

Staging criminality and colonial authority: the execution of thug criminals in British India

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Abstract

This essay examines the spectacular and stage-managed mass executions carried out during the East India Company administration's campaign against thug criminals during the 1830s. Drawing on Foucault's concept of the execution as an occasion for the demonstration of the authority of the state, it analyses contemporary accounts of the staging and reception of colonial executions, considering them as performances that fall on the boundary between social drama and stage drama, and arguing that such events can be seen as rituals of social negotiation rather than performances of state authority of the kind suggested by Foucault.

The most sensational of British colonial initiatives in pre-Mutiny India was the campaign to suppress the criminal fraternity of thugs (bandits who worked the roads, robbing and strangling travellers). The campaign had its roots in what C. A. Bayly calls an 'information panic': lack of knowledge of Indian society, and fear of Indian criminality, among the British administrators of the newly-annexed territories of north and central India in the first decades of the nineteenth century.¹ It began to gather strength in the late 1820s, and had expanded to cover most of India by the end of the 1830s. The material on thugs' beliefs and practices gathered in the course of the campaign, and the larger colonial narrative of Indian society and Indian criminality to which it contributed, had an impact on British policy in India, and the historiography of colonial India, that persists to the present day.² A central element of the campaign in its early stages was the public execution by hanging of thug criminals: over two decades, around 500 men died in this way at the hands of the British authorities.³

¹ C. A. Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge, 1996), p. 174.

² The question of where the nineteenth-century depiction of 'thuggee' – in the sense of religiously-motivated, secretly organized ritual killing and robbery – falls on the continuum between an accurate, if sensationalised, portrait, and a colonial invention is still a matter for debate. See K. A. Wagner, 'Confessions of a Skull: Phrenology and Colonial Knowledge in Early Nineteenth-Century India', *History Workshop Journal*, 69 (Spring, 2010), pp. 29-33 for an account of the political and social contexts for thuggee in the Sindouse region of India.

³ A figure of 504 executed between 1826 and 1848 may be derived from the statistics of thug trials printed in W. H. Sleeman, *Report on Budhuk alias Bagree Decoits* (Calcutta, 1849), pp. 363-67, 372. There are no figures available for the trial and execution of thugs in Indian-administered territories.

This essay examines the staging of and response to these public executions of thugs, focusing on the British authorities' 'scripting' of the execution ritual (as documented in East India Company records and the writings of the officials involved) to include the condemned prisoners' performance of their own criminality, and the crowd's appreciation of the eradication of that criminality. It takes as its starting-point Foucault's concept of the execution as a drama of state power, establishing 'the dissymmetry between the subject who has dared to violate the law and the all-powerful sovereign who displays his strength'.⁴ In the context of British India, this Foucauldian model can be modified in several respects. First, the British colonial state – dependent as it was on a combination of legal and pragmatic agreements with Indian rulers, recently-established military superiority and a sense of moral and racial authority – is far from the 'all-powerful sovereign' conceived of by Foucault. The execution of a thug therefore carried a double significance: not only a demonstration of sovereign power, it also highlighted the colonial administration's mission to protect the indigenous people of India against criminal elements within their own society. Second, Thomas Laqueur's detailed examination of the history of public executions in England calls into question the Foucauldian idea of the state as 'writer and director of a drama in which it appropriates to itself the active, authorial role while the people and the condemned are assigned subsidiary parts as compliant actors and appreciative viewers who understand the semiotics of state power'. Laqueur's observation that the crowd, and not the state, was 'the central actor in English executions'⁵ may be applied to the executions staged by the British administration in India. In this context, however, 'the crowd' contains two disparate elements: the colonized people of India who made up the main body of spectators at the execution, and the much smaller British contingent who attended executions in a professional capacity, or as interested bystanders. Both colonizer and colonized elements of the crowd constituted critical and active audiences, whose interventions and reactions demonstrate their ability to reject the colonial 'script' if it failed to accord with their own agendas and self-conceptions.

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⁴ M. Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (Harmondsworth, 1977), pp. 48-9.

⁵ T. Laqueur, 'Crowds, Carnival and the State in English Executions, 1604-1808', in *The First Modern Society*, eds. A.L. Beier, D. Cannadine and J. M. Rosenheim (Cambridge, 1989), p. 309.

In October 1830, there appeared in the *Calcutta Literary Gazette (CLG)* an eyewitness account of the public hanging at Jabalpur station in central India of eleven thugs.⁶ This execution was a spectacular public event, for which elaborate preparations were made by the colonial authorities: a new stone scaffold was constructed so that the eleven could be hanged all at once, and two detachments of soldiers were deployed to control the crowd of spectators. As well as giving these details, the article also described the demeanour of the condemned before and during the event, and included a wider narrative of the characteristic methods and beliefs ascribed to thugs in general. Although published anonymously, the letter was the work of W. H. Sleeman, the head of the Thuggee Department.⁷ He had brought to trial the eleven prisoners in question, and was also responsible for staging and overseeing their execution. The description of events published in the *CLG* therefore has a dual status not immediately apparent on first reading: it is not an eyewitness account of the execution so much as its director's script.

The article was primarily geared towards gaining publicity and official recognition for the campaign against the thugs, then in its early stages. Details of the prisoners' crimes and their conduct on the scaffold were marshalled in support of a demand that the colonial government should recognise the gravity of the thug menace:

[W]e must oppose to its progress a greater dread of immediate punishment, and if our present establishments are not sufficient or suitable for the purpose, we should employ others that are, till the evil be removed; for it is the imperious duty of the supreme government of this country to put an end in some way or other to this dreadful system of murder, by which thousands of human beings are now annually sacrificed upon every great road throughout India'.⁸

This call to action is important in several respects. Its invocation of the 'duty of the supreme government' is also an affirmation of the legitimacy and authority of the British colonial state in India, which is implicitly identified as the only actor capable of eradicating the thug gangs. The definition of the thugs as particularly malignant and threatening elements of Indian society provided colonial authorities with opportunities and reasons to intervene in the territories of nominally-independent Indian states on the

⁶ [W. H. Sleeman], letter to the editor, *Calcutta Literary Gazette*, 3 October 1830. The article was widely reprinted: in this essay I have cited the more accessible text reprinted in the *Calcutta Magazine and Monthly Register*, Sept 1832, pp. 503-510.

⁷ The Thuggee Department, set up to hunt down and bring to trial thug gangs, had been functioning since 1828, though it was formally instituted only in 1835.

⁸ Sleeman, *Calcutta Magazine*, p. 509.

grounds of their failure to surrender suspected thugs;⁹ while the idea of British intervention saving Indian society from its own deviant practices (*sati*, or widow-burning, and infanticide as well as thuggee) became a defining characteristic of the self-consciously ‘moral, “civilized” and “civilizing” regime’ of Britain in India.¹⁰

Furthermore, Sleeman’s carefully-phrased exhortation constitutes a coded demand that the government should provide its officials with material and human resources to pursue the campaign; and enact changes to the existing laws to produce a ‘greater dread of immediate punishment’ by making convictions for thuggee easier to obtain.

The article was immediately effective in eliciting government support for the campaign against the thugs.¹¹ Its construction of thug criminality as a threat to Indian society and colonial order – a theme elaborated by Sleeman and his colleagues both in official reports to government and in a publicity campaign across the British press in India – contributed significantly to the expansion of the Thuggee Department, and the government’s enactment of new regulations and laws to combat thug gangs.¹² Against this background the execution of the eleven thugs takes on a wider significance: the staging, narration and publicising of the event were all directed towards the production of a relationship between state, criminal and society that sustained both the proximate aims of the Thuggee Department and a larger justification of Britain’s role in India.

In choosing to ground his call for government action against criminals in the account of a public execution, Sleeman was drawing on the association of the ritual of execution with the demonstration of state power and authority. The Nizamut Adalat (criminal court) had earlier that year emphasised ‘the solemnity of the proceedings’ of public execution, and the ‘awe, which it is the primary object of the punishment to create in the minds of all who may witness it’.¹³ Correspondence between the various officials involved in authorising and organizing executions underlines the fact that every aspect of these events – location, personnel, and procedure – was calculated to maximise its

⁹ See, for instance, the correspondence re dealings with the Rajput states of Jodhpur and Jaipur (Asia, Pacific and Africa Collection of the British Library, London (hereafter APAC), Board’s Collection IOR F4/1497 58821, F4/1498 58822).

¹⁰ T. R. Metcalf, *Ideologies of the Raj* (Cambridge, 1995), p. 39.

¹¹ See G. Swinton to F. C. Smith, 8 October 1830, *Selected Records collected from the Central Provinces and Berar Secretariat relating to the Suppression of Thuggee, 1829-1832* (Nagpur, 1939), pp. 9-10.

¹² See M. ní Fhlathúin, ‘The Campaign against Thugs in the Bengal Press of the 1830s’, *Victorian Periodicals Review* 37.2 (2004): 124-40; R. Singha, *A Despotism of Law: Crime and Justice in Early Colonial India* (New Delhi, 2000), pp. 194-99, 213-20.

¹³ Order of 23rd April 1830. G. Cheap, *The Circular Orders passed by the Nizamut Adawlut* (Calcutta, 1846), p.183.

impact on the audience.¹⁴ In this respect, the execution appears to have figured in the minds of the authorities as a straightforward demonstration of state power and the consequences of disobedience to its laws, along the lines of the model suggested by Foucault.

The detailed organisation of executions suggests a more complex event, however, and some of the authorities' concern with the stage-managing and interpretation of certain elements of the event (notably the behaviour of the condemned) appears to run counter to the ostensible aim of establishing the dominance of the state and the relative powerlessness of the criminal. This is particularly evident in Sleeman's script / narrative of the paradigmatic execution of thug criminals in 1830. His account focuses to a large extent on one aspect of the prisoners' behaviour: their apparent wish to take control of the final phase of the execution. '[T]hey arranged themselves in line', he writes, 'each seeming to select the noose or situation that pleased him best, with infinitely more self-possession than men generally select their positions in a dance or at a dinner table'. The article presents this as an abnormal response by the prisoners to their situation, and one in itself indicative of their deviant character compared to that of ordinary humanity:

They all ascended the steps... and taking the noose in both hands...placed them over their heads and adjusted them to their necks with the same ease and self-possession that they had first selected them; and some of the younger ones were actually laughing during this operation at some observations that were made upon the crowd around them. [...]. [O]ne of the youngest, a Mahomudun, impatient of the delay, stooped down so as to tighten the rope ... and stepped deliberately one leg after the other over the platform and hung himself, precisely as one would step over a rock to take a swim in the sea.¹⁵

These actions, in themselves susceptible of multiple interpretations, are made to signify the inherent criminality of the prisoners, a characteristic that found expression in what F. C. Smith (Sleeman's immediate superior) would later call 'the daring and unanimous mode in which they went to their fate glorying as it were in their guilt!' In his view, such

¹⁴ See W. H. Sleeman, *Ramaseeana* (Calcutta, 1836), vol 2, pp. 378-85.

¹⁵ Sleeman, *Calcutta Magazine*, p. 504.

conduct was unquestionably a 'Confession defacto' [sic] of the condemned man's membership of the 'fraternity' of thugs.¹⁶

V. A. C. Gattrell's study of executions in Britain around the same time suggests that, on the contrary, such behaviour was not confined to thugs; and that it might be ascribed to reasons other than inherent criminality. The 'outward bravado' exhibited by the condemned did not necessarily reflect their true feelings, he argues; and their nonchalant or contemptuous response to the process of hanging might be indicative of their alienation from 'systems of authority beyond challenge or comprehension'.¹⁷ The practice of the condemned prisoner taking over the placing of the rope also has parallels in British executions, and Gattrell attributes it to the realization, gained either by direct observation or through 'folk knowledge', that a hangman's misjudgement of noose or drop could make death by hanging a slower and more painful process.¹⁸ None of these possibilities is entertained by the officials who described the execution of the thugs, however. Their insistence that the self-possession displayed by the condemned men was an indication of both membership of a thug gang, and the inhumanity characteristic of thugs, made its way into the wider discourse on criminality. The thugs' behaviour on the scaffold is presented as a reliable indicator of their singular qualities which set them apart from ordinary Indians, in successive accounts which describe them as 'glorying in their misdeeds... reckless ...of all consequences, either in this world or the next!'¹⁹

In the specific context of India, there are other reasons that might be considered for the prisoners' insistence on themselves taking hold of the rope and carrying out the execution. Another contemporary eyewitness, the civil surgeon H. H. Spry who attended executions in his official capacity, attributes such actions to Hindus' 'scrupulous attention ... to the preservation of caste. To wait to be hung by the hands of a chumar [whose work involved handling leather], was a thought too revolting for endurance. The name would be disgraced for ever, and, therefore, rather than submit to its degradation every man hung himself!'²⁰ This explanation is conspicuously absent from Sleeman's account, a point particularly notable given his long-standing interest in Indian religious

¹⁶ M. Foucault, *Discipline and Punish: The Birth of the Prison*, trans. A. Sheridan (Harmondsworth: Penguin, 1977), p. 43.

¹⁷ V. A. C. Gattrell, *The Hanging Tree: Execution and the English People 1770-1868* (Oxford, 1994), pp. 37, 110.

¹⁸ Gattrell, p. 47.

¹⁹ The pseudonymous writer 'Elwyn', *India Gazette* 4 August 1832.

²⁰ H. H. Spry, *Modern India*, vol 2 (London, 1837), pp. 167-8.

beliefs and practices.²¹ By eliding the thugs' observance of caste restrictions at the moment of death, and thus masking their membership of a wider religious community, Sleeman draws a line between thugs and ordinary Indians. Ascribing their behaviour instead to an inhuman self-possession, he constructs it as a sign of their self-exclusion from ordinary society – a point emphasised by his further comment that the thugs all made use of 'precisely the same invocation [to the goddess Bhavani], though four were Mahommuduns, one a Brahmun, and the rest Rajpoots and other castes of Hindoos'. In this narrative, 'their invocation of Bhowanee at the drop, was a confession of their guilt, for no one in such a situation invokes Bhowanee but a Thug, and he invokes no other deity in any situation, whatever may be his religion or sect'.²² The condemned men's speech, like their behaviour, upon the scaffold is thus made to function as a marker of their identity as thugs, an identity which overrides and negates any other affiliation to the wider community of India or of humanity.

Sleeman's records of the executions he directed make it clear that his tactic of producing the condemned men's actions on the scaffold to a script of thugs' extraordinary criminality was a deliberate strategy. On at least one occasion, this objective appears to have taken priority over what might have been considered the primary aim of carrying out the sentence imposed by the court. Reporting the execution of two men in August 1832, Sleeman explains that a third condemned prisoner was spared only because of the fear that his youth (he is described as being under eighteen) and his 'handsome and rather interesting' appearance might have inspired the crowd with a 'feeling of sympathy'.²³ Sleeman's concern for 'the impression left ... on the minds of the spectators' by these events demonstrates the importance of the performance of execution in establishing the requisite relationship between the colonial state and the crowd. The thugs' death scene is intended to mirror the colonial narrative of their lives and pursuits: they are set apart from the social body of colonized India, as well as becoming subject to British colonial authority. Thus, the ritual of execution, in the version staged and interpreted by Sleeman, functions to create a colonial public sphere in which both colonizer and colonized are united in the action of eradicating a rogue element of Indian society, a threat to the lives and property of colonized individuals as much as to the authority and order of the state. To that end, perhaps the most vital

²¹ See, for instance, W. H. Sleeman, *Rambles and Recollections of an Indian Official* (London, 1844), many chapters of which are concerned with such matters.

²² Sleeman, *Calcutta Magazine*, pp. 504, 505.

²³ Sleeman to Smith 10 August 1832, APAC F/4/1406 55521, pp. 266-7.

element of the performance, in Sleeman's account of the 1830 execution, was the presence of a 'crowd of indignant spectators, who had assembled from the town of Jubbulpore and its neighbourhood, to see the execution of the common enemies of mankind.'²⁴

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The colonial records make it plain that this performance of difference between thugs and the rest of humanity was the intended goal of those who designed and stage-managed the ritual of execution. They are less conclusive on the question of whether and to what extent this narrative of the common cause made by the colonial state and the non-criminal element of its colonized subjects was accepted by those at whom it was aimed: the spectators (British and Indian) who watched the executions take place. Public execution *per se* was not unusual or necessarily shocking to Indian audiences, and the events staged by the colonial state were, if anything, less sensational than their equivalent in 'native states', where rulers such as the Rajah of Jhalone ordered that convicted thugs should be trampled to death by elephants.²⁵ The East India Company records and contemporary British accounts that constitute my main sources for this study contain only scanty references to the behaviour of colonized spectators, making it impossible to formulate any reliable conclusion on their reactions. It is notable, however, that the records contain no account of any protest or public expression of disquiet at any execution. On the contrary, allusions to the presence of large crowds, to control which measures such as 'bamboos ... placed on all sides' were taken; and the 'terrific cheers' with which these crowds greeted the executions, all suggest, albeit inconclusively, that any interventions to be expected from spectators would be hostile to the condemned.²⁶ The assertion of D.F. McLeod that '[a]lmost all natives in any way concerned in the business whom I have encouraged to speak their minds have not concealed their impression that the proceedings at Saugor are unnecessarily sanguinary', hedged as it is with qualifiers, suggests that it is as much a measure of McLeod's own feelings of 'great concern in sending in these men to be put to death' (he was, unusually for an official of the Thuggee Department, opposed to the death penalty) as an indication of Indian responses to the executions.²⁷

²⁴ Sleeman, *Calcutta Magazine*, p. 504.

²⁵ Sleeman, *Ramaseeana* vol 1, p. 156; see also APAC F/4/984 27697, p. 44.

²⁶ *Delhi Gazette* 8 March 1834, rpr in *Calcutta Courier* 17 March 1834; Spry, p. 167.

²⁷ D.F. McLeod to F. C. Smith, 10 Oct 1834, APAC F4/1567 64218, pp. 322-3.

What does become apparent in the responses of the colonized crowd is that their relationship both to the condemned and the state is more complex than that envisaged by the simple unity of all races and classes against the thugs featured in Sleeman's script. In 1832, for example, a coda was added to the usual format of the executions taking place in Sagar, where over a hundred thugs were hanged that year. This was in response to the request made by the 'people of Saugor' that the bodies of executed thugs should be marked by 'an incision ...made in the sinew behind the ankle to prevent the return of the Spirits of these men which they naturally enough imagine must be more mischievous than those of the ordinary race of men'. Sleeman, 'in consideration for their feelings', permitted the mutilation, despite the fact that the practice had been outlawed two years earlier.²⁸ In this instance, the execution as drama of state power is hijacked to suit the agenda of the crowd, who thus move from passive spectators to active participants in a ritual that mirrors their world-view as well as that of the state. The Indians' fear of being haunted by the bhût, or ghost, of one who had suffered a sudden and violent death was alien to the British officials, who offered, as justification for allowing the mutilation to be carried out, the rationale that 'people who still beat and drown their old women for witches must be humoured in their harmless prejudices'.²⁹ Both the crowd's intervention, and the officials' response, illustrate the unstable nature of the narrative of colonial order produced in the ritual of execution. While Sleeman's depiction of the thugs as 'other' to the main body of humanity depended on the image of a crowd 'of all religions and all colours' united against them, this vision of unity is belied by the gulf in culture and practice apparent between colonizer and colonized. The ambivalent and variable responses of the crowd reflect the structural instability of their assigned role in the drama of colonial interactions.

A similar ambivalence is visible in the reactions of British elements within the crowd. Spectator responses to a performance event may be categorised (using the terminology suggested by Wilmar Sauter) as emotional, cognitive or evaluative.³⁰ Sleeman's script / narrative of the 1830 executions at Jabalpur encodes a response to the performance of execution that is overwhelmingly cognitive and evaluative, and focuses

²⁸ Sleeman to Smith 10 August 1832, F/4/1406 55521, pp. 266-7; Smith, 6 December 1833, F4/ 1491 58673, p. 214.

²⁹ Smith, 6 December 1833, F4/ 1491 58673, p. 214. Such 'concessions to local beliefs' were not unusual, according to Wagner, 'Confessions of a Skull' (p. 36). On the beliefs current at the time regarding bhûts, see G. W. Traill, 'A Statistical Sketch of Kamaon', *Asiatick Researches* xvi (1828), p. 220.

³⁰ W. Sauter, *The Theatrical Event: Dynamics of Human Performance and Perception* (Iowa City, 2000), p. 58.

on the analysis of the condemned men's actions. The possibility of any affective response is specifically discounted: no spectator, he writes, 'felt the smallest emotion of pity' for them.³¹ Later newspaper accounts, by contrast, include indications that at least some British spectators experienced significant affective responses, and were unwilling to accept in full the 'official' narrative of thugs as distinct from the rest of humanity.

In an account of the executions of five men in Delhi, for example, the familiar trope of the condemned prisoners' nonchalance re-appears, but now phrased in language which both describes and elicits an emotional reaction: 'The unfortunate wretches seemed to look upon their awful situation with almost perfect indifference, and except the wistful glances they occasionally cast around them, as the preparations for their death were nearly completed, they showed not the slightest mark of concern.'³² The writer of the Delhi account dwells on the consequences of the scaffold's collapse during the execution, when one of the condemned 'breathed at least 15 minutes after he was thrown off', and another, 'a mere boy... [no] more than thirteen years of age' also 'struggled very hard in his agonies; happening to touch the man that was next him with his foot, he instinctively threw his legs round him in the hopeless endeavour to save himself, until he was pulled away by the executioner.'³³ Dwight Conquergood remarks of botched executions that they 'knock down the ritual frame and expose the gruesome reality of actually putting a human being to death'.³⁴ In the context of the execution of thugs, it is precisely their status as 'human being' that these responses uphold, in a way that implicitly rejects any division between thugs and the wider category of the human race. Using sentimental and affective terms, they reconfigure the description of condemned thugs, effectively re-creating the bonds between the abjected individual and the wider community that Sleeman's script, and the wider narrative of thug criminality, both deny.

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Situated as it is on the intersection between social drama and stage drama, the execution is an inherently unstable performance event. The public executions of thug criminals became contested events, both in their performance and in their interpretation: scripted narratives of criminality, state power and community cohesion were co-opted by actors and spectators to serve different agendas, in complex and sometimes surprising ways. In

³¹ Sleeman, *Calcutta Magazine*, p. 505.

³² 'Execution', *Delhi Gazette*, 20 May 1834, rpr in *India Gazette* 10 June 1834.

³³ 'Execution', *Delhi Gazette*.

³⁴ D. Conquergood, 'Lethal Theatre: Performance, Punishment and the Death Penalty', *Theatre Journal* 54.3 (Oct 2002), p. 361.

response to the performance of thug ‘criminality’, both colonized and colonizer spectators exhibit reactions that run counter to the idea of colonizer / colonized unity in the face of extraordinary enemies. Empathy for the condemned is demonstrated by British observers, while the colonized respond to the ‘othering’ of thug criminals by demonstrating a mindset that sets them apart both from thugs and from colonizers. The rejection of the colonial ‘script’ is clear, but the instability of the execution as performance event, and the complexity of the responses to it, make it impossible to contain within any straightforward narrative of colonial domination, colonial salvation, or colonized rejection of state authority.

David Parkin observes that ‘while it may be obvious that a representation is dependent on the event that it denotes, an event is itself dependent on its later representation’.³⁵ In the light of the interplay between what might be called the script and the reviews of the performance of execution, it might be appropriate instead to consider this event as a ritual of social negotiation, in which all participants have a stake, rather than a performance of state authority to a compliant and supine audience. The public death of the criminal at the hands of the state becomes the ritual culmination of a social drama in Victor Turner’s sense: the event that marks the reintegration of a fractured social group, by identifying and casting out deviant elements within the social body.³⁶ However, the vision (idealistic as well as self-serving) of a single social body – ‘people, of all religions and all colours’, protected by a paternal colonial state – imagined in Sleeman’s version of the execution of thug prisoners is belied by the variety and contradictory nature of actors’ and spectators’ responses within and to the ritual of execution. Instead, there is called into being a series of social bodies, each co-opting elements of the performance of execution in the service of their own narrative of their relationship to one another and to the colonial state within which they co-exist.

³⁵ D. J. Parkin, ‘The Power of the Bizarre’, in *The Politics of Cultural Performance*, eds. D. J. Parkin, L. Caplan and H. J. Fisher (Oxford, 1996), p. xx.

³⁶ See V. Turner, ‘Social Dramas and Stories about Them’, *Critical Inquiry* 7.i (1980): 151-2.