Policing Colonisation
The Evolution and Role of Sind Police and the Views of Sir Charles Napier on the Administration of Criminal Justice in Sind

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This article examines the origin, evolution and orientation of police subsequent to the conquest of Sind and assesses how policing, and to a substantial extent, the administration of criminal justice, became subservient to the larger aim and vision of the conqueror of Sind when confronted with the immediate and fundamental problem, that is, the territorial consolidation of the province and the subjugation of the tribals in the hinterlands. The background to the annexation of Sind is relevant because it was these issues and aspects that played an important role in the formulation and orientation of the police department and its evolution over the four years of Sir Charles Napier's tenure. In this context, the article is sub divided into nine sections, first, the British interest in Sind, the ambitions of Sir Charles and the conquest of Sind, second, the administrative system initiated by Sir Charles and the position of Sind police in that system, third, the colonial priorities and the orientation of the Sind police, fourth, the police manpower and recruiting policies, fifth, the nature of crimes and their detection, sixth, the policy and orientation of Napier's concept of criminal justice, seventh, the consolidation of the Upper Sind Frontier, eighth, the essence and orientation of Napier's policing system and last, the impact of collaboration and codification on the policing of rural Sind.

1. The British Interest in Sind, the Ambitions of Sir Charles Napier and the British Conquest of Sind.

1.1 Sind: History and Administration

Geographically, Sind is located in the North West part of Indian sub continent and borders with the Punjab on the north, Rajputana on the east, and the Rann of Kutch on the south, the Indian Ocean on the south west and Baluchistan on the North West. The Baluch rule in Sind starts from 1783, when the Baluch tribe of Talpurs wrested power from the Sindhi Kalhoras. In 1827, one of the Amirs of Sind fell very seriously ill and Dr. James Burns went to Sind to treat him. His subsequent publication based on this visit, included a detailed account of the country, highlighted the lucrative prospects of developing the Sind, and emphasised the importance of the river Indus as a route and key to the trade of Central Asia.[1]

Around this time, Great Britain was apprehensive of a Russian advance through north west India and both Wellington and Ellenborough were of the

view that the best strategy was to acquire control of the river Indus. This would act as a natural barrier for the Russian advance, negate the Russian influence in Central Asia,[2] help exploit commercial advantages by achieving an ascendancy in the area and removing the Russian fear altogether.[3] Through pressure tactics, treaties were signed between 1832 and 1834 which freed the navigation of the river from restrictions. Between 1838 and 1841, the Afghan crises assumed importance and there arose an urgent need to despatch troops via the Indus. Further British pressure was asserted on the Ameers of Sind. By now they had been relegated from "the rulers of an independent state to princes of a client state."[4] At the age of sixty, Napier was posted to India and found himself at last in a position where he could perhaps realise his ambition to fame.[5] Huttenback describes Napier as a man of "bizarre appearance," and "capable of great generosity and small minded parsimony, of humility and unbounded conceit."[6]

1.2 The Battle of Miani and Daobba

The Ameers of Sind neither desired nor were prepared for war.[7] Napier, with active encouragement and support from Ellenborough, precipitated a very serious situation that ultimately ended in the two Sind battles --- Miani on the 17th February 1843 and Daobba on 26th March 1843.[8] The Battle of Miani was a massacre. Some two thousand Baluchis fell, four hundred corpses alone were heaped up within a circle of fifty yards radius.[9] The Baluchis fought well, but were driven off in confusion.[10] The second battle was also extremely bloody with the Talpur army suffering very heavy casualties. Victory for the British at Daobba was as complete as that of Miani.[11] By August 1843 Sind was annexed into British India.

1.3 The Talpur System of Administration

The administrative and revenue divisions of the country, known as *pargannas* (a revenue sub division of a tehsil, the latter being an administrative subdivision of a district), were sub-divided into *tappas* (administrative sub division of a taluka; a taluka is an administrative sub division of a district) which were put incharge of revenue officers known as *kardars*. Larger towns were in charge of *kotwals* (in charge of police in a small town). *Foujdars* (in charge of a police post) and *kotwals* usually commanded a mounted police, rather small, since crime prevention was a local responsibility. Each village community was held responsible for any theft that was traced to it, and paying a fine if it was unable to find the thief.[12] As far as the Talpur system was concerned, "its great defect was its ignorance; its merit was its simplicity."[13] According to Rathborne, the first Magistrate at Hyderabad subsequent to the conquest of Sind, the Talpur administration had the "the speediness of decision,

accompanied by a freedom from costs."[14] In Sind, the tribal organisation was very strong,[15] and the authority of the chieftain, the *sardar* or the *wadero*, not only stood in the place of a village organisation, but was also unquestioned.[16] The *panchayat* (village council) decided all matters of the community as well as civil disputes.[17]

1.4 Napier's Administrative System

Subsequent to the conquest, a martial law regime was established, Napier was appointed Civil and Military Governor and Sind began to be administered as a detached province directly under the Supreme Government and of India. Napier's system divided the government into four branches: first, the purely military branch or regular troops, second, a force of Irregular Horse, "ready to march at a moments notice." The third branch was the Police, who were "generally the point of collisions between the rulers and the ruled." Napier specified that these "three powers form an echelon: the Policeman leads the attack. If he be too weak the Irregular Horseman comes up to his aid, and lastly if that does not do, the regular soldiers enter into the battle." The fourth was the Civil Branch which was constructed on "the same gradatory principle as the military." Napier divided the country into three collectorates, apart from Upper Sind Frontier which was entrusted to a military commander who discharged military and political duties.[18]

2. The Administrative System Initiated by Napier and the Position of the Sind Police

2.1 The Sind Police: Structure and Organisation

In the early days of the conquest, lower Sind, especially the delta area, was in a state of turmoil because of insurgents who operated in bands, while the followers of the Talpur army, fifteen thousand formidable men and all armed, were a danger to be reckoned with. From Napier's point of view a powerful and rugged police force was a must to curb their activities and ensure submission by the tribal *sardars* (chief of a tribe). It was also essential "to prevent the troops being disseminated," which would bring them into "familiar contact with the people."[19]

Napier's strategy was to keep his regular force, that is, the army, in three masses, at Hyderabad, Sukkur and Karachi, safe from acquaintance and familiarity with the people. Next in importance were the irregular horsemen, more divided, yet only in four or five posts as a chain of connection between the three capital Collectorate. Aloofness and elitism in such units was strongly marked because the irregular horsemen were "of caste" and only kept "company with such." The third group was the police, in immediate contact with the people on all occasions.[20] Under Napier's direction, two thousand men, well armed, well drilled, and divided into

three classes, "one for the town, two for the country" were organized as a police corps. The first were all infantry, the last, infantry and cavalry, and were called the rural police.[21]

2. 3 Command and Control

The Police in Sind was under the command of an officer styled the Captain of Police who was solely responsible to the Governor and latter the Commissioner in Sind. In each *Zillah (*district), the Police was controlled by a European officer, the Lieutenant of Police, who was directly subordinate to the Captain of police in Sind. He was assisted in his duties by an Adjutant, also a European officer from one of the regiments of the Line.[22] The police were subject to the collector and deputy collectors for civil offences, such as ill - treating the natives, plundering fields, and for debts, and to their own officers for all military offences.[24] The chief of the Karachi police, had "magisterial functions" in the town, but what his exact powers were "does not appear to be determined." [25] The Lieutenant of the Police was supposed to be constantly on the move from one portion of his district to another, so as to ensure supervision and control.

2. 4 The City Police

The city police were raised "for the actual protection of the three principal towns in Sind, Karachi, Hyderabad, and Shikarpur."[25] On 23rd March 1843, on Napier's orders, Lieutenant Edward Charles Marston, a Gazetted Staff Officer to the 1st Brigade, proceeded to Karachi to initiate the police force. He "looked scarcely eighteen years of age when he arrived to take command of the police."[26] By the 1st. May 1843, Marston had raised the Karachi Police which was subsequently taken as a model for the whole of India. Captain Preedy, the first Magistrate of Karachi reported that the police force consisted of 190 mounted police, 133 rural foot police, and 19 city police, with a proportion of native officers.[27] Initially, Lieutenant Leeson was posted to Hyderabad; but "the business of the latter's concubine coming belatedly to the General's notice, a hint was given to Leeson to resign." The post of Lieutenant of Police at Sukkur remained for some time unfilled.[28]

The City Police were "dressed in the native style"[29] in dark calico dresses, were armed with swords and staves, and furnished with matchlocks. They were divided into two classes, first, the *Nujjeebs (*watchmen), who were dressed like *Chupprasies* (peon, orderly, messenger), and employed in cities and large towns to act as watchmen, night patrols, *bazar* (market place) and *chowree (intersection*) guards, etc. The second category were trackers, whose duties were almost purely detective. They were selected for their intelligence, from amongst the best *paggis*, or trackers, in Sind.[30]

2. 5 The Mounted and Rural Police

The Mounted Police was divided into 2 classes, Regular and Irregular. The Regular Mounted Police was organized and equipped with light single barrelled carbines and swords. Their functions were partly protective, acting as patrols and guards, scattered in small detachments all over the country; and partly detective in acting as *thannadars* (incharge of police stations) to hear complaints, and arrest offenders; to take up the traces of robbers, apprehend and bring to justice, with the assistance of trackers, belonging to their own or to other branches of the force. The Irregular Mounted Police were not uniformly equipped, though the men generally adopted the uniform costume of their tribes, which was generally white; they carried a sword, shield, and matchlock and consisted of horsemen and camel *sowars* (riders). The latter, who, subsequently adopted the same uniform and equipment as the Regular Mounted Police, were employed in those portions of the country, such as the Eastern Desert, Western Hills, etc., where camels were found to be more useful than horses. The Irregular Mounted Police, comprising of horsemen, were confined to the Shikarpur z*illah* (sub division), and consisted exclusively from the tribes of Jackranees, Dombkees, Chandias, and other Frontier Baluch clans whose chiefs had submitted to Napier or were actively collaborating with the colonial power. Their services were made use of in a similar manner to the Regular Mounted Police, but to encourage the employment of the border tribes, who disliked a regular uniform, their dress, was left to their own taste.[31] Non insistence of the dress code was a clever colonial move to negate tribal inhibitions in joining the force.

Vis a vis the rural district of Karachi, Preedy, mentioned that the mounted police were "no favourites with the *ryots*," who complained much of "their hectoring, overbearing conduct towards them."[32] An idea of the fear and awe of the mounted and the armed police can be had from the fact that in September 1843, a chief from the Lumree tribe organized a robbery which, unfortunately resulted in murder as well. The arrested accused admitted that their chief ordered them and the "tribe delivered him to the police." The chief was tried and hanged with his two followers "on the same gallows sixty miles from any soldiers save Marston."[33]

Rural Police comprised a body of infantry which was "dressed, and equipped like other local infantry corps. Their functions were purely protective. This branch of the police was of crucial importance in the colonial framework because they catered for all the Civil Guards at the Head Quarter Stations, including the Jails and Treasuries, and acted as escorts for transportation of treasure.[34] The Rural Police also "guarded the *Daks* (post or postal services)

enforced executions, relieved the soldiers from many isolated minor duties, and formed a body of excellent guides in war."[35] Their duties also consisted in supporting the mounted police stationed at posts further removed from aid.[36]

Each station was supported by a body of police under a European commander, and protected by a powerful mass of regular troops, always within reach. These, however, were only to be employed when the police and the irregulars were unable to resist incursions and the situation became a warfare. To sustain the rural police, the irregular cavalry, "composed of men who disdained the company of persons lower in degree," were distributed between the collectorates and around them. Although composed of smaller bodies than the regulars, they were maintained nevertheless in masses. The militaristic organisation and bearing suited the rural police, they acquired greater confidence and courage and on behalf of the colonial power took an active part in partisan warfare.[37]

3. The Sind Police: Colonial Priorities and Orientation

3. 1 Law and Order and the Collection of Intelligence

Once a week, or often, if necessary, the *thannadar* reported to the lieutenant of police and deputy magistrate of the district "all the information he had received." Each Lieutenant forwarded weekly to the Captain of Police an English digest of such reports, along with the vernacular papers. A summary of these digests, together with the returns of the Jails, was forwarded weekly by the Captain of Police to the Governor and, after 1847 to the Chief Commissioner. The *Jamedar*, or the Chief *Thannedar* would make himself acquainted with the whole district under his charge, as well as the names of the *patells* (village headman) of the villages, and any other useful information. Colonisation of the rural area required deep penetration by the police and the technique adopted by the police officer commanding each *Thannah* or Post, was to despatch a certain number of *Sowars* (riders) to patrol within his range, meeting if practicable, the patrols of the neighbouring posts, and returning occasionally to be relieved by others as circumstances permitted. By this means everything going on in the district was, inevitably, known to the native officer in charge.[38]

3.2 Groups Disgruntled with Previous Rulers Recruited in Police for Spying

Although Napier's police was composed chiefly of *Sindhis* who had been so employed by the Ameers, yet he selected in bulk those that "had suffered in person or family from the cruelty of those princes," and possessed " the hatred

of emancipated slaves to cruel masters."[39] Sir Charles formed a body of spies upon the Ameers and these were chosen "from persons who had suffered in purse or person from their tyranny."[40] Rathborne, the Magistrate of Hyderabad, believed that the police "occasionally resorted to espionage."[41] On his revisiting Sind and passing through Hyderabad, Sir Richard Burton mentioned the "secret-police, half a dozen detectives" in Hyderabad, who were periodically changed.[42]

The Hindus of Sind, generally, gave an impression to the British that, prior to the conquest, the loans disbursed by them to the Baluch were either not paid or paid as per convenience. Napier ensured that, "the Hindoos have enforced payment."[43] By an overt support to the Hindus of Sind, Napier gained in two ways, firstly he secured a valuable source of loyal informers and secondly, being traders and indigenous bankers or the essence of capital in an otherwise pure rural economy, they were a crucial link and of significance for the colonial state.

3.3 Priority for Collection of Intelligence on Law and Order and Destabilisation of Government

The mounted police were often employed by the magistrates and the *kardars* (revenue official; in Sind he had some magisterial powers and supervisory powers over the police) in carrying letters or delivering messages on official subjects. Although this was not one of their proper duties as policemen, it had the great advantage in giving them the means of picking up information of importance regarding the state of the country, and the presence of suspicious characters. Hence by "constantly moving about and conversing freely with the natives," they soon learnt "everything of consequence" that was going on in the district. All branches of the police were instructed to be constantly on the look-out for the detection of suspicious characters and circumstances tending to "affect the peace of the country" and they were "well aware" that this was "one of the most important parts of their duty." In view of the fact that even the most minute items of intelligence were reported by every rank of the police to their superiors, and then on to the head of the department, this negated the secrecy of any conspiracy against the state.

3.4 Requirement of Consolidating the Conquered Territory Led to Delegation of Indiscriminate Miscellaneous and General Powers to Police

The requirements of a newly conquered territory necessitated not only the extreme degree of reliance on the police, but also the increased range of duties assigned to them. The Sind police in the 1840's helped the *kardars* in finding

carriages and means of transport for government officials and travelers, if requested, and sometimes ensured the supply of forced labour. Collector Karachi clarified that this was resorted to only "in cases of emergency."[44] In addition the Sind Police was responsible for the working and supervision of the jails.

In large towns persons moving out at improper hours were stopped by the police and taken before the authorities, "unless able to give a good account of themselves;" but no restraint was put upon the movements of travelers. Marston specifically stated that "after 11 o'clock at night, the police were ordered to apprehend all found moving about the towns, unless able to produce a pass from a magistrate." Cultivators were not restrained, as their business compelled them to work during the night at their water - wheels and fields.[45]

On the 16th February 1844, Napier issued a General Order forbidding the carrying of arms. Travelers "passing through" were exempted from this order. In addition all chiefs who had "made their *salaam*" were entitled to carry arms personally. Merchants of Sind, despatching goods outside the province were supposed to obtain arms permits by applying to the area police officer.[46] The police also had to "guard prisoners at hard labour on public works." When three principal jails were established in Sind, at Karachi, Hyderabad and Shikarpur, they "were under the immediate control of the Lieutenants of police."[47]

3. 5 Policing Techniques: colonial expediency

The deployment of police was governed by colonial exigencies of maintenance of law and order and the subjugation of indigenous unrest. The horsemen were kept at Shikarpur, the camels at Larkana, and were supposed to check the hill robbers down to lake Muncher." At Sehwan, were a squadron of wild horsemen to guard the plains from Lake Muncher to Kotri, opposite Hyderabad. At Jherruck, the location of a detachment completed the chain. The strategy was that if a hostile tribe ventured into the re entering angle formed by the Indus, tending to east at Hyderabad, a regiment from Gharo would "sally forth supported by troops" from Karachi upon his right flank; and from Hyderabad and Kotri on his left.

Napier realised the urgency, importance and necessity of consolidating the newly conquered territory. In this context, the raising of the camel corps under Lieutenant Fitz Gerald was of crucial significance in the subjugation of process. He made marches of nearly eighty miles in a day and thus surprised some of the recalcitrant bands in the hills.[48] Sir Charles' journal for 15th February 1844 indicated that "the thieves" had all fled to the hills when the 9th cavalry

reached Shikarpur. The camel corps at Sehwan, had "spread terror even up to Quetta, and in the valley of Shawl." After a year or so, the border tribes had sent to beg pardon and crave for mercy.[49]

An example of Napier's exploitation of tribal animosities was his resettlement scheme for the tribes around the Upper Sind Frontier. Napier had located on good lands about two thousand followers of the Kalhora Princes, who were driven by the Talpurs into the hills. In gratitude due to the resettlement technique they would become attached to the colonial power.[50] Napier, being well informed on inter-tribal feuds, exploited these to his advantage. On 23rd April 1844, writing to his brother Lieutenant General William Napier, Sir Charles stated that he had "turned out two powerful Scindian tribes, Mugsees and Chandikas," against the Bugtis, with whom those tribes had a blood feud. His police were to go with them to secure victory. His strategy was to play off "tribes against tribes" and thereby put down the Jakranis and Dombkis.[51]

3.6 The Magisterial Control and the Revenue Function

The supervisory control over the police by the magistracy had a dual function. Firstly, it was essential that the Collector's authority as a revenue official was bolstered by executive powers and for this the police was more than sufficient. The second was that each agency would act as a counterweight for the other with the result that the government would get to know the real state of affairs.

In the revenue set-up, the *kardars* had no permanent treasuries but forwarded such portion of the collections as passed through their hands from time to time by bills, or under a police escort, to the treasury of the Collector or one of his deputies.[52] Napier did not visualise resistance to settlement of revenue dues, but if there was, the police would "settle it, pending reference to the collector," who was also a magistrate. However, Napier was very clear that command and control was that of the Captain of Police, and that the collectors had no right whatsoever "to interfere with the police." The power of the Collector was to "call upon the police for any men they may require to arrest defaulters, or collect revenue."[53]

The advantage that Napier saw in this system was that the police would report against the corruption or harassment of the *kardars* while the latter would complain against police abuse of power. Hence both would be "kept in check," with both protecting the poor, "not from humanity but spite."[54] The benefit would go to the government because the poor would look on both as protectors.[55]

4. Police Manpower and Recruitment Policies

4.1 Colonial Expediency Dictated Napier's Recruitment Policy for the Police

The police recruitment policy was based purely on colonial expediencies, mainly the necessity of ensuring law and order so that the process of colonisation was not hindered in any way. Very often recalcitrant tribes, even those with overt criminal propensities, were pacified by inducting some of their men into the police; the important consideration being that the tribe through such a process would either submit to the colonial power or, at least, stop creating law and order problems. Considerations of suitability for the job, merit or administrative niceties did not appear to have any priority. An example of this policy pertained to the Pathan and Baluch tribes around the Upper Sind Frontier, who in 1844, were resisting the colonial power. Napier had ordered Roberts, the area commander, that the Pathans "be put to the sword" if they "were obstreperous," He was prepared to kill "five or six hundred of them" rather than "loose two or three thousand good soldiers by a guerrilla war." However, after their defeat at Peer Aree, the *Pathans* "became lambs" and were absorbed in the police. Describing them as "very nice, well behaved, honourable cut throats" Napier remarked that "Dugald Dalgetty himself would be proud of them: five hundred handsome fellows, well mounted and ready to cut their fathers' throats" if he ordered them. However, such ruthless types were useful to him in subduing the hill tribes, such as the action under MacKenzie, when they fought against "their own kith and kin," and "sparing was not the order of the day."[56]

On 15th February 1844, Sir Charles wrote in his journal that all the people employed by the Ameers" were retained by him and he "enlisted an influential pack of scoundrels." The redeeming feature was that these were the "scoundrels to whom the people are used," whereas had his "chosen rascals" been recruited, they would have done much "more mischief and less good than the old rogues."[57]

4.2 Absorbing Recalcitrant Tribesmen in the Police Department and Thereby Neutralising Opposition to Colonial Rule

Another example of the technique of utilising a police posting to a far broader colonial priority of law and order pertained to a tribal chief of the hills north west of Karachi. Subsequent to 1843, the hillmen "swooped down and murdered and plundered and were back safely in their inaccessible haunts." Marston captured the chief and brought him to Karachi. Normally, he hanged them at the scene of the crime. However, he pleaded with Sir Charles for his life

and secured for him his freedom and an Inspector's post on the condition that not a single crime was allowed to occur by the hillmen. He "kept his promise till he died," hence the hill tract was free from crime.[58]

6.3 Inducting Martial Races in the Police

The colonial rulers had a fascination for what they visualised as the martial races. Napier strategy was to mix with the police "bold adventurers," Pathans and Rajputs, along with "the minor chiefs who had fought at Meeanee." In this way, he thought that the "necessary courage was created," so that they could act alone or alongside the troops on the most dangerous services.[59] Amongst the native officers, the one most close to Napier was Ayliff Khan, a *Pathan*. Both he and his son were in the police.[60] *Pathans*, *Punjabis* and *Hindustanis* were in a majority in the Armed Branch of the Sind Police.

6.4 Training and Discipline

To facilitate the compliance of orders, and absolute compliance in view of the colonial requirements, the government acknowledged that officers of Police should have, in all points connected with the discipline of the force, "exclusive magisterial powers to enable them to act in cases where circumstances prevent their immediately cooperating with the local magistrates and judges."[61] This was a very crucial aspect for the colonial government could not, in the initial phase of the conquest, tolerate a situation where the constabulary thought that the only punishment for non compliance of orders could be dismissal. With magisterial powers over the force, the native manpower knew that non compliance, ineffectual compliance, or subversion of the colonial directive could mean landing in the lock up. Similarly, desertion or absence from duty needed to be effectively checked, since both tended to sap the energy of the force and therefore indirectly the potency of colonial rule. Like the army, the rural police were also drilled according to regulation.[62] In order to make his police as hardy as possible, Napier deployed a large detachment in the hills so as "to make soldiers of them." After the "first sundry battles" with large bands, whom they defeated, the law and order problem ceased.[63] Discipline, therefore signified the toughness of combat and the absolute compliance of directives so that there was no hesitancy in implementing colonial priorities.

5. Nature of Crime, Detection and Punishment

5.1 Nature of Crime: Cattle Theft and Karo Kari

In 1843, and even as late as the 1870's, cattle lifting was the "favourite crime, much preferred to rape, robbery and murder."[64] However, after cattle lifting, murder, highway robbery, were generally the most frequent offences.[65]

Karokari or *Siakari* was the tendency in the Baluch tribes for a husband to kill an unchaste wife. This was quite prevalent and being a tribal custom, it proved to be extremely difficult to eradicate.

A few months after Sir Charles Napier had conquered Sind, he issued an order promising to hang any one who committed *karokari* or *siakari*, a species of legal murder.[66] Hanging of the accused failed to put a stop to these cases. In one case where the accused was hanged ----"much to the amusement of the lookers on" ------ and also "to the apparent gratification of the culprit," the government realised that the people did not "seem to care a straw" about the capital punishment.[67] Harsh punishments resulted in a high incidence of female suicides. Napier suspected that these suicides were in fact murders and threatened dire punishment on any village where a woman was found to have committed suicide under suspicious circumstances. A fine was to be levied on the whole village, the *kardar* was to be dismissed, and all dead women's husband's family would be brought to Karachi. The crime decreased, but for a short while only, and soon Napier warned the *kardars* to find out the truth --- and, if they did not, they too would suffer. He regarded it as a deliberate conspiracy "to baffle a just law," and resolved that it should be dealt with "great firmness and punished with great rigour."[68]

Unfortunately, such wife murders "obstinately defied the law" and senior officers in the police and magistracy realised that it was hopeless to try to convince the Baluchis that there was any harm in slaughtering an unfaithful woman.[69] Lieutenant James Rees, the Deputy Collector of the Pergunnah of Chandookah (the present day Larkana district) realised that if the change was gradual, and a less severe punishment than that of death, there was a possibility that the Baluch accused may not feel the necessity of concealment, and thereby render detection and punishment more certain.[70]

After consulting local opinion Keith Young believed that transportation would be the only effective punishment. The death sentence was "regarded with comparative indifference," but transportation was "enough to subdue the heart of the greatest villain" because the natives of Sind were "particularly attached to their own soil," and expatriation meant "the greatest of horrors," for they would have to "bid adieu to their families, friends and even language as well as their native land."[71]

5.2 Crime Detection

Subsequent to the British conquest, villagers were made responsible for stolen property, and the responsibility was rigidly enforced. All the inhabitants were bound to extend help to the police to the full extent of their ability, if called on,

"under pain of fine or imprisonment, or both."[72] The *zamindars* were held responsible to give notice of any suspicious persons; however, the chain of police posts established on the orders of Napier, were so comprehensive, and the mounted police were so active, that persons suspected in such cases were usually detected immediately.[73]

In case of difficulty in detection of a robbery, *paggis* were sent for, who "tracked till the tracks were lost in a village," and then that village was called on to take the tracks out, or pay the loss. Often the villagers brought out their own trackers till the thief was caught and this accomplished, the accused was then sent to the deputy collector. It was mandatory for the village *patells* and *paggis* to aid the police, and similarly the *jagirdars* (hereditary landholders) had to give their aid within their respective *jagirs* (hereditary landholdings). Anything over and above that was tackled by the *kardars* and police. Several *paggis*, natives of the country, were maintained by Government, and attached to the police in each district.[74] Captain Keith Young cited an instance of some robbers that were tracked a distance of nearly 200 miles by Lieutenant Marston and some of his police, and finally arrested with the stolen property in their possession."[75] Marston emphasised that very rarely any thief escaped from a *paggi* once his footsteps had been seen by him.[76] Regarding the practical utility and skill of such *paggis*, Burton believed that not only was he the only detective the Sind police could afford, but he also formed "an uncommonly efficient force." Their expertise was so accurate that if a soldier had deserted, a house had been robbed, or a traveller had been cut down, all that was required was to show him a footprint, and he was "sure of his man."[77]

5.3 Schedule of Punishments

During Napier's Martial Law tenure in Sind, crimes and punishments were defined and classified to a memorandum from the Judge Advocate General's office.[78] The specified punishments were fine, imprisonment with or without hard labour, flogging, transportation and death.[79] Some latitude was left to the discretion of the magistrates, but, the schedule appeared rather harsh with most crimes against property carrying punishments ranging from imprisonment with hard labour from three months to seven years and in addition fifty lashes. More severe punishment was reserved for offences of forgery, counterfeiting false seals with fraudulent intent, coining false coin, bribery, misappropriating or embezzling public money, where the upper limit was imprisonment with hard labour, not exceeding ten years.[80]

In 1846, 2076 persons were tried for petty offences while 786 persons were tried for serious ones. Out of the latter, 401 were for cattle stealing, 46 for murder and the rest for miscellaneous offences. Of the 786 brought to trial for

the grave offences, 708 were convicted.[81] Flogging was resorted to in cases of serious thefts, cattle and camel stealing, petty thefts, etc. For serious theft only one person was flogged, two for cattle and camel stealing while 444 were flogged for petty thefts, assaults, etc. Five were transported for life, all for murder. Thirty persons were executed, out of these, eight pertained to murder while twenty two were for robbery with violence, all the twenty two cases pertaining to the Sukkur area.[82]

Sir Charles believed that the technique for quieting a country was "a good thrashing first and great kindness afterwards: the wildest chaps are thus tamed."[83] In a letter to General Simpson in November 1843, Sir Charles emphasised the effectiveness of flogging and capital punishment: "if you get hold of any chap plundering your camels try what a flogging will do; however but hang the next and keep his body guarded a sufficient time to hinder his people touching it: that will make the execution more effective." His considered views were that flogging would have more effect than capital punishment because the Baluch "screw up courage to meet death; but when *Nuseeb*-fate, takes a fancy to a cat-o-nine tails it becomes disagreeable."[84]

6. Policy and Orientation of Napier's Concept of Criminal Justice

Mr. Pringle, Napier's successor, clarified that the forms of trial during and after Napier, were analogous to those observed in military courts.[85] In December 1843, in a letter to William Napier, Sir Charles mentioned that ten men were hanged for murder, the procedure being first a regular trial by the magistrate, then the file went to the Governor who read it over with the judge advocate for civil affairs. If both concurred with the magistrates, the sentence was confirmed and executed, whether death or imprisonment.[86] Theoretically this appeared to be a simple synchronised system under a martial law administration. In practice, however, there was acute friction because Sir Charles' ideas of justice were tempered by colonial considerations. Amongst many cases, the proceedings of the trial and retrial of Bakhsho Chandio highlighted this confrontation.

Capt. Keith Young remonstrated against the retrial by a Military Commission of one Bakhsho Chandio, who had been acquitted by Preedy, the Magistrate of Karachi, of killing a British woman in a melee.[87] When the Governor reversed a magistrate's order of acquittal and punished the accused, Keith Young represented to Sir Charles that he had acted illegally because the case seems to have been one of manslaughter, almost accidental while the Governor had treated it as murder.[88] Napier became quite agitated and asserted that he did not require Young's advice and that Chandiya was not legally tried and acquitted.[89]

Keith Young, replied that nothing could at all justify his conviction by a second trial and if "political considerations" required the risk of doing a great injustice, the Governor was the only judge.[90] On his part, Napier emphasised that he was obliged, by being in a recently conquered territory, "to act in that arbitrary manner" which was permitted to general officers commanding an army in presence of an enemy. He added further that Young's duty was not to teach him how he should exercise the power entrusted to him by his superiors, but to assist him in the execution of such powers by attentively doing the duties confided to him.[91]

Keith Young, a conscientious officer, asked to be allowed to refer the facts to Lord Ellenborough to ascertain his line of action because he had received orders which he considered to be illegal and also to clarify whether the Governor of Sind had power to retry a man for an offence of which he had been legally acquitted?[92] On this, Napier, was furious and threatened Young that if he made any official application, he would consider it to be "an act of military insubordination and act accordingly."[93] Sir Charles specifically mentioned that he "never considered what is legal, or not legal" because Sind was a conquered country ruled by martial law. His argument was that earlier, the power of life and death was in the hands of the Ameers, but by conquest had been transferred to the military commander.[94] At the same time, Napier castigated Captain Young pointing out that their object was to convict guilt and acquit innocence, "not to support quibbles about what is law and what is not law in England."[95]

7. Policing Colonisation: the Upper Sind Frontier

7.1 The Upper Sind Frontier

The north west border of Sind stretches for nearly two hundred miles along an almost rainless desert plain.[96] It starts from "the point where the Punjab meets Sind, the western mountain barrier recedes from the Indus valley, curving round to enclose the Kelat province of Kachhi," and comprises of a plain some six thousand square miles in extent, and separated from Upper Sind by a desert twenty or thirty miles across.[97] Subsequent to the British conquest, this belt called the Upper Sind Frontier, constantly gave trouble mainly because the fierce hill tribes from adjacent Baluchistan made repeated forays into Sind area, either to drive off the cattle or settle blood feuds.

Around 1843, the Upper Sindh Frontier was very strategic: it represented the north western border of British colonisation. Beyond it lay the hostile territory. Pacification of this long belt running from the south east to the north west, was required in order to ensure control in the Upper Sindh area in general. Another crucial aspect was that in the immediate south of the frontier was the very

important commercial centre of Shikarpur. This town represented the banking and the trading classes of Sind and comprised of the Hindus who were actively collaborating with the British. Napier's view was that they must hold Shikarpur if they wanted to do business as merchants in Sukkur. If they did not cater for law and order around Shikarpur, the tribes would descend from the hills and occupy the great jungle between those towns, and thereby the commerce of Shikarpur would be ruined. This town connected Sind with all the countries north and west, and was "the seat of all their money dealings," hence it could become a place from whence trade would pour into Sukkur and Bukkur.[98] Napier had assessed that Shikarpur was inhabited by a Hindu population that had been tolerated for ages by the Muslims and consequently formed a pacific link between British India and the nations north and west. He visualised that through Shikarpur the Hindoos would gradually direct the commercial stream and be the means of social intercourse between the Mohammedans and the British and in time would unite those who would not amalgamate. Moreover, through Shikarpur the British government could learn what was going on in Asia.[99]

7.2 The Situation: 1843 - 44

Between May 1843 and April 1844, part of Burdika, the country north east of Shikarpur, and Mian -jo - Goth were almost destroyed by Dombkis, Jakhranis, and Kalpar Bugtis, and the peasantry abandoned their villages.[100] General Napier had ordered Sardar Wali Mohammed, the collaborating chief of the Chandio tribe, "to cross the desert and plunder the Dombkis." This confirmed a blood feud between them and it was such blood feuds that were the main cause of the chronic disturbance of the border country. Around June 1844, the tribals cut to pieces an army party of grass cutters and their guards. On 18 July 1844, the vicinity of Naudero, thirteen miles north - west of Larkana, was plundered; a fortnight latter Ratodero, a substantial town in the same part of the country, "suffered a like fate." But worse still was "the sacking and burning" in broad daylight of Kambar, a large town fourteen miles west of Larkana, the headquarters of FitzGerald's Camel Corps, by 200 Dombkis and Jakhranis.[101]

At the end of August 1844, tribals from across the northern desert came into the country north of Shikarpur. MacKenzie incharge of the area, started out to intercept them, and was able to report at the end of the day that he had "put 200 men to the sword." Sir Charles Napier expressed that the officer had "signally distinguished himself." Later, however, it appeared that while MacKenzie with one detachment was pursuing the mounted robbers, another detachment of his regiment, commanded by a native officer, fell in with a large body of Baluch and other peasantry of a neighbouring village who had turned out to repel the

invaders. This officer charged these men, though they cried out that they were the *sarkar's* (government's) poor peasantry. So rough was the handling of these peasants that those who had arms were told to throw them down, which they did; and "were then butchered." The details told by the survivors to the court were "so shocking that the General could not believe them." He argued that he found no motive or such barbarity on the part of the troops.[102] Sir Charles also stressed that since the British units cut two hundred plunderers to pieces during the previous month there had been no inroads! Later he ordered Hunter to sift this matter to the bottom. However, his feeling continued to be that the villagers were "very insolent, and tried petty tricks to annoy the troops." [103]

The enquiry report spoke in volumes, but did not ascribe categorical blame. This was the test case for Napier to punish his subordinates with the criteria that he repeatedly emphasised when talking about the criminality of the Baluch. But Napier, in order to protect the troops announced "that there was no reason to believe they had disgraced themselves by killing innocent men." Later Napier admitted that it did happen, but by mistake, adding further that the villagers were armed and there was "not the least difference between them and the robbers in appearance."[104] Keith Young, the Judge Advocate, an upright officer, who conducted the enquiry, observed, that "among over a hundred bodies there were so few swords or other arms." [105]

Divide and rule, was a ruthless colonial tactic and Napier was adept at it. In a letter to William Napier dated 20th September 1844, he elaborated that the lands of the Bugtis, Burdis and Jakranees were contiguous, and he would offer them to the Chandias and Murrees, if with his aid they could drive those tribes away altogether.[106] Because such policies were implemented either via the army units, the irregulars or the mounted and rural police, or a combination of such forces, colonial policing in this period was definitely very far removed from any semblance of a civilising mission or an institution providing any service to the population at large. Around January 6th 1845, the Bugtis and Murrees had a fight and the latter won. Napier utilised Wali Chandia, his tribe and the Magsis to join with his forces and lead the assault so as to capture "Poolajee alongwith Beja Khan, Islam Khan and the other chiefs." On 12th January 1845, writing to William Napier, he mentions that he would enter the Bugti area with the "Chandikas in front, with licence to plunder."[107] The Khayree tribe who were driven out of their lands by the Dombkis around ten years earlier, were won over by Napier and he got them re-established in their ancient possessions.[108]

7.3 Develoments in 1845

The Upper Sind Frontier continued to remain disturbed and Napier utilised the Sind Irregular Horse for policing this frontier belt. On various occasions the

duties were pure military while on others in the nature of policing, but mostly repressive in nature. Napier's strategy did not produce results and ultimately he resorted to starve out the Bugtis. In his journal for 31st January 1845, he observed that two thousand head of cattle were seized "which is as good, it starves them." Again, that he had sent McMurdo with a troop of cavalry to meet Simpson at Deyrah, "where they have probably laid up grain for the winter."[109] In such raids, it was not the army alone that took part. The police, the armed branch and the irregulars of the police department, invariably had some active role.

In a letter to Lord Ellenborough, dated 9th of February 1845, Napier not only detailed his strategy and tactics, but also indicated the real reason for the state of criminality in these wild tribes: "my plan was not to fight, but to starve the tribes by occupying lines across their country." Continuing further, he stated that he therefore camped between the passes and occupied both till such time that his forces had gathered above 6000 head of cattle altogether. This move forced the four chiefs, to send terms and ask for surrender. About these Chiefs and their tribes, he opined that "robbers they are, but have been made so by circumstances, and had I been a Doomkee I should have been as great a robber as Beja Khan!"[110]

In late February 1845, after his success at Traki in the Kaachi hills, he placed a garrison in Shapur, and distributed his cavalry so as to intercept the marauders. Of the robbers who had surrendered he made the wildest, who were unfit for civil life, enter the service of the Government as policemen. Bija and his personal followers were compelled to settle on the eastern side of the Indus; the Dombkis and Jakranees were removed from Kachhi into Sind, where lands were assigned to them on condition of their undertaking to oppose any of the hill men who might make plundering raids. Unfortunately, the newly appointed policemen robbed and murdered those whom they were supposed to protect.[111]

Napier's policy of utilising one tribe against the other was being actively followed via induction of the loyal tribes on policing and security assignments on the frontier posts. In September 1845, he "launched Deriah Khan Jackranee against the Bhoogtees" and "allowed the Jackranees, at their own request to go after the Bhoogtees, while he supported them with cavalry. On the frontier, many of the best Jackranees" were employed and posted by Napier on different police posts.[112] The police and the cavalry continued to be utilised on fomenting inter tribal rivalries and aggravating situations to the advantage of the colonial power. Around the third week of October 1845, Deriah and the Jackranees came back after making a "desperate march" in which some cavalry and police went with them and brought with them eighty heads of cattle. He promised the

Marris "a supply of powder" as a reward and instigation to kill the Bugtis, and expressing that "the more Bhoogtees you kill in war the more honour for the Murrees."[113]

7.4 Further Developments: 1846 - 47

On 8 January 1846 Napier issued a General Order to the officers commanding outposts in Upper Sind Frontier to the effect that "the Boogtees and outlaws and all cattle belonging to them, and themselves, are to be captured or killed when they come near the frontier."[114] In August 1846, the price of ten rupees was offered for every Bugti seized and delivered to the British cavalry outposts.[115] A man brought "a sack with two heads to Captain Jacob, expecting ten rupees, and got twenty four lashes."[116]

In 1847, through the incessant efforts of Captain John Jacob, substantial control was achieved in the area. Knowing the Baluch temperament, he laid down some principles, for example, to act always on the offensive, secondly, "to treat robbery and murder as equally criminal whether the victim was a British subject or not," thirdly "to consider blood feud an aggravating circumstance as proving deliberate malice." Sir Charles Napier had used one tribe against another and in particular outlawed the Bugtis, putting a reward on their heads. By August 1847, Jacob's constant efforts had practically stopped all supplies from reaching the hill country from British territory. He knew that "distress was severe in the Bugti hills" and that the peasants were imploring their chief to make submission to the British. On the 5th September 1847, a party of Bugtis, men, women and children, "appeared in Khangarh and threw themselves at Jacob`s feet to beg for food." When he gave them flour "they could not wait to cook it but devoured it raw by the handful."[117]

At the end of September, 1847, seven hundred Bugtis from the hills entered the plains. Lieutenant Merewether, Jacob's second in command, assuming that the intention was to plunder "charged with his troopers and crashed through and through them." Martineau writes that "for two hours the carbines of the troopers, did their terrible work ..... when five hundred and sixty of their dead and wounded lay upon the plain, the remnant of a hundred and twenty survivors surrendered, two only out of the whole number escaping to tell the tale of death at their home in the hills."[118]

Finally, the colonial policy, implemented with the aid of the police, of supporting rival tribes and blockading the Bugtis into starvation succeeded. In addition, having a bad crop and starving, the Bugtis ultimately came down in desperation to the Sind Frontier and surrendered.[119] In end October 1847, Islam Khan and Alim Khan Kalpar proceeded to Kashmore and surrendered to Alif

Khan, the Rissaldar of police.[120] The Bugtis who had surrendered at various times were kept at Mahmuddero, a village near Larkana. The settlement was guarded by police command, together by Bugti horsemen taken into British pay, by rissaldar Alif Khan, under the general supervision of the Deputy Collector of Larkana.[121]

8. Napier's Policing System: Essence and Orientation

8.1 Colonisation via Police Terror

Colonial requirements demanded a very effective police force with the capacity to overawe and subjugate indigenous power to alien rule. From this criteria, Napier's force was a very useful instrument. Napier himself believed that due to the "handsome uniform, and a military organisation under European officers, the necessary courage was created," and the police soon acted alone or alongside the troops on the most dangerous services.[122]

To break the tribal resistance, an overbearing para military constabulary was exigent for colonial objectives. The substance and essence of policing was made to be harsh and oppressive and Napier was aware of these traits in his police. In a letter to Lord Fitzroy Somerset on the 26th of May 1844, he referred to the police as "too much inclined to be rough." Continuing further, he stated that he kept this tendency down, but the situation was such that the police had "a hard game and a very rough one to play, if they did not carry their heads high they would soon be run down by the Beloochees, and finally coalesce with them."[123] Amongst many examples of over aggressiveness was the case when FitzGerald caught a great chief who fled with some others into a large field of corn. When some policemen were sent into the field, they "cut down the chief's son and nephew and took him."[124]

8.2 The Negative Effect Due to Tolerance of Police Abuses

A factor that contributed to the abuse of police authority was that "the rural police caught the spirit of their organisation, and, finding themselves well supported by the government, at first fell into the extreme of being too rough." Napier's historian brother William admitted that a fear of the police becoming ineffective made the General very cautious in checking them, until the course of their duties had produced some sharp fights, in which several were killed on both sides. Later, however, when Napier realised that such feuds would tend to harden the attitudes of potential collaborators, he proceeded to "enforce a vigorous discipline."[125] It was impossible for the police, "by its unaided efforts, to keep perfect order." Much depended on the local influence of the zamindars, and the efficiency of the village officers, who, under the Ameers, had enjoyed

the respect of the people. Napier's rule had broken down the authority of the zamindars: the people, relying on the ignorance or indifference of their masters, were no longer punctual in paying the taxes; hence police resorted to excesses.[126]

8.3 Stress on Capital Punishment

Napier believed that "the arguments in favour of the doctrine that opposes all capital punishment were only applicable to a high wrought state of society, which furnished so many other modes of repression of crime" and expressed that those who adhered to it in Sind, "would soon be thrown into the Indus." He thought that "Becaria and Livingstone would find it hard to rule Beloochees without capital punishment."[127] Napier, always kept the colonial interest above all other considerations. Young quoted him as saying that it was from political motives principally that "he had recourse to capital punishment."[128]

Capital punishment, in the colonial context, however, needed to assess the consequences involved in its execution also. Hence expediency was a very important consideration. A very clear indication of Napier's thoughts and his colonial strategy are contained in a letter sent by him in December 1844 to Henry Napier. If two men committed the same crime, the whole country would rise if one was hanged, whereas the entire populace would submit if the other was hanged. He gave the example of Naubat Khan and Wali Chandia. If he hanged Naubat, the tribals would submit and Napier's collaborator, Wali Chandia would be very happy. But if the latter were hanged, the entire country would be in arms and Napier would have difficulty in finding adequate force to control the situation. It was also necessary to hang Naubat because he would murder Wali Chandia if he was not hanged.[129] It was, however, in the colonial interest that Wali Chandia be kept on his toes all the time, seeking Napier's help and remain dependent on him. The ideal technique was to create a blood feud between the two tribes. Instead of combining and concentrating against the British, the two tribes would be embroiled in feuds for years and years to come. So Napier gave Wali the personal arms of Naubat, and this secured a blood feud, between the two tribes.

8.4 Tough Control and Punishment for Native Officials

Elaborating on his system, Napier mentioned his formula as "punish the governments first, and enquire about the right and wrong when there is time!" He felt that this was the way to prevent tyranny, and make the people happy, and render public servants honest. His argument was that the latter knew they had "no chance of justice" if they were complained against and therefore "take good care to please the poor."[130] A case pertained to that of "two scoundrel

kardars" who were riding roughshod over the *ryots*. On such officials, his idea was to "make such an example as shall show the poor people" his resolution to protect them. Vis a vis *kardars*, he elaborated that "if it be found they shed blood their blood shall be chilled by death" and that nothing shall save the *kardars* from punishment.[131] A clerk was sent for trial, his misdemeanour being that he "rode over a poor young sepoy." Napier decided that the fellow would be flogged.[132]

On 20th September 1844, writing to William Napier, Sir Charles boasted that *kardars* and policemen, he smashed by dozens. A police official had levied money from a poor village and when the people remonstrated, he flogged the spokesman. Napier learnt about this and he was sent a prisoner to the centre of the village, where "his uniform was stripped off and the two dozen lashes he had inflicted were repaid to him in kind: he was then turned loose." His approach was that those in authority, should be "milled very hard." Due to this policy, he felt that an Englishman could ride without an escort.[133]

There is no doubt that Napier was tough with erring subordinates and listened to public complaints against them, but this tough policy appeared to be applicable to the native officers. Although MacKenzie had grossly over reacted and his unit had massacred friendly peasants, no action was taken against him. Similarly, in other cases, such as those pertaining to FitzGerald or the action of Merewether in the wanton slaughter of the Bugtis, no action was initiated. On the contrary, the General expressed his appreciation on the valour shown by his officers.

9. Impact of Collaboration and Codification on Policing Rural Sind

9.1 Initiating Collaborators: the *jaghir* settlement and its fall out

Immediately after the conquest, Napier had announced that if the *sardars* did not disturb the peace and retired to their homes, their *jagirs* would be confirmed to them. A formal *darbar* was held on 24th May 1844, the birthday of the Queen; no *jagirdar* was to be absent from this great meeting or he would loose his *jagir.*[134]

The category of the first class *jagir* holders was the most privileged and, politically, the most important: almost all of them were from tribes on the borders of Sind who were never totally subjugated by the Ameers. A very large area proposed for alienation to the *jagirdars* was in possession of *wadero* Gaibi Khan, chief of the Chandia Tribe. The colonial strategy of inducting collaborators necessitated a secure and strong position to the Chandias. This was done, by promising their chief hereditary possession of his estates, in exchange for "the fidelity and good conduct of himself and his tribe."[135] Some

of the other tribal *sardars* granted benefits were the Numerias, the Jokhias and the Kurmati tribe whose entire *jagirs* were regranted, the chief of Jats, Malik Jehan Khan, and others like Kurram and Emam Bux Marri.[136] The induction of the Jagir settlement, was the beginning of an equation with the collaborator class which facilitated colonial rule, but when collaborators were given priority and the countryside was indirectly administered through them, this had the germs of future problems.

A fall-out of the combined effect of the *jagir* settlement, rural indebtedness and criminal justice policy was that civil policing in the countryside deteriorated and became a tool in the hands of the collaborating *waderos.* The jagir settlement was essential to British rule being the mode for inducting collaborators. The combination of court procedures and legalistic attitude of judges as opposed to the pragmatic outlook of the district officers, aggravated the inhibitions of the *waderos* to come to terms with the system. Since witnesses were reluctant, convictions declined and this falling rate of deterrence aggravated crime. District officials and police appeased the *waderos* who saw this as the path to sustain their hold on the day to day affairs in the countryside.

9.2 Operational Drawbacks

i. The Negative Effect of Legal Procedures

Keith Young observed in December 1843 that an offender seldom denied his guilt, and that there wasn't "one case of murder where the really guilty" had not confessed.[137] Two Baluchis attempted to kill Marston and his friends. When arrested, instead of denying their intentions, they "brazenly confessed they meant to shoot all the three officers ---- they were brought to Karachi and hanged before a full parade."[138] In 1847, however, Lieutenant James observed that the Sindhis, "accustomed now to our courts, almost invariably plead not guilty, and summon a host of witnesses for their defence; whereas formerly they seldom denied their guilt."[139]

The reason for this unfortunate change was that the scheme of pleading and procedure encouraged lawyers and criminals to maintain their innocence even when all knew that they were guilty. Legal format and procedures had been introduced, and gradually the business of producing witnesses became, "a contest, a trial of strength and cunning between the police and the friends of the accused, with little reference to actual happenings."[140]

ii. The Ineffectiveness of an alien law and the Difficulty in Procuring Evidence:

Jagirdars and zamindars were traditionally helpful to the police, but at times, certain societal peculiarities negated this trend. If, for example, the zamindar was a Sindhi and his cultivators were Baluchis, there was no possibility of enforcing the submission of the Baluchi tenants to the authority of the zamindar in the matter of reporting offence to him. Another complication was gradually becoming apparent. Lieutenant James realised that the zamindars avoided investigations because it meant becoming a witness in the case and being repeatedly summoned, thereby causing a loss.[141] Secondly, the *zamindars* were not treated well when engaged in the pursuit of thieves and others.[142] Captain Preedy arrived at a similar conclusion and added that the peasants intensely disliked the trouble of attending the courts of justice, that many of them preferred suffering the loss of their property to complaining to the *kardars* or to the police.[143] The Judge Advocate General opined that the "fear of being summoned" from their homes to give evidence at the trial of thieves and others, rendered the people generally "unwilling to interfere in any way in police matters."[144]

iii. Implications for Policing

By 1847, it was obvious that zamindars were becoming averse to interference, hence prevention of crime would solely depend upon police and other government servants.[145] Gradually the situation was deteriorating and by 1868, police were experiencing an acute difficulty in getting respectable persons to give evidence about the character and habits of men who were notorious thieves. The Superintendent of Police of Hyderabad district wrote to the commissioner in Sind that without the evidence of such respectable persons the police could do nothing.[146]

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