribal, and *jangli* subjectivities assert themselves through their animal metaphors and animal stories, Anand Pandian has also encountered the figure of the monkey, and he gave it the label “ethical provocateur”. Pandian's informants were young males at a youth club who described their first loves – as high school students – as symptomatic of a “monkey heart.” These youngsters confided to Pandian how their feelings as inexperienced lovers were selfish, egocentric, and thievish, even. They cast glances, provoked contacts, and stole kisses. But they still believed that later, when more mature, they would be able to develop a more

virtuous, almost devotional form of love, and thus regain control over their monkey heart. “The monkey,” wrote Pandian, “held an important place as an incitement to engage oneself with restraint” (2009: 136). The monkey acted as a cautionary motif and a reminder of the necessity of behaving and repressing animal urges and aiming at nobler practices. Pandian also pointed out that the monkey was a commonplace figure in classical Hindu literature – for example, Valmiki's *Ramayana* described monkeys as being “too capricious to reach any firm decisions” (Ibid: 133). Did the ancestors to my Gujar informants possess a monkey heart? Could the dispositions of their heart explain why they jumped on the sweets while losing sight of rehabilitation?

In North India, and in U.P. and Uttarakhand more particularly, monkey stories are imbricated within regional identity politics (Govindrajan 2015). Since 2006 when the state started to relocate trouble-making rhesus macaques from Delhi and other major cities to rural and jungle areas, these “bandars” – as monkeys are called in Hindi – have been staple material for news broadcasts, street gossip, and talks affirming a distinctly rural, “mountain-based” identity in Uttarakhand (locally termed *pahari* meaning “from the mountain”). By itself, the recent recovery of the macaque population in North India from the low levels of the 1960s and 1970s could not explain changing perceptions about monkeys in rural areas (Southwick and Siddiqui cited in Govindrajan 2015). It is through the relocation programs that hill peoples interpreted monkeys as a threat to their wellbeing. They felt that the state was flooding them with “city monkeys” which were patently more belligerent, violent, and rapacious than their local counterparts (Govindrajan 2015: 253).

Based on the distinct behavior of these two types of monkey, hill peoples effectively marked a distinction between “*shehar ke bandar*” and “*hamare bandar*” - “monkeys from the city” as compared to “our monkeys”, in other words monkeys from rural areas or jungles. City

monkeys (“*shehar ke bandar*”) generated a mix of fear and resentment mirroring rural prejudices against urbanites seen as invading the hills either for vacation or to seek fortune in property deals, tourism, and business investments. These acrimonious feelings against city folks have remained exacerbated in rural Uttarakhand – a state which won its Independence in 2000 based on its distinctive *parahi* identity, but where “development” is yet to reach remote areas in spite of the promises made to hill denizens before the turn of the millennium (Rangan 1996). As the villagers of Uttarakhand continued to see their expectations frustrated, and suffered from the drain caused by a youth exodus and limited local employment prospects, narratives about monkeys and different kind of natures – both imagined and concrete – gave them tools to reaffirm racial and identity boundaries, as well as the perceived need for exclusionary policies (Sivaramakrishnan 2011, Sivaramakrishnan and Agrawal 2003). Tales featuring rapacious “city monkeys” biting people and molesting women thus provided villagers with an outlet to express their anger (Govindrajan 2015: 258). The fears and the acrimony were real, and villagers felt that they were losing their assets as well as their distinctive hill culture. Expressing their rancor at monkey translocation, Uttarakhand's villagers took the whole macaque relocation program as yet another example of state mismanagement. But who would listen to them, mere hill folks?

I remember that one afternoon, Bal Sein, who was approximately the same age as Faruk, but is a resident of Geirauyaghar – a range within Rajaji National Park –, was telling me about the same monkey relocation program that Radhika Chandrarajan had investigated. He was the only Van Gujjar to evoke this topic with me during my year of fieldwork. At the time, I suspected that Bal Sein had heard about monkey translocation in the news, for he was totally obsessed with them, and he would continuously listen to his battery-powered radio, carrying the device everywhere he went. Bal Sein was scandalized by the state squandering the funds

allocated to wildlife protection. He had heard that every year Uttarakhand wasted *lakhs*<sup>218</sup> of rupees to move monkeys around, yet the disoriented animals roaming about the Delhi-Dehradun highway were starving. “*Sarkar*” (the state, the government), he said, “would not feed them *ghur*”. *Ghur* is a roughly-refined, and thus brownish and gooey form of sugar which Van Gujjars force-feed to their ailing buffaloes when they refuse to eat anything else. In this context, evoking this substance was a reminder to the effect that tending to cattle is not an easy task: it involves giving constant attention and care, like caring for children and family, and taking care of monkeys should not be any different.

Like the *pahari* villagers mentioned above, Van Gujjars framed their animal stories as a critique of the badly-designed state schemes that caused pain to living beings. Such narrativization put Van Gujjars on higher moral grounds: even they, simple pastoralists, knew how to protect the wellbeing of animals. Their animal fables stressed that a good herder had to take good care of his animals, just like parents ought to take care of their children, and governments of their constituents. This was a question of ethical conduct towards others but also of self-government, expressing strong commitments towards family, community, and fragile animals. And it also read as a critique of an uncaring state bureaucracy and revealed the contested nature of jungle government.

I said before that Van Gujjar environmentalism was firmly moored to the notion of care. In Chapter 5, I wrote about tree-care and lopping, and now, likewise, I can highlight the fact that Van Gujjars pay utmost attention to their animals. Interestingly, Van Gujjars often argued that, following their eviction from Rajaji National Park, wildlife followed them to their new location in Gaobasti. Driving to the colony, one can effectively notice the bright panel boards on either sides of the road that warn about the risk of encounters with dangerous elephants. For the 218 Hundreds of thousands.



Van Gujjars, wildlife has left the Rajaji to continue benefiting from their protection. Van Gujjars say that the wild animals are safe with them, since wildlife poachers do not hunt or set their traps near Van Gujjar dwellings, lest they look forward to being reported. Several Gujjars confidently declared in front of me that they had lived amidst animals for generations, including tigers, without fear. Others members of the community – women more than men – disputed such exuberant declaration that may have been intended to preserve the image of a community living in perfect harmony with nature. To the opponents of this view, the threat of wildlife was too serious, although they would also exaggerate the risks associated with a life within jungles in order to serve another instrumental purpose, this time portraying Van Gujjars as vulnerable, requiring immediate assistance, and land grants for rehabilitation more than anything.



**Illustration 33** – *Shakeena pats the forehead of the buffaloes as her son lops a nearby tree for feeding them the leaves (c) Philippe Messier.*

A flurry of studies published over the past decades have investigated the relations between Van Gujjars, their cattle, and wildlife. These have been conducted from different perspectives, from carnivorous depredation on livestock (Harihar et al. 2011, Ogra 2009), to elephant encounters (Williams et al. 2001), and competition over fodder between wild ungulates and buffaloes (Johnsingh 1994). A recent study has even identified a positive application of the Gujjars' proximity with animals: the domestic sparrows (*Passer domesticus*), whose population has rapidly dwindled in Indian cities and villages due to unbearable levels of pollution, seem to have found a last refuge in the jungle homesteads of the Van Gujjars (Hussain and Dasgupta 2014). Elsewhere, it has been argued that the *jangli* buffaloes of the Van Gujjars are a native breed, distinct in many ways from the more common water buffalo, *Bubalus bubalis* (Köhler-Rollefson 2007, Vohra et al. 2012). The opinion of a veterinary providing service to Kethiwala's residents was that this was indeed true, for the *jangli bheis* (not to be translated as wild buffaloes, but simply as *jungle buffaloes*) were more vulnerable to zootic diseases than their *deshi* (rural, lowland) counterpart. The behavior of the two breeds differed too, and only the *jangli* kind was migratory.

Van Gujjars live *among* as well as *like* animals. To them, that an arm of the state as powerful as the FD has failed to insure the wellbeing of “its” animals – for example, its monkeys –, was a cause for outrage. Van Gujjar are particularly critical of wildlife conservation programs, which they deem totally inadequate. For them, animals need more than an inviolate space; they need constant attention and they need people. Van Gujjars also denounce power abuses when they cause harm to wildlife. Van Gujjars living deep inside the jungle are the first eye witnesses to the illegal hunting trips of the rich and the powerful, that bribing and corruption can make happen. The same with the illegal extraction of the timber mafia, and every other form of poaching and



smuggling. All of this appears to the Van Gujjars as destruction of their place of dwelling that the FD either sanctions or at least turns a blind eye to. Van Gujjars possess a real, albeit ambiguous sense of belonging to the jungles. They do not completely resent their jungle heritage, even though they see and regret their current marginalization as *jangli* people, a reality that for them is the legacy of their ancestors' preference for a life within forests.

Faruk's mother, Shakeena, had a more forgiving and conciliatory stance towards the decisions of her parents' generation. Shakeena did not think the Van Gujjars who had sat through Nehru's speech meant wrong when they rushed out of the meetings. Shakeena believed urgent obligations could have called them back to their homes, for exemple tending to the buffaloes or feeding the children. Her interpretation was that, being honest and hard-working, the Van Gujjar family men did not shirk off their responsibilities, even on the day of the Prime Minister's visit. Shakeena's comments could also mark her reprobation of politicians who rarely, if ever, do as they say. In this, a word of caution was adressed to me as well. I was, at that time, organizing workshops for the Van Gujjars and Shakeena reminded me that I could count neither on attendance nor immediate results.

Shakeena indexed rules and duties akin to Evan-Pritchard's proverbial “cattle clock”, but now in relation to a specific work ethic. For pastoralist peoples, the daily chores are tightly organized, and the annual calendar is the same. Both are dominated by animal and family needs. Domestic obligations can become a limiting factor to the herders' political mobilization, but they also give a specific color to the nomads' political demands. As such, day-to-day labor is paradoxical in the sense that it equally restricts and enables political expression. One cannot say that the forest denizens have no political life because they spend most of their time rearing animals, or because they live with animals. Conducting oneself *like* an animal or, alternatively,

seeking to control one's internal urges – identified as animal instincts – as well as sacrificing one's time and energy to tend to the animals, were all facets of Van Gujjar politics.

Pastoralism may bring Van Gujjars into competition with other social groups or with one another for pastures, space, and natural resources. However, herding can alternatively foster social cooperation among families, communities, and larger groups (Naess 2012). The amount of time, effort, and emotional investment that one dedicates to the animals shapes political, social, and subjective conduct (Campbell 2005). Sometimes, the daily routine enables resistance, for example when pastoralists decide not to attend political rallies. The daily chores that keep the Van Gujjars away from political demonstrations are real, but regularly exaggerated to skip other events. Such stratagems epitomized the Gujjars' "infrapolitical" resistance: when many prefer staying home, this translates into low turn outs at political events that can critically undermine the legitimacy of such democratic exercises and damage a political career.

Among Van Gujjars, it is mainly the elders – whose progeny can take care of the buffalo business – who attend political gatherings and support those who run for office. As a result, the older generation is visibly overrepresented among the politically active, and this has an impact on the direction of community affairs. Regardless, it is the labor accomplished by younger adults that remains the basis of the value system which underpins Van Gujjars politics. It is their responsibilities towards cattle and family that give the Van Gujjars their situated understanding of worldly affairs. Their life spent with the animals shapes their political agendas and their engagements with mainstream politics. Hard labor performed by hand also grounds their criticism of the intangible "work" of politicians. Van Gujjars take pride in the amount of toil that they can endure. For them, physical work and political intrigue are two polar opposites. This strong work ethic also belongs to the reality of living *like* as well as *among* animals in deeply committed

ways. Among Van Gujjars, the scheming man is the object of constant attacks. Ultimately, rearing buffaloes is no “monkey business”. This labor is the criterion used to separate honest, hard-working jungle dwellers from cunning politicians and, similarly, shrewd city dwellers.

In the end, this is how Shakeena deliberately rescued her parents' generation and the figure of the laboring man. My exploration of the historical encounter between a “monkey clan” and the concept of rehabilitation gave me a pretext to explore complex ethical questions with her and other heirs to these hard-working Van Gujjars. The resulting “simian semiosis” and the concerns about the value of work are complementary ways to explore anew the choices made by Van Gujjars at different historical conjunctures. The resulting narrative even resonated with the Gujjars’ own myths of origin. One of these myths mentions that the Van Gujjars hail from a royal lineage, while in another, they were once given the chance to become kings, but declined to do so, or lost their royal prerogatives because of their love of the hills and cattle. In both versions, or in both myths, iterations of irrational love, care, and animal urges captured a hidden meaning with reference to contemporary dilemmas. This language and the subjective point of view it conveyed are crucial to a deeper understanding of the Van Gujjars’ evaluation of the options that they are left with, either isolation within forests and an unfair government, or the hope that next time resettlement will not just be another hollow promise.

## **Conclusion**

In essence, this chapter had woven a narrative between interconnected events and stories that defined the postindependence, postcolonial period, from simplistic understandings of human mobility and nomadism, to the transformation of traditional leadership, to the changing meanings of rehabilitation programs, to everyday encounters between state workers and jungle

dwellers, to experiences of eviction, relocation and settlement, and, finally, to different modalities of expression including animal metaphors. As a whole, these elements allowed me to talk about quite specific aspects of Van Gujjars' political imagination. The chapter was inspired by my realization that constant lack of care, whether intentional or not, and the inaccessibility to public services and amenities within these exclusionary spaces called forests have shaped Van Gujjars' desires and perspective on sedentarity. I also wanted to show that Van Gujjars cannot simply be viewed as passive victims and wished to better understand the substance of their historical and political agency.

Sociological analysis can show that different Van Gujjars have chosen divergent paths according to their means and status. For one thing, the wealthier members of the community could eclipse the traditional *lambardars* and thus negotiate the terms of their access to forests directly with the agents of the FD. By so doing, they contributed to the efforts by state officials to transform the leadership of the community, although this was not their primary intention. The actions of these affluent Gujjars have also altered the perceptions of their brethren about relocation and settlement. With sufficient means, a Van Gujjar could maintain access to forests somewhere but still claim and own land in Gaobasti (for themselves or in order to settle their relatives). Such arrangement gave privileged herders the best of “both worlds”, as they and some FD officials would say, and it has been yet another reason why Van Gujjars today do not dread the prospect of becoming sedentary like they did decades earlier.

In this chapter, I have also argued that, regardless of their wealth and status, Van Gujjars used graphic animal metaphors and fables ascribing meaning to their own conduct as forest denizens, as targets of rehabilitation programs, and as ethical subjects. This powerful idiom endowed various animals, monkeys, buffaloes, dogs, and birds, with a semiotic function and a

moral valence. It also transformed the herders' behavior and conduct. For Van Gujjars, to live among both wild and domesticated animals is synonymous with the cultivation of certain moral values like labor, care, ingenuity, and honesty. But this life is also full of moral perils, and Van Gujjars always keep a close watch on their own imagined, or socially constructed, animal nature, that dominant voices in India would like to tame.

Through a genealogical analysis of rehabilitation programs, tax reforms, and transformation affecting political institutions in the countryside, I retraced the main circuitous trajectories that the Van Gujjars have pursued since Indian Independence. This recent chapter in their collective history reads as paradoxical in many regards. Firstly, although rehabilitation failed to include Van Gujjars officially as homeless people who deserve reparation, discussions about the notion of rehabilitation brought the buffalo pastoralists in closer contact with politicians and state bureaucrats outside the FD. These links may be tenuous in many regards, but they have nevertheless opened new channels through which exchange of ideas has happened between the mainstream ideology of Indian modernity and the Van Gujjars' own conceptions of a better future. Thus, the debates surrounding nomadic rehabilitation and planning might not have led to such immediate material outcomes as concrete houses and settlements, but they nevertheless have been instrumental in enlarging the social circle, the general objectives, and the modes of operation of jungle government. Secondly, as Delhi went ahead with its plans to reform the land taxation systems in rural areas, depriving the *zamindars* and the *lambardars* of their status and emoluments, another paradoxical outcome was reached: the FD showed reluctance about this change of policy and sided with the traditional authority of the Van Gujjars. In a move that might be seen as counter-intuitive, officers of this department defended the *lambardars*, however momentarily. This second paradox mirrors the complex intersections that existed between these

traditional leaders and the agents of the modernizing Indian state. This brings me to my third point, or third paradox: the erosion of the *lambardari* system that was so central in carving a space for the Van Gujjars within state forests has left no void. The word “lambardar” might still be used today, but on rarer occasions, and it is now used very lightly and very liberally. The term could refer to any head of the household. It can even be used as a sobriquet. Now, it is the word *pradhan* that designates a tangible authority in the community.

These days, the *pradhans* have become the main intermediaries between jungle pastoralists and representatives of the Indian state. Their functions are incomparable with those fulfilled earlier by the *lambardars*, however, and more has changed than just the title. Under pressure from above and below, the *pradhans* are asked to stay informed about state programs, for which they have to fill forms and meet officials. The *pradhans* must possess some skills in specific kinds of literacy, and they often have a very open attitude towards sedentarization, a program that in the end could give their leadership a formal recognition.

It could be argued that this slow translation of the site of authority from a *lambardar* who used to administer customary justice and collect tax on behalf of the FD, to a *pradhan* working with the repeated promises of rehabilitation by local, state, and national politicians, was a direct manifestation of top-down governmentality aimed at inventing, and then modernizing the nation. Indeed, the notion of rehabilitation was not invented by the Gujjars themselves. It was shown in this chapter that its roots are in penitentiary institutions and in programs taking in charge the homeless, the disabled, and the needy. However, this does not erase the extra-legal exchanges that existed between forest dwellers, state officials, and career politicians. Through their daily encounters with bureaucrats and low-ranking officials, the buffalo herders could confirm their impressions about the corrupting nature of officialdom and modernity, which then

informed their judgments regarding the legitimacy of the state and its programs, such as rehabilitation and sedentarization (cf. Gupta 1995). Additionally, the Van Gujjars mobilized discourses portraying them as primitives who “lived in the dark” and “like animals” to press upon state officers that their access to the natural resources was – and still is – vital, as well as inconsequential, imploring the officials’ generosity and testing their humanitarian fiber. The norms, spheres of shared understandings, and mutual expectations which have always been the modalities of the everyday encounters between the jungle herders and the state officials are the main rules of jungle government, this protean institution that remains powerful enough to refract all official regulatory mechanisms. In the next pages – the conclusion of my research – I review this notion of jungle government one last time as I summarize my contribution to the theory and its importance for further studies about forestry, conservation, and the place of the Van Gujjars within these state-led programs.

## CONCLUSION

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This dissertation has examined the impact of state forestry and the creation of forest enclosures in India on a population of traditional forest dwellers, the Van Gujjar jungle pastoralists. My main objective was to show that marginalized subjects like the Van Gujjars did not remain passive while the colonial, and then the postcolonial bureaucratic powers entrenched themselves in the forest landscape. Through cultivating face-to-face relationships and extra-legal exchanges with the forest guards who were charged with enforcing the state forest legislation, the Van Gujjars did not only succeed at maintaining a customary access to the natural resources located within areas demarcated as state property and managed according to scientific planning. They also became actors of historical significance capable of actively altering how forests were governed. From the perspective of these forest dwellers, the state domain remained “jungles” which they would continue to manage and exploit through their complex understanding of the ecology and animal husbandry as well as culturally-mediated strategies of negotiation and persuasion aimed at transforming the attitudes and the conduct of state workers and policymakers. Drawing on my analysis of data collected during 17 months of ethnographic fieldwork completed between 2012 and 2016 (including pilot research and subsequent travels to India), I theorized that the everyday interactions between the Van Gujjars and the staff of the Forest Department (FD) had crystallized into a distinct regional government. The modalities of this “jungle government” entailed informal exchanges of milk, money, and information, and were also predicated on mutually understood norms of behavior, conduct, and guidance. My analysis



paid attention to the pivotal role of this everyday form of government in transforming the institutions, rules, and outcomes of official forest management, and also looked at the impact of the forestry regime on the institutions and behaviors regulating the daily life of the Van Gujjars. I never assumed that the rules of forestry were hegemonic in the region of my fieldwork, as timber management activities, silvicultural interventions, and the judicial treatment of offences and sanctions by the forest staff were constantly renegotiated. Instead, the approach I took considered that these rules were always applied through prior processes of persuasion, translation, and vernacularization. Concealment and evasion were also common practices that challenged the rules of the FD. The “law of the jungle”, as I saw it, was contingent on the everyday jungle politics of forest dwellers, on the one hand, and debates within different branches and departments of the state administration reflecting the effect of larger social forces affecting the regional and national contexts.

Through various cases and examples, I have shown that the forest boundaries were porous and, likewise, that forestry was open to multiple interpretations. Through analytical writing, I could therefore demonstrate that the forestry regime contradicted any presumption about the existence of a clear division between state and society in the contested jungle arena. My observations spoke of the importance of the day-to-day performances, the politics of representation, and the concrete labor of the Van Gujjars and the forest guards aimed at reaching mutually cognizable, shifting grounds. The relationships between the forest workers and dwellers were not egalitarian, but were nevertheless embedded in complex cultural idioms and structures of feelings, the long genealogies of which I have retraced in the six chapters of this dissertation. My genealogical approach has also allowed me to remark that the encounters between the forest guards, state administrators and bureaucrats, politicians, and the nomadic Van Gujjars, were

rooted in a wide range of discourses and theories that problematized the interconnections between the forces of nature, diverse models of forest management, and social and human development. Drawing on archival sources and oral testimonies, I have underlined the serious implications that tacit agreements between forest dwellers and state bureaucracy had for the management of the Shivalik and the Doon forests. How people and natural resources were governed and by whom was shown to depend on informal, arbitrary, and often ambiguous decisions in places where the Van Gujjars could contest the forest boundaries and management practices. The arts of government which were described in this dissertation amounted to something different than a decentralized “forest governmentality” producing subjects that cared for the environment. Instead, I detailed a regime in which face-to-face encounters, complex cultural performances, feelings of hope and anxiety, and pre-established but shifting norms of conduct, significantly altered the meanings and texture of the forest boundaries and of power. The conclusion I drew from this analysis was not that the consolidation of forests as the exclusive property of the state had failed, because this would have given a preeminence to the state categories that they never deserved. Instead, I have argued that paying attention to the relationships between the forest officials and their constituents, the customary users of the forest resources, could displace the ostensible, but hollow categories of the state and therefore highlight the central role of “jungle government”, a praxis of mutual influence that is worth studying in its own right for equally and symmetrically understanding the formation of the forest boundaries and jungle subjectivities.

The Van Gujjars have been residents of the Shivalik Hills and the Doon Valley for many generations. As such, their point of view on the politics of access in their jungles is unique. Drawing on a combination of political ecology, discourse analysis, and postcolonial theory, I have managed to simultaneously acknowledge the colonial legacies of current forms of forest

management, the various meanings ascribed to woodlands and pastures from different subject positions, and the role of the struggles waged over resources in shaping the mechanisms of forest controls. Conflicts and struggles were especially important in altering forestry operations. Rivalries pitting state departments one against the other and competition over the forest resources, which were often solved through informal alliances and extra-legal exchanges, played a determining role in forest management.

The Van Gujjars are officially landless today, although historically they could manage to maintain access to their jungles through various strategies such as evasion, concealment, and cooperation with the forest staff. Legislation passed in 2006 could regularize the land rights of these forest dwellers, but so far a narrow interpretation of what “proof of residence” is and prejudices against forest dwelling communities have prevented any such formal recognition of rights. Perhaps the most visible effect of the lack of formal recognition of the Van Gujjar land rights since the official ownership of forest was vested in the FD has been the victimization and marginalization of the pastoralists. The impact of marginalization on the Van Gujjar has been a central topic of this dissertation. The dilemmas experienced by the Van Gujjars about their own future and chances for improving their life conditions seem never to have been more acute than today. Their subjective experience of marginalization has also left an indelible mark on their political imagination. Their current aspirations are limited by a pragmatic understanding of the constraints weighing on their rights as citizens. For the Van Gujjars, marginality also translates into submissive behaviors which state workers and politicians regularly interpret and even opportunistically use for giving well-meaning, but unsolicited advice to the Van Gujjars and instilling ideas of rehabilitation and resettlement in the pastoralists.

The Van Gujjars could still succeed at altering how state workers saw them, related to them, reciprocated with them, and depicted them. My analysis of the making of jungle subjectivities differs from that of many other scholars precisely on this point. Typically, scholarly writing has linked the processes of the creation of new subjectivities to questions of power/knowledge, especially the production of new categories by powerful actors creating new slots constraining the development of a sense of Self among diverse marginal groups. My issue with this type of analysis is that subjectivation from this perspective seems to be operating only from the top-down and, even, being inauthentic. The Van Gujjars subjectified themselves to dominant discourses according to which they were “wild” and “primitive”, but they also subverted these discourses, mobilized them strategically and creatively, and transformed their meanings. By doing so, they were able to impact the conduct of forest officials, including the way state workers behaved toward them. Above, I mentioned my goal in this dissertation was to show that the Van Gujjars did not remain passive while state-making was extended to the forest domain as delimited during the colonial period, to remain subject to state policies after Independence. I could not achieve this goal without considering the bottom-up dynamics influencing conduct, behavior, and subject-making within the boundaries of forests, in this contested jungle arena that is the home of the Van Gujjars, however insecure the foundations of their dwelling may be.

What follows is my summary of four crucial points I have argued regarding state-making and the conduct of *jangli* subjects, which I see as the pillars of my thesis. The first section addresses methodological and theoretical concerns and shows the inadequacy of using state-society binaries for understanding jungle politics. The second section reviews the genealogy of the different Indian Forest Acts adopted between 1865 and 2006 – bills that have served as the blueprints for state interventions within demarcated forests since the colonial era. The third

section succinctly identifies and describes the forces and mechanisms behind the marginalization of the Van Gujjars, showing that informal and arbitrary enforcement of the forestry rules failed to emancipate the Van Gujjars from the oppression that a more stringent application of the forestry legislation could have produced. Lastly, the fourth section of this conclusion reiterates key observations about the stance of the Van Gujjars in relation to resettlement outside the forests, paying attention to the new political meanings that they create through their popular idioms and the animal figures populating them.

### **Methodological considerations and theories of state-society interrelations**

The first chapter of this dissertation included a description of the context of my fieldwork. The Van Gujjars were introduced as well as their predicament as forest dwellers whose nomadic existence was deemed incompatible with dominant models of social development, modernization, and environmental conservation in India. More specifically, Chapter 1 outlined my methodology, explaining how I crafted the narrative for this thesis based on material gleaned from the archives, interview transcripts, as well as my notes from participant observation and the organization of workshops about the Forest Rights Act specially tailored for the Van Gujjars. My first task was reading the archival documents in my possession “against the grain”, having set an initial goal for myself that consisted of recovering various “traces” of Van Gujjar resistance, silenced voices that, in theory, showed their resistance to state-making and the expansion of state controls within the forests in the vicinity of Dehradun and Saharanpur. I anticipated that finding these “traces” would be easy, like spotting protruding anomalies on the polished surface offered by the dispatches of colonial foresters and Indian bureaucrats, whose lasting significance they had obtained by entering in the National Archives of India. I knew, but still had not very seriously

considered that, in order to officially become part of the national archives, all state memos, letters, and orders had to go through a filter. These documents first had to achieve a threshold of “archivability” before they were accepted as official History. The archival sources I had access to in Delhi, Lucknow, and Dehradun, therefore conformed to the canons of national historiography in every respect. The place awarded to the Van Gujjars was tiny in those archives – their role in fashioning forestry, systematically erased. The archival documents I perused were also redacted in a specific language, “a prose of counter-insurgency” to borrow Ranajit Guha’s expression. The function of this prose was translating the actions of state subjects deemed abnormal into cognizable categories of power such as criminality, insubordination, and deviance. The use of this language of command rendered my efforts at recovering the voices of the Van Gujjars quite futile.

A different approach to state archives soon became necessary. The vocabulary, the omissions, and the silences of the archives minimally revealed something about the work of the rulers and their perceptions about their constituents, the forest dwellers. In quaint words, state officials regularly admitted to using, or encouraging the use of, discretionary powers for workers dealing with such “simple people” as hill and forest dwellers. The paternalism of the officials was blatant but, as I would note later, this attitude was also solicited by the forest dwellers who used these predispositions for their own ends. Interestingly, forest access continued for most of the colonial period to be liberally granted in order to soothe peasants and forest dwellers who were seen as potentially rebellious. Such strategies of resource administration would be reconfigured by policy changes following the Indian Independence, but essentially timber as a commodity remained entangled in visions of modernization and strategic exchanges for maintaining political control. Likewise, granting special privileges to local populations remained a means frequently used by state workers for cultivating necessary relationships and an appearance of order,

especially where and when the use of direct coercion was impossible due to limited state capabilities or the rugged nature of the landscape making it impossible to patrol efficiently. As such, forests were already social much before the advent of any sort of official social forestry in India, and continued to be so in ways that the social forestry programs did not take into account after they were introduced. But it was not only the potential actions of the local populations that worried forest management; the informal systems of resource extraction and distribution did too. Top state officials expressed considerable reservation toward the haphazard application of the forestry code and the granting of privileges. Numerous office holders in their communications and in the “legal expertise” they shared in publications about the Indian land system admitted to experiencing ambivalent feelings and anxieties with regard to the virtues of their administration. Reading archival sources “*along the grain*”, I noted that policy-makers were, as Anna Stoler eloquently stated, “persons off balance” dreaming of “comforting futures” yet being constantly hesitant and worried about the potential failure of government (Stoler 2009: 2). The debates between state administrators regarding what approaches to forest and population management were better informed, or more efficient, are illustrative of explicit moral and strategic concerns on their part regarding the adequate forms of government. In this context, forest management emerged as an area of specific concern, constantly debated, while also remaining a social practice engaging not only the administrators, but the population in general. This realization made me explore theories concerned with the blurring of boundaries between state and society in postcolonial contexts, summarized in Chapter 2. Then, in Chapter 3, I conducted a genealogical analysis of forest policies whose main rationale was reinserting notions of struggles and debates in processes of policy-making. I could therefore study policy statements as the congealed appearances of tensions running through colonial and postcolonial societies and from there gain a

better understanding of the conduct of forest administrators in relation to forest-dwelling subjects like the Van Gujjars.

### **Forestry's Genealogy**

In India, forestry – or forest conservancy, as it was known initially – became institutionalized during the last third of the nineteenth century. The first systematic censuses completed one or two decades earlier had confirmed that the timber reserves of the subcontinent were dwindling. Timber supply shortages were attributed to private contractors mismanaging the resources or abusing their rights of extraction obtained either on an auction basis or on shorter- and longer-term leases. Years before the creation of the FD, an emerging class of scientists and experts had begun lobbying for the creation of an organ charged with the supervision of the timber industry. That the central administrators of the British Raj found this solution most rational reveals how quickly scientific experts gained influence over policy-making decisions in the colony. This proclivity for tighter governmental controls over the industry in colonial India was also imputable to the political climate of the last decades of the nineteenth century, a period of great anxiety for the British after the unprecedented uprising of 1857, an event which occurred in the midst of a string of more localized revolts across many states of the Raj, some led by forest dwellers and tribals. Colonial administrators feared timber shortages could slow down infrastructural developments deemed essential for the political stability of the colonial establishment. The Raj's legitimacy was believed to rest on its capacity to improve the land and transform society – its *mission civilisatrice* – and any failure could rekindle social discontent. In this context, the Indian Forestry Department was created in 1864 along military lines. A first “Forest Act” followed the year after. Tree enumeration, classification of tree species in dominant



categories, and the division of the landscape into administrative zones ranging from “beats” and “blocks” to very large “divisions” followed at a hasty pace. Detailed guidelines were formulated in decennial working plans that espoused the contours of each forest division on the subcontinent. These management plans described every minute silvicultural manipulation that needed to be performed on the crop for meeting the optimistic projections of the foresters, who calculated a predetermined “maximum sustainable yield”, which could fill the demand for timber for centuries to come, out of an infinite colonial horizon.

State forestry was based on the two-fold premise that the application of science could only bring positive changes in the world, and that the agents of such application – state experts – were legitimate in their actions. The results of wood inventory and forest demarcation were not limited to the introduction of new technical and territorial regulations, however; concomitantly, a new economic rationality and a fiscal discipline were also imposed on the landscape and its customary users. Specific modalities of extraction were authorized; meanwhile, others were criminalized. The production of knowledge was a powerful instrument for rendering forests governable, however not all theories obeyed the same rigorous scientific principles. Numerous policy choices affecting forest-dependent populations stemmed from unsubstantiated claims and racial bias. In particular, the Indian Forest Acts identified nomadic peoples, hill tribes, and shifting agriculturalists as guilty of causing major forest degradation. Meanwhile, the timber industry was supported by discourses that were internally organized to achieve a threshold of scientificity, and was rarely blamed for the destruction of old-growth forests. The Indian state remained ambivalent, and sometimes overt hostile towards customary forest users and traditional forest dwellers – especially the mobile, nomadic, and vagrant sorts. Relocation and rehabilitation policies for tribals and traditional forest dwellers signaled important shifts in the relations

between the postcolonial administration and their constituents, although at a different level these reformatory and social engineering programs simply recast the stiff boundaries that the colonial rulers had drawn between nature and culture. This binary opposition between fields and forests contradicted the experience of those who called the forests their home, and forest dwellers mended this contradiction through sustained exchanges with the forest guards and the crucial interpretation and anticipation of the guards' moods.

It was much more difficult in practice than in theory for state workers to maintain clear boundaries between villages and forests, or even forest dwellers and themselves. Timber-rich areas could be enclosed on paper even though the foresters did not intend to forcefully evict customary users. As a general rule, the timber operations regularly digressed from the clear prescriptions of the forest management plans. Such deviations were more often covered up by statistical manipulations than they were reported. The maintenance of strict enclosures for controlling natural processes like forest regeneration and succession was greatly aided by this creation of official ignorance. Timber was an important commodity in the colonial political economy and forestry was seen as an indispensable tool for magnifying revenues and perpetuating the stability of the Raj. Disciplining tribals and forest dwellers was thought to contribute to these same ambitions. As such, the origins of state forestry show remarkable entanglements between science and politics. Science provided an alibi for legal and physical interventions such as enclosures, evictions, and property transfers which ultimately victimized traditional forest dwellers. However, behind the cover of forests state workers also tolerated customary users and forests dwellers like the Van Gujjars, whom they considered simple, nonviolent subjects.

Many social scientists, mostly of a progressive persuasion, have portrayed Indian forestry as an instrument of dispossession. Data in support of this thesis is not difficult to find. However, this conventional narrative conceals myriad social practices and strategies used by forest dwellers to access forest resources and transform how forests were governed. I wanted to add to this reading of forestry by following the ramifications of the forest policies to their very extremes, up to a point where all distinct forms of oppression begin losing their sharp contours. At the beginning of *Society must be defended*, Michel Foucault explained his genealogical method by suggesting that no object could ever be adequately critiqued if it was taken for granted or considered a *fait accompli* – whether the object of the analysis was sexuality, madness or, in my case, a composite assemblage of truth statements and technologies called “scientific forestry”. Drawing on Foucault’s lesson, I wanted to bracket out the “transcendental category” of forestry for exploring in more depth the theories, debates, technologies, and struggles that represented its conditions of emergence and expansion. I would not deny forestry mainly acted as an instrument of dispossession, but considering the experience of the Van Gujjars I was able to show that its development was fraught. At first glance, forestry might appear as a necessary science without which efficient forest management could not be possible. The social and political tensions rekindled by the introduction of new silvicultural techniques within new boundaries, and the improvised responses of the foresters to these challenges from below, however, raise the question whether forestry could have been otherwise.

Several scholars have argued that persistent popular resistance to forestry was a sign that its territorialization remained incomplete, but I think this amounts to uncritically accepting the categories developed by state actors. For forest dwellers, there has been no other territorialization besides the one they experienced on a day-to-day basis. Instead of asking

whether the colonial, and then the postcolonial state had successfully maintained boundaries around forests, therefore, I wanted to know what kind of governmental activities and concerns emerged from a constant renegotiation of the modalities of access to the forest resources, the rules, and the forms of knowledge of forestry. The woodlands devolved to the management of the FD encompassed an important fraction of the Indian national territory. State forest enclosures also reached into the most rugged, remotest, and least accessible corners of the country. An unchanging variable in Indian forests' history has been the lack of means of the FD for effectively patrolling and enforcing the very boundaries by which it was supposed to govern, let alone collect the data required to justify more stringent controls. Therefore, I wasn't surprised to learn that "jungle government" relied on complex social and cultural performances in order to function. As Andrew Matthews remarked for Mexico, state experts and officials had to play a culturally mediated role in public performances and fill the different expectations of their constituents to be able to count on their collaboration, without which forestry would be further fragilized. In the end, in India, office holders across different state departments could not always agree on the adequate use of force or the interpretation of legal categories. Issues of legitimacy, corruption, and the limits to arbitrary powers were interpreted differently across the ranks of the FD. The relationships between office-holders and their clients, people living in their jurisdiction, also involved everyday renegotiation of the formal categories through which state-making was meant to operate.

Historically, the Van Gujjars have managed to significantly influence the actions of the forest workers and bureaucrats with whom they had to interact. During the colonial period especially, the Van Gujjars subsidized the activities of the FD, bringing substantial revenues through fee payments, gifts in kind, and money that oriented the career choices of the forest

workers in the postcolonial era. I think these observations are important because they demonstrate the complexity of governmental activities. Modern forestry did not simply assume more and more control over the cultural, social, and biological processes regulating sylvan life as time passed. Upon closer inspection, the hegemonic status of science quickly becomes less clear. That the Forest Department refuses to acknowledge the conditions on which its rule depends, including extralegal exchange, illicit transactions, and face-to-face encounters only allows official ignorance to grow.

### **Van Gujjar Marginalization**

Today, well over two hundred million Indians directly depend on their access to forest resources to obtain their livelihoods, and many more incorporate one kind of forest products or another in their daily lives. Yet, the bargaining power and inclusion in forestry planning of these forest dependent people and customary users is very limited. The forest dwelling Van Gujjars have been dependent on the “good nature” of the forest constables for keeping their access to the jungles, and their appeals to the officials’ leniency only strengthened the paternalist attitudes of state workers towards them. The buffalo herders traded gifts with the forest constables and, in exchange, the latter turned a blind eye to gleaning and lopping activities considered offenses under the forest laws. Given the laws criminalizing their livelihood activities, evasion, concealment, and extra-legal exchanges became both a routine and a necessity for the jungle pastoralists. Their strategies for maintaining access to the natural resources were effective, although a constant cause of worry and a source of impoverishment. Surely, the forest laws could be bent as the forest workers enjoyed great arbitrary powers within their jurisdiction. But as a community of milk producers, the Van Gujjars could not thrive. Uncertain modalities of access to

the forest resources carried a negative impact on the economy of the Van Gujjars. In the following paragraphs, I review the four most important mechanisms of Van Gujjar marginalization that I have previously explored in this dissertation.

The first mechanisms of the impoverishment of the Van Gujjars was the forest enclosures themselves. When, in the last decades of the nineteenth century, the pine-clad hill forests located to the west and the north of the area of my fieldwork were leased and cordoned off for timber production, several groups of buffalo herders moved to the Shivalik and the Doon. There they were tolerated because they fortified the milk supply in the region. However, the foresters continued dividing and demarcating as state property the areas under forest cover that the Van Gujjars considered their home. This regime of territorialization brought legibility to the jungles, rendering the Van Gujjars more visible as regular encroachers of state boundaries. The science of forestry was also bent on managing by numbers. Strict calendars were imposed on silvicultural and timber felling operations, and a series of rules was established for constraining the movement of the Van Gujjars too, such as fixed departure dates for their migrations and extra fees for stopping along the way. The academic perspective on this topic has mostly emphasized the loss of mobility and decision-making power of the Van Gujjars, but I could show, in addition, that the FD did not really expect that the Van Gujjars would stop their migration as long as they lived in the forests. The fee structure imposed on the pastoralists may have been designed to discipline the herders and eventually force them to abandon their traditional lifestyle by taking away their profits, but generally the planning of the FD for the areas under tree cover was built on the assumption that migratory herders moved every year, no matter the circumstances. The problematic of government in this field was rendering this movement more predictable and more manageable. In the end, the FD reinforced these migrations through its policies, neither

authorizing the Van Gujjars to build solid homes in the forests nor allowing them to stay put for more than one season. Managing the tree crop according to “rotational schemes”, the foresters of the Shivalik and the Doon not only staged their activities from one forest compartment to the next, but also “rotated” the herders from place to place, refusing to allow them to use the same area as the previous year upon their return from the hills.

The forest boundaries were actively contested by villagers and forest dwellers alike, but the situation of the Van Gujjars was unique in the sense that they were the only ones living exclusively within the jurisdiction of the FD. This too rendered the buffalo herders more vulnerable and dependent on the whims of the forest guards. After Independence, forest enclosures effectively became zones of abandonment, their residents being declared ineligible for state programs promoting tribal and rural development. The postcolonial land reforms in India generally upheld, and even enlarged the landed estate of the FD. As such, the opposition between fields and forests was recast by the welfare programs of the Indian state, the forest dwellers being disenfranchised of their rights as Indian citizens. From this period onward, the Van Gujjars became acutely aware of the inequalities they suffered from and increasingly blamed state actors for failing their responsibilities not only to them, but to their jungles and its animals. The buffalo herders witnessed the substantial changes that state schemes and public utilities brought to the life of a majority of Indian peasants, their neighbors; meanwhile, they continued to rely mostly on the whims and dispositions of the forest guards for satisfying their needs, and had little access to reliable means of transportation, education facilities, health care services, and other state programs and infrastructures.

Racial discourses also contributed to Van Gujjar marginalization, and that of nomads, shifting agriculturalists, and tribals more generally. These racial discourses were rooted in

evolutionist thinking relegating hunters, gatherers and nomads to a lower position on the illusory ladder of social evolution. Dominant theories of the colonial era, and modernization theory in the heyday of Independence, both postulated that so-called “backward” and “primitive” producers were bound to disappear as the nation progressed towards an industrial utopia. Racial prejudices also ramified in environmental theories as the basis of policy-making decisions in the field of natural resource management. In desiccation discourse and Himalayan degradation theories, nomads and shifting agriculturalists were scapegoated for the wreckage of the environment – not only on the Himalayan slopes, but downriver as well. Distinctions of race were given new and stronger meanings especially in Malthusian theories that could justify, on the one hand, curbing the customary rights of the Van Gujjars, and privileged cultivators settled in the Gangetic plain on the other hand. In theory and practice, Indian society would become increasingly divided by fixed categories reflecting occupational and caste differences. The Van Gujjars were also racialized in environmental theories that identified them with their lopping – which was assumed to be very destructive in spite of tangible scientific evidence debunking this claim. Racist treatment of the Van Gujjars did not diminish after Independence. On the contrary, a specific, separate criminal record was introduced in 1970 that singled out the Van Gujjars as the worst menace for the Shivalik forests. This reinforcement of the technical rules that applied to lopping and the racial identification of the Van Gujjars as habitual offenders, I have theorized, was associated with concomitant changes to the territorial laws in forests. Areas previously reserved for the grazing purposes of the Gujjars were redrawn. The “overlapping circles” that replaced them allowed the FD to exploit valuable resources anywhere, including minor forest products auctioned to semi-independent contractors. Under the new “overlapping” divisions and schemes, exploitation along commercial lines could proceed in the areas where the Van Gujjars were located. The significance



of the territorial boundaries declined, blurred by “overlapping” management approaches that also signaled a toughening of the rules targeting Van Gujjars as unlawful, racialized producers. This policy shift might also contribute to understanding why the Van Gujjars think of the colonial period as a sort of Golden Age, during which they enjoyed a privileged access to resources that were bountiful. In this context, also, the simple fact that the Van Gujjars maintain that their lopping is a loving and caring service provided to the trees, rather than a crime or a violation of the forest code, remains a formidable sign of their resilience and resistance, even though, at the same time, the “authenticity” of this discourse should not be taken for granted, because it was co-constructed by the Van Gujjars, NGOs, and advocacy groups working for the recognition of their rights.

The third mechanism causing the marginalization of the Van Gujjars worked in conjunction with boundary-making and racialization: it is the ambivalent practice of “gifting”. Gifts in kind and money were key for establishing good relationships with the state constabulary. Extra-legal exchanges allowed those with sufficient incomes or means to claim access to the forest resources without fearing penalties such as fines, threats or blackmail, and physical violence. In this dissertation, I have preferred analyzing these informal and extra-legal exchanges in terms of “gifts” instead of corruption, using the Van Gujjar terms. In the collective memory of the Van Gujjars, their mythical ancestors were owners of magnificent herds who could generously “feed” and appease the appetite of the FD officers – who were the true owners of the land in spite of their lower moral status, only implicitly denounced through evasive comparison with the generous actions of the Van Gujjars of yore. As leaves and grass were available in large quantity, a good herder used to be capable of cultivating good dispositions in all the authorities of the land, not only state workers, but also neighbors living in villages at the forests’ outskirts. To simply

label these dealings as corrupt would erase the complex narratives that surround the past history of the Van Gujjars and their maneuvers, which were aimed at altering various practices of government through changing attitudes, face-to-face relationships, and dispositions. However, not all jungle pastoralists were impoverished at the same rate. The twentieth century certainly signaled increasing marginality and, alongside this marginality, the growth of inequalities among the Van Gujjars. Gift exchanges contributed to reinforcing inequalities and weakening the social structure of the community. My examination of the central role of traditional headmen (*lambardars*) in gift distribution, including their gradual loss of bargaining power and authority in the face of policy changes in the fields of forestry and development, has put the atomization of Van Gujjar society in perspective. The Van Gujjar headmen had to grapple with the moral perils of the gift since the inception of forestry in the area of my fieldwork. Various management ideologies and techniques of dividing and subdividing forests into more fragmented and overlapping zones represented increasing political pressures on the Van Gujjars. The traditional *lambardars* needed to balance the demands of FD officers as well as the other requirements of the forest administration such as collaboration in updating the cattle census and the needs of their constituents. After Independence, however, the *lambardars* were stripped of many of their earlier prerogatives and the FD collected their fees from individual households. The new leaders known as *pradhans* deal mainly with issues of community development and promises of rehabilitation (see below). Having become an individualized practice, gifting continued to benefit the large owners of cattle, although at exploitative costs, but the poorest of the Van Gujjars mostly lost this bargaining chip.

Today, fees and extra-legal payments consume an important part of Van Gujjar incomes. I was often told that, these days, there is no profit to be made from a small herd of

buffaloes. Nevertheless, the poor felt compelled to maintain a small herd of their own as this prevented more harassment from forest guards who only tolerate Van Gujjars on the basis that they use the natural resources for traditional activities like animal husbandry.

Keeping more buffaloes for the sole purpose of greasing the palm of the forest rangers and guards was also costly for the Van Gujjars for a different reason. Although the Van Gujjars feel their historical contribution to forestry budgets, and their extra-legal payments to state workers, could legitimate their claims of possessing ancestral right over their jungles, they doubt they can continue to afford the life they have lived for generations. The last major factor of impoverishment I have studied in this dissertation are the discourses about the increasing scarcity of forest resources. On this point too the position of the FD has been ambiguous. Scarcity was a powerful trope in the discourses that justified the activities of the FD. However, through various techniques of concealment and information control, such as redrawing boundaries, manipulating averages, transforming open areas into temporary, and eventually unsuccessful plantations (also a technique for cordoning off with barbed wire grassy areas used by the Van Gujjars), and lowering the threshold at which a zone is deemed to be “tree covered”, the Department hid the consequences of its lenient, inefficient, and yet exploitative management. Many groups have thrived in India despite exploding demographics and environmental degradation; therefore, my reading of the marginalization of Van Gujjars in their jungles had to move beyond Malthusian explanations of scarcity. The data about forest degradation is also partial and contested, so I had to rely mostly on subjective descriptions of degradation and its effects. I noted, most importantly, that the way the state deployed its plantations, and wildlife protection laws, was through a *biopolitics* that pushed traditional forest dwellers out of their ancestral homes; this represented a form of biopolitics that used the inherent power of life and of a population to grow in order to

achieve political ends. These biopolitics could have been different, too, if only the traditional practices and environmental knowledge of the Van Gujjars could have contributed to the selection of the fodder tree and animals whose growth social and technical systems of management should support.

In the end, my analysis of forestry “from below” helps situate the formation of subaltern subjectivities at the intersection of larger social and political processes, including colonialism, forest enclosures, the creation of timber markets, policy changes that negatively impacted traditional dwellers, practices of gifting and bribery, agrarian transformations, as well as discourses of environmental degradation and conservation, to name only these few. All these forces conspired to create a yearning for resettlement among the Van Gujjars. Therefore, my dissertation put less emphasis on traditional resistance to the forestry code than the changing dispositions, attitudes, and behaviors of the Van Gujjars to whom rehabilitation programs, reform, and development increasingly appealed, as they felt that their situation was worsening.

### **A will to resettle?**

A lot of space was given to discussions regarding the theories, techniques, and activities deployed by the powerful FD to render forests manageable in this dissertation. In addition, I have also shed some light on the contribution of the Van Gujjars to state-making within the confines of their jungles. Through manifold strategies, the jungle pastoralists have contributed to shaping the structure of feelings, the general “style”, and the attitudes underpinning forest management, making their actions both historically and ecologically significant. The values the Van Gujjars ascribed to their herding activities, their struggles, their influence and affluence in the past, and the care they gave to animals and trees, represent much

more than simply an issue of divergent perceptions. The jungle pastoralists engaged with state workers and altered their conduct and the way forests were governed in important ways. However, it is nonetheless the case that the Van Gujjars have increasingly lost their ground and their grip inside and on the forest domain. They now feel the forests are less hospitable, and it also seems that their basis for claiming customary forest rights is eroding, two obvious corollaries of their marginalization.

Recent surveys conducted by experts and academics working for environmental conservation institutes that regularly contribute to state policy-making reported on the Van Gujjars' growing willingness to resettle outside forests. In Chapter 6 in particular, I argued that such results must be interpreted with caution. First, the apparent readiness of the Van Gujjars to resettle cannot be considered outside a context marked by decades of dependence on the FD, lack of political recognition, and limited access to public services that shaped these sentiments. The inherent problems with the assumption that marginalized actors whose livelihoods depend on secrecy, evasion and concealment, could suddenly make their “voice” heard through the stiff categories of a brief questionnaire administered by an employee of the state or a researcher tied to state-funded institutions or projects cannot be discounted either. The attitudes of the Indian policy-makers and politicians have always been ambivalent towards the Van Gujjars, whom they thought would have been better to leave the forests, “join the mainstream”, and “become good subjects of the nation”. Public figures and policy-makers considered the herders to be bound to their migratory careers by tradition and a secular reluctance to change. The leaders of the Van Gujjars nevertheless ostentatiously use the language of “rehabilitation” today, to some degree a strategy on their part for maintaining useful connections with the officials who could implement measures for the wellbeing of their community. However, as shown in Chapter 6, rehabilitation

emerged from a disciplinary regime aimed at reforming criminals which, in the case of the Van Gujjars, worked in almost perfect synchronicity with the toughening of the rules of access to forest resources. Figures of authority coopting the language of rehabilitation could make new allies among the political class, and in the many loci and offices of power where the administration of society and nature was redistributed, following manifold state schemes, after Independence. However, coopting state discourses also furthered state-making in forests; as I have shown genealogically, the rehabilitation project was value-laden. Since colonial times, rehabilitation has provided discursive and technical means not only for disciplining subjects but creating subjects that discipline others too. Its categories had the power to mute alternative voices, as can be shown in the case of the Van Gujjars, whose complex experience and muddled jungle perspective could never be given proper expression at the level of policy-making.

In spite of all this, Van Gujjars remain active, reflexive subjects. They reason that rehabilitation has become necessary for them based on their pragmatic assessment that the FD is not willing to relinquish its grip over the forests. This conclusion is drawn from uninterrupted interactions between the forest dwellers and FD staffers and therefore seems convincing. The forests – and the social encounters they produced – effectively worked as an instrument of dispossession, forcing the Van Gujjar to consider relocation as a solution to their current predicaments. This impression is reinforced through everyday power abuses and exactions by forest officials who also take advantage of their privileged position to “raise awareness” and “educate” the Van Gujjars about the morality of a settled life far away from the forests and the wild. Promising to increase wellbeing, the structure of rehabilitation schemes thus justifies state workers, politicians, and even settled neighbors of the Van Gujjars, in increasing the psychological pressures they impose on the Van Gujjars.

It could still be seen that the Van Gujjars do not accept the terms of rehabilitation uncritically. These jungle pastoralists speak about the promises of community betterment and development through a specific idiom that reflects their experience as forest dwellers living among domesticated and undomesticated animals. Through various figures of speech, the buffalo herders have drawn parallels between the care they give to all forms of life, on the one hand, and governmental practices considered legitimate and moral, on the other hand. The Gujjars' figures of speech and their symbolism are the kind of significant detail that easily gets lost in official discussions about rehabilitation. Policy-making and program monitoring discard the inherent value of such views "from below" all too easily. Indeed, dominant modalities of knowledge production and sociological analysis in India have shown an unwavering tendency to suppress local expressions for the benefit of a uniform language in which an imagined nation is "progressing".

Through various animal metaphors, however, the Van Gujjars locate themselves within Indian society, ascribing meaning to their subaltern position, and evaluating the performance of the state authorities in charge of bettering their condition. The Van Gujjars assume their difference as uneducated, *jangli* people, who remain nevertheless true and honest to their words, as well as hard-working men and women. Van Gujjars take responsibility for their herds and children. Likewise, their presence in the forests protects wild animals from poachers and other predators that, usually, avoid the vicinity of their huts. The working and caring ethics of the Van Gujjars allow the latter to render ethical judgments, and decide whether "government" (*sarkar*) fulfills its obligations towards weaker populations. It is also through references to animals that the Van Gujjars inspect their inner selves and hold their instincts in check, a form of self-criticism showing the tensions that exist between a *jangli* morality and feeling of inadequacy

in society. This *jangli* idiom of self- and community development is much more than a false-consciousness blurring ethical and political judgments; this idiom, in fact, translates into images of subjective processes through which Van Gujjars think about utopias, emancipation from the oppression of jungle government, and broader horizons.

These are the very last words of this dissertation and I would like to use them for stating again, and clearly, that paying attention to the ambiguous practices that are integral parts of jungle government shows the Van Gujjars to be active participants capable of reinventing state-making in their jungles. Drawing on their own experiences of marginalization, they shaped ruling activities associated with the maintenance of the forest boundaries. I am well aware it will take more than one dissertation to contest the canons of Indian ecological historiography, which obscures the role marginal actors have played in shaping the way forests were governed. Future critical research in anthropology and allied disciplines can make an important contribution to current discussions about environmental justice and more-than-technical issues of “forest rights” recognition in India by disentangling questions of “rights” and government and by showing the contingent, contested, and fragmented nature of state forestry – a disciplinary regime that explains different regional responses to, say, a decade of FRA activism. The recognition that forests were governed through, and not in spite of the ambiguous and exploitative relationships between its customary users and the state workers is a good place to start for better understanding the terms of inclusion and participation in FRA struggles, and the tacit rules shaping citizen mobilization in and about political forests.





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