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The Silent History of the Tharu Farmers: Peasant Mobility and Jungle Frontiers in the Light of Written Archives

Gisèle Krauskopff

Introduction

At the end of the 19th century, in one of the first articles on the Tharu, J.C. Nesfield wrote:

They are still mainly in the migratory stage, cultivating the land on which they have settled their homes temporarily until it gives signs of exhaustion before moving for clearing new land. (Nesfield 1885: 3)

From early British reports to later ones, such an evolutionary statement was regularly repeated. This paper aims to show how the use of archives related to the agricultural and agrarian situation during the 19th century and earlier offers a better understanding of the so-called shifting or migratory agricultural practices of the people farming the Terai plain. It raises questions on the nature of the farmers' mobility and highlights their impermanent link to the land they till. Taking into account the relation between mobile subjects and sovereigns along a frontier land, helps to fight colonial or ethnographic stereotypes and ethnic essentialism as well by denaturalizing the way of life of this so-called "jungle tribe".¹

1 Tharu is an ethnic label applied to different communities, from the lowland of Kumaon Garhwal in India to the Eastern districts of the Nepalese Terai, living on both side of the Indo-Nepal border, but mainly in Nepal. Other ethnic labels are used for similar groups from the Eastern Nepal border to the Assam plains.

Let us first outline the setting in which the silent history I try to reconstruct played out: a ribbon of lowlands running between the Himalayas and the Ganges Valley which has been described as a wild frontier and is now overpopulated and overexploited. The Terai plain was a land between two worlds: the Middle Ganges Valley, cradle of early Indian monarchies, and the Central Himalayas, where Indianized kingdoms gradually developed after the Ganges valley became a Muslim stronghold. It was also a land of passage, crisscrossed by migrants, merchants, pilgrims, cattle herders, brigands or conquering powers. By the end of the 18th century, when the British colonial power imposed its rule, it became an unsettled border and a shield for the young Nepalese state in the making after the Shah dynasty had seized the “little kingdoms” established in the Central Himalayas since the 14th and 15th centuries. During this period, different idioms of proprietary rights over the land and different kinds of relationships between the farmers and the agrarian authorities competed.

However, some colonial myths die hard. Early travellers have depicted the impenetrable and unhealthy malarial forests of the Terai as if it were a no man’s land. It would take too much space to quote here these echoes of the past and to analyze the conditions in which they were produced, but they forged an image of primeval savagery, of a Kipling-like ‘jungle’.² This landscape imagery has been transferred on to the people farming the Terai—when their existence was taken into account—leading to preconceived ideas on the way of life of the communities such as the Tharu. They were living peacefully in their forests, practicing a rude form of shifting agriculture, hunting and gathering, as if the Terai forests and lands were free of state control and its dwellers had lived in natural isolation since time immemorial.

Contrary to common belief, this Kipling-like ‘jungle’ has been cultivated for a very long time indeed, from the time of the first developments of Buddhism and later.³ Kings who settled in the central Himalayas from the 14th century on had a vital need of these plains, whose products were coveted by competing rulers from the plains and the Himalayas. The Terai was not only good for rice growing but for other

2 See, for instance, S. Lévi on “les énigmatiques Tharu” and the jungle (1905: 308), influenced by his reading of the travelogues of the Jesuit and Capuchin fathers. I doubt that he met Tharus on the path that he followed.

3 Important agrarian organizations were in existence in Terai before the Muslim seizure of Northern India, for instance Simraon Garh in modern-day Bara district, or the place where Buddha was born (the inscription mentioning Ashoka’s visit is a land grant).

treasures such as wood reserve—“the great forest”, as it is referred to in early documents⁴—, wastelands and savannas where precious elephants (status symbols and bargaining chips between kings) were captured, and as grazing grounds for cattle herders. Hill herders moved up the hills and down to the plain, for grazing or selling cattle in fairs, or during pilgrimage.⁵ Cattle herders were then as much valued as farmers by the kings, who raised taxes during lowland fairs and markets.⁶

Unstable Centres and Peripheries: Mobile Farmers and States

With other lowland peasants, the Tharu have farmed the Terai land for a long time, before the eradication of malaria in the middle of the 20th century, which transformed this plain in an overexploited multi-ethnic area. They are therefore considered “indigenous” to the place. From 1981 to 1992, I studied the Tharu, specifically the Tharu living in the inner Terai valley of Dang in Western Nepal (Dangaura Tharu). During this ethnographic period, I soon realized that their social organization was linked to the realm of Dang as an agrarian entity, collecting land rents and promoting land cultivation through local headmen (see Krauskopff 1989). I therefore took an interest in the history of the Dang kingdom. I should say kingdoms, since power centers regularly shifted, split or competed, as illustrated by the many fortresses all around the Dang valley and traces of older mud and brick structures in the valley itself and elsewhere in the Terai.⁷ During the 18th and 19th centuries, agriculturists often had to pay double rents to conflicting powers, a situation accentuated by border conflicts during the imposition of British imperial power in Northern India at the very beginning of the 19th century (see Benett 1878: 28 and Nevill 1921: 258–262). Besides, kings used to move between the hills in summer and

4 *Sal* (*Shorea robusta* C.F. GAERTN.) forest, for instance “the great forest” of Makwanpur mentioned in travels from Patna to Nepal, such as in Desideri’s journey in 1722 (see Lévi 1905: 121).

5 The hill/lowland connections, illustrated in myths or stories, have not been taken into account enough by ethnological studies in the Himalayas, in spite of the pioneering Edmund Leach’s (1954) study.

6 Hence Butwal, winter residence of the Palpa Sen king until his assassination in 1806, was a very important marketplace where produce from the North and the South was exchanged (IOLR, BC, F/4/185 [1805–1806], 3880 [letter of 14/12/1802]).

7 See Krauskopff (1990) for an overview of the ‘kingdoms’ of Dang.

the lowlands in winter. Shifting powers on the one hand, and mobile subjects on the other, defy the idea of well-defined territorial realms. Before the 20th century in the Terai, we must bear in mind a landscape of semi-permanent agricultural settlements, and impermanent ones on the margins, with mobile farmers to till them and large cattle herds.

During the 1990s and 2000s, after my ethnographic study of the Tharu in the Dang valley, I focused on archives in order to better understand the formation of Tharu settled society and the web of powers in which farmers, priests and local headmen were enmeshed. One who works on the Terai benefits from the British colonial sources—for the 19th-century published gazetteers, census, reports etc.—but also unpublished archives, quite rich for the period prior to the Anglo-Nepal war in 1814. I also used non-colonial documents issued by the ‘kings’ of Nepal and locally collected written documents, which offer another perspective and exemplify different concepts of politics and proprietary rights.⁸ In 1998, I had the opportunity to meet a Tharu leader of Eastern Terai, Tej Narayan Panjiyar, who was eager to publish in English documents collected from the local Tharu families.⁹ It was a fascinating collection, not only interesting as a collection itself and for the motives behind its existence and the search for publication, but as documents coming from ‘below’. They allow us to identify the recipient, the line of Tharu or the area concerned, and therefore their interpretation may differ from the reading of the same documents in the National Archives. Moreover, the oldest dates from 1726, and refers to an earlier period, when the Sen kings were still a paramount power, before the rise of the Gorkha Shah State in the Central Himalayas. The Sen then ‘controlled’ the Terai land from Butwal to the East¹⁰ and they maintained a close relationship with the farmers and their chiefs, as will be illustrated. The fall of the Sen kings deeply changed the local situation.

Many documents in the Panjiyar collection highlight a recurring process of mobile cultivation as a strategy used by the Tharu (and in fact other agriculturalists) to benefit from the best possible share of

8 Mainly from the *Regmi Research Collection* and, concerning Dang, from Yogi Naraharināth’s collection which contains documents collected in Dang or among the Tharu.

9 See Krauskopff/Deuel Meyer (2000), Shrestha et al. (2001). Most have been already published in local booklets by the elite of Eastern Terai (see also Pājiyār 1993).

10 Divisions occurred between lines of descent, but the main one was between the Palpa Sen, the strongest power, and the Makwani Sen, as they are called in the documents.

their labor and to escape tax payments and harassment.¹¹ In the Dang valley, during my field research, a significant comment was applied by some elders to a peculiar tenure system (*potet*), which was still in existence in the 1950s before the land reform: “To eat the whole crop” describes a form of usufruct in which the farmer pays the tax and keeps the crop. I should add that farmers manage to avoid the payment of any tax, enjoying the full product of their labor.¹² Ethnographic data put into perspective with a “contextualized past”, raise questions on the Tharus relation to the land they till. In the documents, the farmers’ mobility is acknowledged during unstable or crisis periods involving the state and competing power centers—it is why we have records of it—but it also occurred on a more day-to-day basis.

The Panjiyar documents also highlight the role of local leaders as mediators between kings and farmers and the transformation of their status from the Sen to the Shah, and through the 19th century, when British colonial power imposed its rule in Northern India and the Rana autocracy in Nepal. In an article published in French (Krauskopff 2006), I have used these archives and colonial ones to put into historical perspective the contemporary actions of the Tharu regarding rights to land, autochthony, landlessness, and so-called bonded laborers or *kamāiyā*,¹³ with the modalities used in earlier periods: flight as a strategy of resistance to avoid direct confrontation, flight as a bargaining chip with the agrarian authorities to preserve full control of the land’s produce.¹⁴ Here I return to the topic of farmers’ mobility, not only as a subsistence and resistance strategy, but as part of the construction,

11 The Panjiyar collection was built up in a period of ethnic activism and therefore centred on the Tharu. But other groups were involved in the farming of Terai, for instance in Eastern Terai, mobile communities such as the Musahar (see Archer Papers Mss Eur/F 236 [3-4-5-6] on the migration and rebellion of Musahar). Besides, such land ownership documents abound for Eastern Terai, but are more or less absent in Western Terai.

12 *Pot* means tax. It was described as the best tenancy system, not as a proprietary permanent right. See Krauskopff (1989 and 2006: 162–163). Stories of tax avoidance were told, such as pretending that the rats ate the crop, or of course taking flight.

13 *Kamāiyā* is translated by “bonded laborers”, but the term simply means “laborer”. It was applied to a kind of land laborer, the majority when the Terai land was abundant, who refused to be permanently engaged in any form of share cropping (Krauskopff 2006: 162f.). The same kind of land laborer is attested in Chitwan where they are called *baharyā* (“outsider”). See Guneratne (1996), who stresses a form of “voluntary landlessness”.

14 Following Scott on “everyday form of resistance” (1986) and Adas on “avoidance protest” (1981, 1986). See also Scott 2009.

organization and functioning of precolonial polities, exemplifying a different conception of the relationship to land and territory!¹⁵

The priority given to ecological or natural constraints added to jungle fantasies rests on the idea that the Terai was a virgin primeval forest. The historical evidence, well before the eradication of malaria in the 1950s, draw a much more complex and often less idyllic landscape: the migration, for economic or political reasons, often of entire villages, testifies to the mobility of peasants, and how this mobility was an excellent bargaining chip between competing powers trying to extract revenue (on both sides of the border during the crucial 19th-century period in Nepalese history). It also explains why in the Terai, and probably in the Gangetic plain at an earlier period, the land was cultivated, but could also return very easily to forest or savanna.¹⁶ Farming and the control of the crop rested on unstable social formations and a tension between centre and periphery.

Ambivalence of British Reports

To restrict the mobile farming practices of the Tharu (and other agriculturists in the Terai) to ecological constraints or natural causes obliterates the farmers' agency. My analysis is rooted in the contradictions between sources, and between older sources and ethnography. On the one hand, British first records of the Tharu way of life describe them as a kind of "jungle tribe" practising "a rude form of agriculture". On the other hand, administrative officers or political spies linked to the same administration left different accounts: for example, of the beautifully cultivated region of Butwal (Seoraj) in Nepal in 1802–1804, before the collapse of the Palpa Sen kingdom;¹⁷ or, in 1814, when the British troops at war with the Nepalese state managed to revert cultivated land to wasteland, to stop the supply of the Gorkha army. This had a double

15 See C. Warner's (2014) recent Ph.D. thesis, dealing with "shifting states", farmer mobility and brigands.

16 Habib thus notes: "Forest and waste have retreated, recovered and again retreated, in endless cycle, before his (Indian peasant) hoe and plough. Every period of Indian history has had, therefore, its 'forest line' and desert frontier, besides its political and military boundaries. For the study of Indian history in any of its aspects, this boundary-line between man's domain and nature's is obviously of great importance" (Habib 1963: 9–10). The Terai is an exemplary "frontier" case that has only recently been researched by historians. See Michael (2012) and Warner (2014).

17 IORL, BC, F/4/185 (28/8/1804) (1804–1805).

benefit, since they moved whole villages of ‘Tharu’¹⁸ from Butwal (under General John Wood) to clear land further south in Gorakhpur, in order to enrich the ‘very Honourable East India Company’. Colonel Stoneham, in charge of the “Tharu Colony”, depicts “an industrious class of people”, and villages which “have a peculiarly favorable appearance”.¹⁹ The jungle Tharu are then qualified as “first-class peasants” as reflected, for instance, in Hunter’s Northern Champaran’s report:

They are first rate cultivators, taking great pains from their lands and consequently have magnificent crops. Although their houses are only made of reeds and grass, their large herds and granaries show that they are well off. (Hunter 1877: 245)²⁰

According to early sources, some districts of Terai produced the bulk of resources of the Nepal state (for instance Saptari district in Eastern Nepal) (Kirkpatrick 1811). Nevertheless, an evolutionary representation of the Tharu agricultural practices is still common talk today and primeval wilderness continues to operate as a postulate to define the way of life of the communities considered “indigenous” to the Terai before the eradication of malaria.

In the 19th century, British administrators never stop lamenting the migratory habits of the Tharu: “They are very timid and will decamp in to Nepal on the slightest provocation” (Hunter 1877: 246); “Most of them are still willing to abandon their land and migrate in Nepal” (Benett 1878: 105). “If they are overstretched, these simple, honest people easily change master” (Gibson 1894: 45). Or the surprising, if not tasteful mention: “It is common for a farmer, when asked to pay his

18 The use of the Tharu label is ambivalent: The report by Colonel Stoneham (*Report on the Tharu Colony of Butwal in District Gorakhpur*) mentions Tharu farmers and “Pindaree” chiefs among the migrants displaced by General John Wood (IOLR, BC, F/4/548; F/4/747; F/4/1227).

19 IORL, BC, F/4/548 (22/12/1819). Noticeably, some Tharu refused to pay tax or asked for three years’ remission, then one more year, and finally some went back to Nepal in 1819, attracted by the Gorkhas’ solicitation. They migrated in groups, under one leader (IORL, BC, F/4/548, Extract Bengal Revenues Consultations, to Carter, 27/9/1819).

20 Champaran (Northern Bihar) was closed to Nawalpur and Chitwan in Nepal. Noting the poverty in this district, Hunter added that the Tharu form a marked exception: “They cultivate with great care the Terai lands in the North of Ramnagar ... and their prudence and foresight have raised them far above all other castes in Champaran. During the famine of 1874, not one of them came to the relief works, and they then assured that they had sufficient rice in store for six months’ consumption” (Hunter 1877: 257). The Ramnagar area was under the suzerainty of Tanahon Sen Raja before the collapse of the Sen.

rent, to cut harvest and disappear, leaving the owner without defence” (Batten 1851: 32). At an earlier date, 1828, G.W. Traill, administrator of the lowland of Naini Tal in Kumaon Garhwal, complained:

Another reason for the vicissitudes of our jurisdiction is the wandering habits of Tharus and Bokshas, the two main tribes who chiefly cultivated in the Terai. These persons have the undisputed monopoly of a vast extent of territory, and being the object of rivalry between two governments, remove in whole communities from or to the foot of the Hills according as caprice or interest dictated. (quoted in Atkinson 1886: 53)

The new site takes the name of the ancient village and the same names are recorded, increasing the confusion of the British.²¹ In 1844, the migratory habits of these peasants were such

that for every deserted village, they maybe perhaps found a corresponding newly cultivated one, within the same area, and large space of waste may intervene. (Batten report, quoted *ibid.*: 600)

When one thinks of the work implied by rice cultivation, to imagine these hard-working peasants running away like rabbits in scrubland (as described by these authors) leaves one puzzled. Their will to escape state control, to resist oppression and tax payments, not only exemplifies the farmer’s agency, but their non-attachment to the land as a territory. What is important is the control of the crop, as also illustrated in Dang by the value attached to the usufruct system, that is “to eat the whole crop”. Documents issued by the agrarian authorities stress the conjectural context of migration, erasing the importance of mobile practices and different conceptions of attachment to the land and territory. The British could not understand the mobility of hill kings and their subjects: In the “little kingdoms” of the past, the king’s control of his followers—of his subjects (and what they produce)—was more important than the territory. Hence, we can better understand why subjects or farmers could pay double tribute to different kings. Then, too, as we will see in the following cases, this is why farmers moved in groups, *following* a leader who himself could be faithful to a higher chief or king.

21 In the Dang valley, the Tharu name their house according to their previous settlement village (Krauskopff 2011).

Border Conflicts and Farmers' Mobility

Two documents (*rukkā* or orders) of 1805 and 1807 addressed to several village chiefs, *mahatau*, *jimindār* and *caudhari*, and their tenants, illustrate how a beautifully cultivated land could easily be reversed to wasteland (plates 1 and 2). These orders at the very beginning of the 19th century concern the Nawalpur region of Nepal. Close to Gorakhpur, it was under the suzerainty of the Palpa Sen dynasty until 1806. However, the treaty signed between the British and Nepal in 1801, but without Palpa, shows his loss of influence, since the British dealt directly with 'Nepal' and its ruler, the Gorkha Shah, with regard to recurrent 'border' problems. Suzerainty over the northern part of Gorakhpur and Butwal was shifting between Palpa and Gulmi Himalayan kingdoms, Mughal Awadh, Nepal Shah and the British. The Palpa king had been arrested several times and was executed by Prime Minister Bhimsen Thapa in 1806. In 1805, Bhimsen Thapa was the new strong man at the central court of Nepal (he is the witness of the document). It was a very critical period, as illustrated by the abundance of British documents on the events preceding the Anglo-Nepal war of 1814–1816. The instability was enduring and farmers moved incessantly.

A British spy sent to Butwal in 1802 found the area remarkably cultivated, "much more than South Gorakhpur", which he compared to a "desert", and "as much as in the region of Benares despite the unhealthy climate".²² He already noted, however, that many tenants were leaving because of oppression by the Gorkha Shah. According to the two Nepalese documents of 1805–1807, the appointment of a new magistrate (*amālī*) had induced the flight of 52 villages to "Muglan" in an area under British control in Gorakhpur (Krauskopff/Deuel Meyer 2000: 165–166): "A new tax collector (*amālī*) oppresses us. He has upset our customs (*thiti*).” The court of Girvan Yuddha Shah addressed them in the following terms:

The country is depopulated ... You are our subjects ... You will not pay taxes contrary to past practices and if oppressed, you will see our *new representative* in Palpa ... *Stay loyal*, return to your lands.²³

22 IOLR, BC F/4/185, p. 92–93.

23 This stress on loyalty seems to me very significant in the relation between subject (farmers or any other groups) and their king.

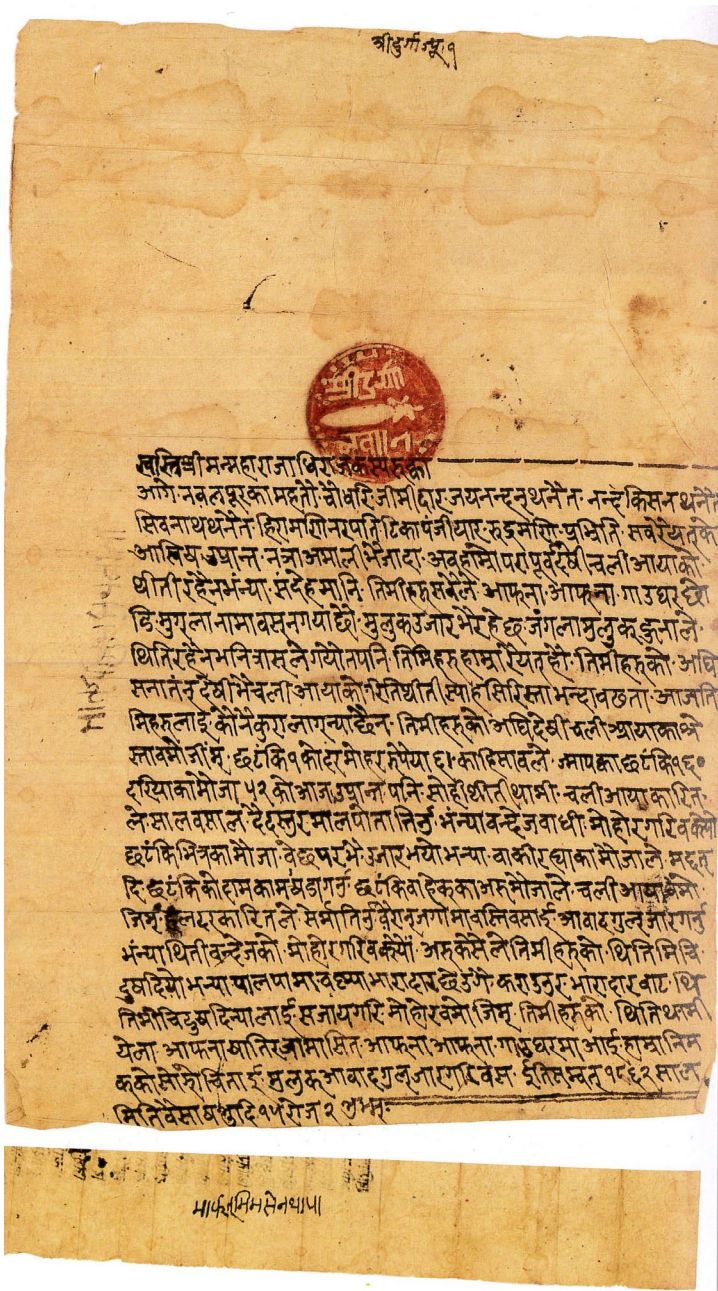


Plate 1: Order (rukkā) of King Girvan Yuddha Bikram Shah to officials and subjects of Nawalpur (Nepal) (1805). Source: Lokman Thanait, Danda, Nawalparasi district (Nepal). Reproduced in Krauskopff/Deuel Meyer 2000: Doc. 39, translation p. 164.

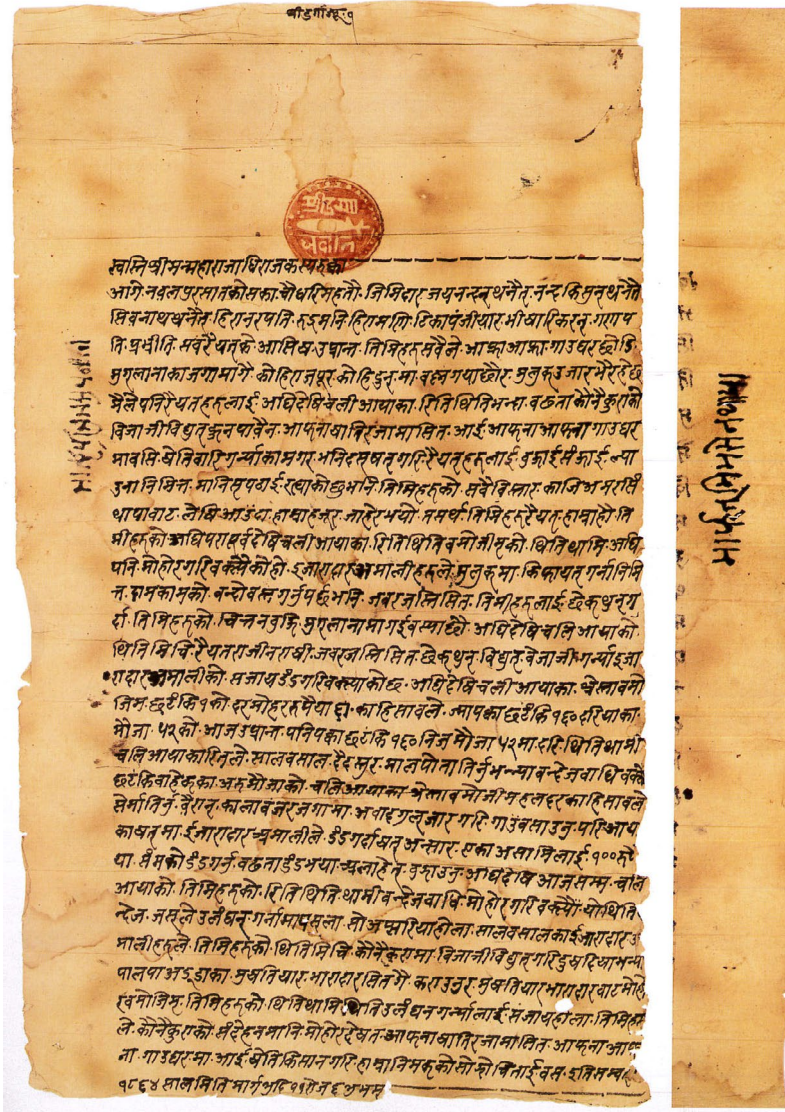


Plate 2: Order (rukkā) of King Girvan Yuddha Bikram Shah to officials and subjects of Nawalpur (Nepal) (1807). Source: Lokman Thanait, Danda, Nawalparasi district (Nepal). Reproduced in Krauskopf/Deuel Meyer 2000: Doc. 40, translation p. 165.

According to British sources, in desperation the representative of the central power had also “captured” several Tharu village heads, locking them up for three months to force farmers to cultivate the land. One of them, “a simple Tharu” as he described himself in a letter sent to the British in 1804 asking for forgiveness for his writing mistakes, complains of the disorders caused by the Gorkhas: They have “removed the village chiefs (*mahato*) to force them to appear in Butwal ... if I obey the injunction, I will not be able to cultivate my land.”²⁴ Even the Palpa King, when he was briefly released from jail in 1804, wrote to the British that he does his best to render the tenants happy. But the tenants fled further south and the British accused him of having seized Tharu headmen.²⁵

In the two documents referred to above, the farmers’ complaint is answered by the king. Nawalpur villagers had already left with their leaders to Rajpur in Gorakhpur, which ‘belonged’ to the Palpa Sen. The complaint is inseparable from the act of collective flight. We should also note that it is the new local representative of the central government who is accused of “upsetting the past uses”.²⁶ But the political turmoil is strong and lasting.²⁷ Two years later, in 1807, despite the intervention of a prominent member of the Nepal Government—Amar Singh Thapa himself, who “sent people to Muglan to convince (them) to return”—, farmers had not yet returned (Krauskopff/Deuel Meyer 2000: 165).

The conflict affecting the Butwal/Nawalpur region during the fall of the Palpa Sen and before the Anglo-Nepal war brings to light a radical change in the idioms of authority, a change caused by the implementation by the Thapa central government of a new tax system and intermediaries.²⁸ Neither the Gorkhas nor the British then seemed successful in collecting revenues and maintaining cultivation. The disruption can be explained by a radical change from the more favorable agrarian conditions offered by the Sen. The area was still beautifully cultivated in

24 IORL, BC, F/4/185, 3880 (1804–1806), letter dated July 1804, p. 98f. See also F/4/548 (13344), Arju from Merwang Mahato, Toonje Mahato and other inhabitants of the Gorkha territories (p. 27).

25 IORL, BC, F/4/185, 3880 (1802–1804).

26 This configuration is reminiscent of Ramachandra Guha’s (1999) “moral of contestation” as described for Kumaon Garhwal, when dissatisfied farmers would present their requests directly to the king, their target being the bad representative, never the king himself, whose authority was not questioned.

27 After the assassination of the Palpa king by Prime Minister Bhimsen Thapa in 1806, the king’s family took refuge in their Tilpur land in Gorakhpur, “owned and cultivated by Tharu” (IORL, BC, F/4/185, 3880 [1804–1806]).

28 Bhimsen Thapa as the first ‘Prime Minister’ (*mukhtiyār*) of Nepal marks a change in the royal political system.

1800–1802. Another change is the introduction of a new intermediary by the Gorkha Shah, or, in other words, the disappearance of a more personal relationship established between farmers and the Sen king, as will be illustrated by the next case.

The remarkable work of the historian of the Nepalese economy, Mahesh Chandra Regmi (1971), has highlighted the peasants' oppression, but the present documents also show that they had the means to resist: the balance of power was not always in favor of the same side. We have to keep in mind that, until the end of the 19th century, land was abundant in Terai and manpower scarce. The high value of the Tharu labour force is obvious: it could be used as a weapon. But we cannot reduce this flight to opportunism or caprice, as Traill noted, or to the 'spontaneous' effects of oppression without erasing the peasants and their leaders' will to escape state control. Moreover, in the Nawalpur case, headmen and peasants appear united in their flight, as in other testimonies. The documents highlight the role of local headmen and of farmers working with them or for them.

We can only speculate on the nature of their solidarity. The collective action is certainly linked to the heavy labor induced by deforestation and cultivation.²⁹ In any case, flight was a collective affair. Fifty-two villages moving is a considerable number. The farmers followed their leader like an army following its chief.³⁰ We have a contemporary echo of this in the collective organization uniting houses (under their head) and village chief (often *Jimidār*) in the Dang Tharu social organization, which has only changed during the last twenty years.³¹

Let us go back in time to the first quarter of the 18th century to better understand the role of local leaders and the change in the idiom of authority from the Sen kings to the Shah and the Rana.

29 Even priests (*dhāmi*, *gurwā* etc.) fled, as attested by several documents, and were reinstalled to protect the people from tigers and wild elephants: they play a role in maintaining cultivation. For an example, see Deuel/Krauskopff 2000: 160.

30 Bennett (1878: 48) makes an interesting remark in his settlement report on North Gonda (among the Dangaura Tharu of Tulsipur, where the king of Dang settled after the Shah conquest). All parties are related to the whole, "with the cultivator independent of each other but connected through the village heads, and the villages independent among themselves, but joined in allegiance to a common Raja ... the basis of the whole society being the grain heap."

31 In the Dang valley in the 1980s, villages and houses were the main units of social organization. A village was called *maujā*, a term referring to an agrarian unit. Regional ritual organization under the main hereditary priests was linked to bigger agrarian and irrigation units. Even marriages or funerary rituals imply the whole village. See Krauskopff 1989, 2011.

Kings and Local Chiefs: The Changing Status of Tharu Local Leaders

In 1726, King Mahipati Sen of Chaudandi and Vijayapur gave to Ranapal Chaudhari full authority over a village in *khālisā* (in modern-day Saptari in Eastern Terai). This brief “black seal” document (*syāhā mohar*)—this brevity should be noted—renews his earlier right to *levy all customary taxes*:

... we give you the right to collect the customary taxes ... as you did before. Settle there yourself and make the land populous. Serves us well and cultivate the Terai land. (plate 3)³²

Saptari in Eastern Terai of Nepal was a well-cultivated area, contradicting the savage image of the Terai.³³ The Sen branch called “Makwani” (“from Makwanpur”) controlled this area.³⁴ Ranapal is the first of a long line of Tharu ‘landlords’. However, when the Shah took hold of Eastern Terai, a descendant of Ranapal, still respectfully called *Śrī Hem Chaudhari*, fled to “Muglan” to remain loyal to his king, a Sen (“having eaten the salt of the king”). Did he flee with his farmers? It is probable. In 1776, he was called back by the new Shah king and summoned by the representative of the central government (*subā*). He “knelt” before him and received the title of *jimidār* (tax collector) on his previous land with the following injunction: “... do your best to make the land as productive as possible” (Krauskopff/Deuel Meyer 2000: 118–119).

In this “red sealed” document (*lāl mohar*), he is still addressed with the most respectful title *Śrī bhārā sāmāth*, showing his high status, and he received tax-free land, *nānkār*, as compensation for his work. Like his ancestor Ranapal Chaudhari, he was a powerful local leader controlling land during the Sen period and at the beginning of the Shah

32 The language of this document and of most of the Sen documents is a ‘mixture’ of Bhojpuri and Maithili (close to the language spoken in this area by Tharu).

33 In 1792, according to data collected by Kirkpatrick (1811), Saptari provided 30% of Nepal’s revenues.

34 Mahipati Sen ruled over Chaudandi and Vijayapur (modern-day Far Eastern Terai) at the beginning of the 18th century. Chaudandi and Vijayapur emerged as subdivisions of the Makwanpur kingdom. The area concerned by the document was part of Chaudandi and the document issued from a place in the plain in Udayapur (Chaudandi) during the king’s visit. Mukunda Sen, the first historical figure of the Sen dynasty in Palpa in the 16th century, split his kingdom between his sons, Palpa, Tanahon, Makwanpur and Vijayapur, but Palpa and Makwani remained the two main lines.



Plate 3: Black seal (*syāhā mohar*) of King Mahipati Sen of Vijayapur to Ranapal Chaudhari (1726). Source: Bijali Prasad Chaudhari, Baramajhya, Saptari district (Nepal). Reproduced in Krauskopff/Deuel Meyer 2000: Doc. 1, translation p. 115.

rule. He seems however to have enjoyed less autonomy under the Shah regime: his rights had been restrained and, contrary to the direct relationship he and his ancestor enjoyed with the Sen King, a go-between, the *subā*, is interfering.

The relationship established with the Sen was conceived and lived as a service relationship and this aspect endured in later Shah documents (hence in Girvan Yuddha Shah's order "serve us well"; see plate 1). The grant issued in 1726 by a Sen king is very brief and the vocabulary used suggests that Ranapal Chaudhari enjoyed quite an

independent position. Interestingly, the area in which he enjoyed full rights to a village is called *khālisā*, a term which could be related to the one used in Mughal India for state land. According to I. Habib (1963: 275), on such state land the peasant was closer to freedom than dependency.³⁵ The 1726 document shows the high position the local big man enjoyed, being in a way a small king in the making, as illustrated by the respectful titles. It may illustrate a different form of polity (compared to the Nepalese Shah, as founder of a nation state) whose relation to local bodies of power was tighter or whose power was based in local roots, as suggested, for instance, by recurrent mentions of so-called “tribal” kings. Ranapal, in any case, enjoyed a much closer relationship with Mahipati Sen than his descendants did with the later rulers. The lack of documents restrains research on pre-nation state polities like the Sen, but should be developed to better understand the social history of Nepal and the relation between hill and lowland at an earlier period, a relation which plays a disturbing role in today’s politics.

In 1778, Hem’s right to his ancestral Patna village as tax-free land was reconfirmed and he was appointed (as *caudhari*) to collect taxes on other villages “in return for which he receives a receipt, after enjoying his own share” (Krauskopff/Deuel Meyer 2000: 119). The vocabulary is different, the injunctions more bureaucratic and land more precisely defined. Later documents renewed or opened new rights to other villages, cancelling some others (*ibid.*: 120–141). Tax collection was emphasized and cadastral survey developed. Hem Chaudhari had become a representative of a more centralized administration. From the perspective of the new central government, he was a tax collector in competition with others, as shown by several documents. The status of local chiefs has changed drastically.

Hence, in 1800, the representatives of the central government, the *subā* (a Brahman) and the *faujdar* (a Chettri) were non-resident magistrates. The son of Hem Chaudhari had lost his father’s position. The implementation of *ijārā* contracts (offered to the best bidders with a fixed amount given to the government) differed from the previous *amānat* (taxes were transferred according to what was collected), a change that deeply disrupted the local situation. As a result, the villagers fled to Muglan and petitioned the king (see also Regmi 1982a, 1982b). The level of cultivation diminished. Hem’s son, Madhuram

35 Pājiyār (1993) considers this donation a *birtā*, in which the king alienated his rights to the grantee.

Chaudhari, was to recover his lost rights and was to be allotted new villages in order to clear the land (different from previous allotments), but the conflict remained. In 1803,³⁶ he was himself accused of oppression and many villagers fled. Documents show, however, his political skill at maintaining his rights through an association with a Brahman courtier. The ambitions of Hem Chaudhari's descendants were not confined to agricultural land, since they also maintained a timber office in 1834.

From 1835 and especially during the Rana period (late 19th century), the letters addressed to Tharu intermediaries in Saptari are nothing more than long lists of taxes or cadastral rights, constantly redefined. Later documents show a multiplication of new taxes, to which is added from 1835 onwards a very significant order: to bring settlers from India. The goal is clearly to maintain the Tharu on the land they have already tilled, that is, to restrain the mobility of the farmers, which, as we have seen, was an important bargaining chip. In this well-exploited region, the weapon of migration was used until about 1840, when the state instituted this radical measure, a systematic call for laborers from the British land. Let us add that these new immigrants did not become “Tharu”, and they formed the numerous castes or endogamous groups that we encounter in Eastern Terai, a situation which differs from that in Western Terai, where affiliation remained more fluid and open (Krauskopff 2011).

The decisive change in the Terai was the disappearance of free land, reduced to a trickle in the 20th century. The process was already virtually completed in some areas, well before the eradication of malaria and the massive installation of hill dwellers in the Terai in the 1960s. “Free land” was termed “empty” by the Tharu of the Dang Valley, where I carried out most of my field research: “Empty land” made it possible “to eat the whole crop” and emphasize the right to the entire produce of farming labor, not a proprietary right as defined by cadastral operations, in which—as is well known—the Tharu were the losers. Noticeably, in the Dang valley, the disrupting effects of the 1960s land reform³⁷ and permanent settlement of hill people brought about the migration of *entire villages* over long distances, from Dang to the Bardiyā district in Far Western Terai. Villages ‘voted with their feet’,

36 This is the same critical period of the turmoil in Butwal.

37 The registration of proprietary rights and tenancy rent resulting from this reform benefited migrants from the mountains. Together with other wrongdoings, it caused the disappearance of the most advantageous tenurial system for the Tharus such as the *potet*.

leaving behind them empty earthen granaries and elements of their house structures.³⁸

Cadastral operations reinforced the new proprietary rights. Land was surveyed and frontiers fixed. In this regard, maps are interesting archival documents: they produce and materialize new concepts of territory and rights to territory. In 1992, the last king of Dang/Salyan showed me a map of his previous kingdom, the Rājyā of Phalabang/Salyan.³⁹ Drawn in 1903, this map shows the king's properties (*rājyā*) with well-defined limits (plate 4).⁴⁰

Long before the eradication of malaria, the territory had already been surveyed and mapped. The king appears as a large landowner whose possessions have holes like a Swiss cheese: independent properties such as *birtā* (in yellow) belonging to Brahmans and *guthī* (in black) belonging to the Nath Yogi, whose massive presence characterizes the agrarian situation in the Dang valley.⁴¹ Few patches of forests (illustrated by small trees) remain, mainly at the foot of the hills, close to the Siwalikh range.⁴² Even if the Tharu cultivate these lands (largely under *potet* or nonregistered rights), and if very large Tharu landlords or entrepreneurs manage royal *rājyā* lands, they are sort of 'invisible'. In this map, invisibility is true to life and the erasing of the Tharu rights unveiled. The change in the territorial concept, in the relations of the farmers to the land, and between the earlier king and his subjects was accomplished.

In 1818, when the four districts of Western Nepalese Terai were 'given' to the British after the Anglo-Nepal war, Lieutenant Grant

38 30% of the Dang Tharu population migrated to Buran, a place downstream on the river Babai, in Bardiya (see Krauskopff 2006).

39 He lost his rights in 1961 with the abolition of the last *rājā* and *rājauta*. Phalabang was situated in the hill (in Salyan district), a day's walk above Western Dang Valley. The king had a double residence, in Phalabang and Tulsipur-Dang. After Dang was defeated by the Shah in 1786, the king of Dang fled to Balrampur in Northern Gonda district, where he became a very important and wealthy landlord in Tulsipur-Gonda. His possessions in Dang were given as dowry to the king of Salyan, who married the daughter of Prithvi Narayan Shah.

40 The land was called *rājyā* and it seems that the Tharu *caudhari* enjoyed specific rights. I did my ethnographic study of the Tharu in a village belonging to the Phalabang *rājyā* where agrarian conditions seem to differ from the central Dang (see McDonaugh 1997).

41 Both *birtā* and *guthī* grants alienate the kings' rights to the recipient.

42 Dang and Deokhuri were already beautifully developed. Grant, who visited the southern part of Deokhuri reports: "That portion of the valley which adjoins to the pergunah of Tulsipur contains a considerable number of villages constructed principally on the bank of the Rapti", except in an area further north (where he could not enter), whence many villagers had fled to Tulsipur with their king after the Shah conquest (see Maps and Report on Map X/1532/1533).

Plate 4: Map of the Rājyā of Phalabang in 1903 (eastern part of Dang valley).

By courtesy of Gopendra Bahadur Shah, last king of Phalabang-Salyan. In spite of the weak reproduction, this map shows that in 1903 the proprietary rights of the “kingdom of Dang” (Phalabang) were settled.

As the captives in Nepali show, inside the *rājyā* land belonging to the Salyan king, *gūthī* land (belonging to the Nath Yogi) was circled in black, *birtā* land in yellow, and the uncultivated land or jungle in green. Palaces, routes (in red), rivers (in blue), irrigation canals (in grey), fountains, wells, gardens, temples, border lines and posts are also indicated.

Photo: G. Krauskopf.



started mapping them during a four-month visit: He measured cultivated or non-cultivated areas, duties and land revenues, but spent much more time discussing the fixation of pillar borders.⁴³ The beautiful map he drew shows villages on river banks and in forest clearances and forests illustrated by green trees (plate 5). This drawing appeared to me to be as much imaginary as actually observed, particularly in the northern part. It froze the unstable relation between cultivated (villages) and uncultivated areas (jungle).

Praising the supreme quality of the land acquired by the British, Grant, however, noted:⁴⁴

Each village is governed by a mahatoo who is similar to our Mocuddam and all the engagements with the government are transacted by him by neither he nor the Tharoos consider themselves as professing any property in the soil beyond the period during which it is cultivated. All disputes are settled by the Mahatoo whose decision is without appeal for it is a maxim with this people to allow of no interference on the part of the government and the latter is content to be relieved from the task. (Reports on Maps X 1532 and 1533, by Colonel Grant)

In contrast to their itinerant way of life in the forest or their talent as farmers, the point raised by Colonel Grant around 1820—that the Tharu do not claim any permanent property in the soil—has not been as much commented upon. Such a relationship to the farming land was in contradiction to the status of peasant, or settled peasants, as conceived by the Western colonial powers.

Conclusion

We discover the flight of Tharu farmers and their will to avoid tax payments in historical archives, that is, documents issued from the 'top', often during periods of crisis or changes in authority: When the British

43 Maps and Reports on Maps X 1532 and 1533.

44 He added the recurrent observations on the honest and industrious way of life of the Tharu. Information was haphazardly collected in different areas and, it seems to me, mainly in the Tulsipur Gonda area where the king of Dang settled after the Shah conquest. It is, however, one of the earliest written observations of the Tharu in Western Terai.

fixed permanent rights to settle the land, and therefore the border with the very young Nepalese nation;⁴⁵ when the Shah kingdom, as a nation state, managed its possessions; when surveys, bureaucratization and other cadastral operations, particularly during the Rana period, were carried out; all these brought about disruptive effects.

The mobility of the Terai's farmers must be placed in a wider perspective, at the confluence of several facts: land availability, the farmers' will to benefit from all their labor (a dominant practice up to the beginning of the 20th century in Terai), but also the instability of the power centers in premodern polities, be they kings or smaller headmen. In such a system, stretched between center and periphery, solidarity or group affiliation, even in times of migration, was linked to shifting centres of power, and not to a territory conceived of as a controlled and limited space.

To relate the present to a "contextualized past"—using archives and ethnographic data—helps to better understand the disruptive nature of the change in the conception of proprietary rights. It highlights the farmers' impermanent relation to the land they till. It also raises questions on the building of the Tharu 'ethnic' belonging, emphasizing how affiliation was welded to a solidarity based on the production and sharing of crops under the same 'head', in an open and mobile system of land cultivation.⁴⁶

The mobility of the farmers was part of a wider competitive system designed to capture agrarian surplus or other produce in which, as we have seen, a group of farmers under their leader could 'vote with their feet' when land was still available. They did so until the 20th century, and even later in underexploited areas. The documents show their progressive loss of agency. The terrible situation of the land "workers" (*kamāiyā*) who became bonded laborers or 'slaves', exemplified the conflict between different systems of values in which the 'laborers' were the losers. But the confrontations that ensued should not be reduced to a purely 'ethnic' matter. This huge misunderstanding was induced by the changes in the idioms of authority, at a time when Terai was trapped in a global history involving a colonial state and a new nation state. A "contextualized past" shows how proprietary rights to the land and discourses on autochthony became central in the construction of contemporary ethnicity.

45 "Settlement reports" are very numerous in the 19th century.

46 Hence in Dang, the link to a soil god sustains the formation of permanent clan affiliations. A system of ritual privileges gave birth to the division of the Dang valley between soil gods (Krauskopff 1990).

Abbreviations

IOLR	India Office Library and Records
BC	Board Collection

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