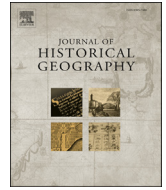




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## Material meanings: 'waste' as a performative category of land in colonial India

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## ABSTRACT

Nearly seven decades after 'decolonization', policymaking in India continues to be haunted by colonial categories. Focusing on the category 'wastelands', which has been central to recent debates on India's biofuel policies, we study how it was heterogeneously constituted during the Permanent Settlement of land revenue in late eighteenth- and early nineteenth-century colonial India. In particular, we trace how this category took on multiple meanings through its encounters with different human and nonhuman entities in disparate spatio-temporal settings. The entities encountered included not only ideas and moralities derived from theoretical notions such as Locke's 'natural rights', but also the soil and water on diverse lands, and the beings living or made to live on these lands. The multiple meanings of the category led to debates and controversies between colonial administrators regarding the ways in which the Permanent Settlement should be introduced and extended. By mapping these debates and controversies, we attempt to accomplish two things. First, we construct a narrative in which dominant colonial categories and associated rules do not possess unidirectional power to reformat colonized realities and practices. Second, we attempt to account for and recognize realities and practices that were marginalized or disregarded in the formulation of colonial administrative rules. Narratives such as ours, we hope, can help proliferate possibilities for enacting new decolonial and decolonizing practices of making, using and transforming meanings.

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'Waste', as a colonial category of land, continues to haunt twenty-first-century policy-making in India. This has been particularly salient in the case of India's biofuel policies. In 2003, launching the National Mission on Bio-Diesel, the Planning Commission of India published a report claiming that 13.4 MHa of land was available for the cultivation of *Jatropha curcas* for biodiesel production.<sup>1</sup> In 2009, the Indian national biofuel policy claimed that the available land was actually wasteland, on which the cultivation of biofuel feedstock would prevent competition with food production.<sup>2</sup> This claim has provoked significant controversy, just as the issue of 'wasteland regeneration' through eucalyptus and subabul plantations did in

earlier decades.<sup>3</sup> First, the biofuel policy has been criticised for assuming that land classified as waste is somehow un- or under-used land not cultivated for food production, on which biofuel feedstock therefore can be grown. Activists asked to what extent was wasteland readily available for conversion into biodiesel plantations. For example, Friends of the Earth reported several cases in Chattisgarh where lands classified as wastelands were actually used for livestock grazing. Attempts to convert these lands into *Jatropha* plantations were met with resistance by existing users.<sup>4</sup> Similarly, others have argued that if wastelands can be used

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to get profitable yields from *Jatropha* or other biofuel crops, they can also be used for food production or grazing and for sourcing non-timber forest products.<sup>5</sup> Secondly, the fact that wastelands granted to companies for *Jatropha* plantations were later used for profitable real estate development has fed into larger debates on how agrarian policies enable landgrabbing.<sup>6</sup>

In this article, we attempt to show how a fuller understanding of the present controversy, and of ways to challenge powerful categorizations that trample upon the existing uses and materiality of lands, may be gained by delving into the history of the term ‘waste’ as deployed to classify and transform land in colonial India. Within the discourse on India’s biofuel policy, scholars have highlighted how the term was introduced by the British in the late eighteenth century in the process of developing agricultural tax collection systems.<sup>7</sup> They base their historical discussion of wastelands on the work of Gidwani and Whitehead, who have both persuasively argued that the category was most centrally informed by the writings of John Locke on private property.<sup>8</sup> In this paper we contend that both Gidwani and Whitehead, by arguing that the category ‘wasteland’ was constituted predominantly by ideas alone, marginalise the encounters between the category and the materiality of the lands (and the beings dwelling on it) in Bengal and Orissa where it was first enacted. Through these material encounters, not only was the category deployed in attempts to transform the land and the lives of its inhabitants, but the meanings of the category of ‘waste’ itself were also transformed. We focus on the latter process of the multiplication of meanings.

These multiple meanings eventually led to a multiplicity of rules for wasteland reallocation; rules that were focussed, more narrowly than the meanings, on transferring land to planters and cultivators so as to extract rents for the British administration. Thus, while some of wasteland’s initial economic and technical meanings (such as non-productive land and non-tax yielding land) may have been dominant in administrative rule-making, and may have been handed down from the late eighteenth century for instrumental deployment by twenty-first-century Indian governments, these were definitely not the only meanings attached to it by contemporary actors. By uncovering these different and more marginal meanings, and the controversies generated by them around the turn of the eighteenth century in Bengal and Orissa, we aim to go

beyond narratives that ascribe unidirectional power to colonial categories in reshaping extant socio-material (relational) realities.<sup>9</sup> Colonial governance categories such as wasteland did not always emerge victorious, and when they did become dominant it was not through unilateral capture and transformation of diverse relational realities. Instead, those realities resisted their categorical capture in different ways. As a result, the constitution and enactment of colonial categories were contingent processes, situated in specific relational settings and multiple in their meanings.

### Waste lands in the Permanent Settlement

On the 22nd of March 1793, Lord Cornwallis, the then governor-general of British India proclaimed the Permanent Settlement of Bengal. This event has been viewed, most notably by Guha, as a watershed in colonial agrarian history which is supposed to have radically altered land rights and land use patterns.<sup>10</sup> At the heart of this agreement between the East India Company and the landlords in Bengal was the aim of installing a ‘permanent’ system of land taxation.<sup>11</sup> Once the tax rate on a certain piece of land was fixed it was never to be changed, regardless of increasing or decreasing yields or change of ownership. According to Guha, the imperative underlying this policy was twofold. The first aim was to set up an agrarian policy to be implemented uniformly across Bengal, abandoning the frequent changes characteristic of the earlier agrarian policies of the East India Company. It was assumed that unchanging tax rates on a specific parcel of land would make it more conducive for its owners to invest in improving the land’s fertility since any benefits from such improvement activities would be reaped by the landowners themselves. Secondly, the proponents of the Permanent Settlement aimed to install private property rights. Guha showed how the policy was informed by three sets of ideas: mercantilism, physiocracy and free trade. Waste – the concept, the lands it was supposed to categorize, the transformations carried out on those lands and the land users’ voices – was absent in Guha’s account.

Gidwani therefore criticized Guha and others for overlooking the importance of waste, as a concept and a category, in the creation of the Permanent Settlement of Bengal:

The idea of ‘waste’ is richer, and more politically significant, than most histories of the Permanent Settlement have indicated. The concept of ‘waste’ not only possessed an ecological dimension that described land types, but also a moral dimension that described undesirable kinds of human behaviour.<sup>12</sup>

Even though Gidwani mentioned the ‘ecological dimension’ of waste, he considered this to be uninteresting and unproblematic, even insignificant, in comparison to its ‘moral dimension’. To appreciate the politics of the moral dimension Gidwani argued that

<sup>5</sup> For literature on competition with food production, see S. Jain and M.P. Sharma, Biodiesel production from *Jatropha curcas* oil, *Renewable and Sustainable Energy Reviews* 14 (2010) 3140–3147; S. Das and J.A. Pries, Zig-zagging into the future: the role of biofuels in India, *Biofuels, Bioproducts & Biorefining* 5 (2011) 18–27; P. Ariza-Montobbio, S. Lele, G. Kallis and J. Martinez-Alier, The political ecology of *Jatropha* plantations for biodiesel in Tamil Nadu, India, *Journal of Peasant Studies* 37 (2010) 875–897. For literature on competition with grazing and collecting non-timber forest produce, see D. Rajagopal, Implications of India’s biofuel policies for food, water and the poor, *Water Policy* 10 (2008) 96–106.

<sup>6</sup> See, for example, J. Baka, The political construction of wasteland: governmentality, land acquisition and social inequality in South India, *Development and Change* 24 (2013) 409–428; J. Baka, what wastelands? A critique of biofuel policy discourse in South India, *Geoforum* 54 (2015) 315–323; S.M. Borras and J.C. Franco, Global land grabbing and trajectories of agrarian change: a preliminary analysis, *Journal of Agrarian Change* 12 (2012) 34–59; B. White and A. Dasgupta, Agrofuels capitalism: a view from political economy, *Journal of Peasant Studies* 37 (2010) 593–607.

<sup>7</sup> Baka, The political construction of wasteland; Ariza-Montobbio, Lele, Kallis and Martinez-Alier, The political ecology of *Jatropha* plantations for biodiesel in Tamil Nadu.

<sup>8</sup> Gidwani, ‘Waste’ and the permanent settlement in Bengal; V.K. Gidwani, *Capital Interrupted: Agrarian Development and the Politics of Work in India*, Minneapolis, 2008; J. Whitehead, John Locke and the governance of India’s landscape: the category of wasteland in colonial revenue and forest legislation, *Economic and Political Weekly* 45 (2010) 83–93; J. Whitehead, John Locke, accumulation by dispossession and the governance of colonial India, *Journal of Contemporary Asia* 42 (2012) 1–12.

<sup>9</sup> Such accounts include not only the work by Whitehead and Gidwani, but also, for example, Brara’s work documenting diminishing availability of grazing lands in rural Rajasthan after the 1920s and Gadgil’s work on the colonial and postcolonial exploitation of forests and disintegration of indigenous institutions. R. Brara, Are grazing lands ‘Wastelands’? Some evidence from Rajasthan, *Economic & Political Weekly* 27 (1992) 411–418; M. Gadgil, Deforestation: problems and prospects, *Society for the Promotion of Wasteland Development Foundation Day Lecture*, 12th May 1989.

<sup>10</sup> R. Guha, *A Rule of Property for Bengal: An Essay on the Idea of Permanent Settlement*, Paris, 1963.

<sup>11</sup> Guha, *A Rule of Property for Bengal*.

<sup>12</sup> Gidwani, ‘Waste’ and the permanent settlement in Bengal, 44.

wasteland's technical/economic meaning, as 'land which did not yield tax', must be situated within a wider set of associations with ideas.<sup>13</sup> He traced the category's roots in John Locke's theory of property, the physiocrats' emphasis on land as the primary source of wealth, and 'Benthamite utilitarianism'. Of these, Gidwani deemed Locke's labour theory of private property to be particularly important. According to Locke, people have a 'natural right' to a piece of land if they add value through their labour input on that land. This was used as a rationale for furthering the transition from commonly-held lands to private ownership.<sup>14</sup> In fact, Locke argued that land was put to 'better and higher use' if it was privately owned. And this better and higher use then buttressed the claim that individuals who owned land were morally superior to those who did not.<sup>15</sup> Conversely, land classified as waste was not just land that could be used more productively, but also land that lacked productive individual proprietors who had a natural right over it.

Gidwani argued that the widespread existence of such wasteland in India was taken as proof of the moral inferiority, ignorance and indolence of India's human inhabitants.<sup>16</sup> Therefore, British efforts to 'improve' wastelands through cultivation were not just geared toward generating rents for the East India Company but also to 'improve' Indian morality. As such, waste as a category of land was directly performative, informing and legitimizing the Permanent Settlement. At the same time, Gidwani argued that colonial administrators disconnected the term from the lands it was supposed to describe. He argued that colonial administrators' accounts of the character and extent of wasteland were 'impressionistic ... , generated by a network of premises that had already rendered "India" as an object in imagination'.<sup>17</sup> In this way, for Gidwani, the colonizers' own imagination and ideas about wastelands overruled any connection with the actual materiality of India's land or the diversity of its dwellers.

Whitehead concurs with Gidwani by arguing that colonial administrators in India (as a whole) applied Locke's original use of the term waste (and wasteland) as opposite to the term value. In colonial India, she argued, wasteland referred to 'common land, land used unproductively or left idle'.<sup>18</sup> This land categorization, for Whitehead too, was loaded with moral values and it was performative: it helped to make 'legal and administrative maps that divided wilderness from the settled, wildness from civilised, wasteful from productive, and the civilised from the savage'.<sup>19</sup>

While rich in their accounts of the ideological underpinnings of the term 'waste', and path-breaking in demonstrating the moral-political power of that term, the narratives provided by Gidwani and Whitehead end up simplifying the history of wastelands in several ways. First, Whitehead claims that colonial policies related to wasteland in India aimed to increase the productivity of the land while 'improving the moral qualities' of landless Indians by making them landowners and thus responsible for those lands. While this might have been attempted for specific castes and tribes, such as in some so-called 'criminal settlements', it is not universally applicable.<sup>20</sup> For example, Basu's work on the allocation of lands

classified as wasteland in the Madras Presidency showed that joint rights to these (communal) lands were held under the *mirasi* system mostly by the rather privileged upper castes of landowners.<sup>21</sup> Landless labourers, often belonging to the so-called lower castes, were usually prevented from obtaining any rights to use, let alone own, those lands. This implies that the performative power of (the Lockean underpinnings of) the category wasteland may have been situated, restricted to specific localities and, even in these situations, the power of the category was negotiable and indeed negotiated in practice as it encountered local social realities.

Secondly, Gidwani and Whitehead treat the category 'waste' (or wasteland) as if its meaning and power were fixed *a priori*. Gidwani for example concludes that 'the idea of "waste" was instrumental in serving the needs of colonial rule'. And that, for the British, the wastelands' widespread presence 'was testimony to the inability of Indian people to rule themselves properly: hence colonial intervention was justified'.<sup>22</sup> If the idea of waste and the category of wasteland were of such crucial importance to colonial rule, and their influence as widespread as Gidwani and Whitehead claim, then it is quite likely that their imposition was resisted from the beginning.

There is also a related third point. As we will detail later, there was not just one formal or technical definition of wasteland, but rather a broad range of overlapping understandings of this notion or category. In fact, wasteland could mean anything from forested land to 'uncultivated land' and 'land not privately owned'. Importantly, these different definitions or multiple meanings should not be overlooked because they fuelled important debates in the making of the Permanent Settlement of Bengal and other policies (of wasteland regeneration) that followed. However, these debates and controversies occupied very limited space in the work of Gidwani and Whitehead. We believe that by marginalising these controversies both authors end up inadvertently framing their historical narratives in the terms and with the meanings favoured by the winners in these debates.

Our concerns with Gidwani and Whitehead's arguments have been partially tackled by other historians. For example, in the context of 'common lands' in the Punjab, Chakravarty-Kaul argues that many local considerations informed the acquisition of large tracts of land by the colonial administration, noting that 'in areas where water was deficient, both under the ground and on the surface, large areas of fallow waste were required for *barani* or rain fed cultivation and for pasture. ... In such areas, official policy modified communal control over the use of the regional commons, but could not remove the influence of ecological considerations over land-use patterns'.<sup>23</sup> Thus, while social considerations could be overruled, ecological considerations were harder to ignore. However, in Chakravarty-Kaul's conclusions, (the impact of) resistance posed by the local ecological-material realities largely disappears from the scene, while she emphasises social issues such as free-riding to explain changes in the governance of common lands.

More generally, Wilson has argued that the material, political and economic crises – crop failures, the near collapse of the East India Company's solvency, and the officials' disconnect with Indian society and history – from the 1780s produced a crisis of meaning among the British, putting in doubt 'their very ability to make sense of themselves in the subcontinent'.<sup>24</sup> In order to deal with the

<sup>13</sup> Gidwani, 'Waste' and the permanent settlement in Bengal, 43.

<sup>14</sup> Whitehead, John Locke and the governance of India's landscape.

<sup>15</sup> Gidwani, *Capital Interrupted*.

<sup>16</sup> Gidwani, 'Waste' and the permanent settlement in Bengal.

<sup>17</sup> Gidwani, *Capital Interrupted*, 22.

<sup>18</sup> Whitehead, John Locke and the governance of India's landscape, 86.

<sup>19</sup> Whitehead, John Locke and the governance of India's landscape, 93.

<sup>20</sup> For work on criminal settlements, see M. Radhakrishna, *Dishonoured by History: 'Criminal Tribes' and British Colonial Policy*, Hyderabad, 2001; S. Arora, 'Gatherings of mobility and immobility: itinerant 'criminal tribes' and their containment by the Salvation Army in colonial South India', *Transfers: An Interdisciplinary Journal of Mobility Studies* 4 (2014) 8–26.

<sup>21</sup> R.S. Basu, 'Rights' over wastelands and new narratives of the Paraiyan past (1860–1900), *Studies in History* 24 (2008) 265–293. Also see D. Kumar, *Land and Caste in South India*, Cambridge, 1965.

<sup>22</sup> Gidwani, 'Waste' and the permanent settlement in Bengal, 44.

<sup>23</sup> M. Chakravarty-Kaul, *Common Lands and Customary Law: Institutional Change in North India over the Past Two Centuries*, Delhi, 1996.

<sup>24</sup> J.E. Wilson, *The Domination of Strangers: Modern Governance in Eastern India, 1780–1835*, Basingstoke, 2008, 16.

administrative crises and uncertainty, Cornwallis and his followers in the colonial administration promoted the Permanent Settlement with its supposedly coherent, uniform and codified rules for private property and taxation. Thus, according to Wilson, the Permanent Settlement was ushered in as a response to perceived colonial crises, rather than as an attempt to further unilateral colonial domination.

Similarly, Travers has argued that the rules and categories of colonial rule, including those underpinning the Permanent Settlement, were not simply based on ideas imported by the British from outside India.<sup>25</sup> Instead, they must be viewed as elements of political thought invented, at least in part, in colonial Bengal. They were complex composites, emerging out of encounters between colonial administrators' interpretations of India's traditions, its supposed 'ancient constitution' as 'a living political reality', and European political and legal concepts.<sup>26</sup> Yet these complex composites, and the colonial policies they formed the bases of, did not go unresisted. Resistance by local elites and subaltern peasants against colonial state-building and revenue generation, before and during the Permanent Settlement in Bengal, has been well documented.<sup>27</sup> And while it is recognized that this resistance by humans took place in an ecological space, how the ecological-material entities participated in and afforded acts of resistance has not been directly addressed. Even when the resisting agencies of the ecological are documented, they are presented as 'ecological contingencies'.<sup>28</sup> Their role in the (re)constitution of the concepts and categories, ideas and meanings, undergirding colonial policies is also marginalized.

To address these issues in what follows we document controversies over the elements that constituted understandings of waste and over how these understandings should inform the Permanent Settlement. We also document the many ways in which humans and nonhumans dwelling on and as wastelands resisted being categorized as waste and resisted policies associated with this categorization. By highlighting these controversies and resistances, we aim to show how any ideological, moral and economic understandings of waste, as documented by Gidwani and Whitehead, were transformed by material-ecological struggles. These struggles were central to the actual processes by which the colonial administration made tracts of wasteland. Crucially, these struggles were material not only because of the divergent economic interests of the different actors involved, but also because of the diversity of actual land cover and land use encountered in practice. Enactments of wasteland, as a category, during the Permanent Settlement of Bengal and later of the so-called Ceded and Conquered Provinces were thus materially or ecologically contested.

By taking these contested enactments of wastelands into account we aim to highlight controversy and debate among the administrators. We also aim to show how what colonial administration intended to do was (successfully) opposed, modified or evaded by the interrelated humans and nonhumans that were to be governed. And we attempt to demonstrate that these dissenting agencies and voices, from among the colonized and from within the colonial administration, were plural and hybrid, their actions always afforded by other associated humans and nonhumans. Overall, through this account we hope to show how land and

its classifications have been historical actors of great importance, often refusing to play the roles that were expected of and assigned to them by (some) colonial administrators. Furthermore, by allowing acting nonhumans into our historical narrative, we hope to facilitate an expansion of the archive that can now be revisited and reinterpreted to reveal not just what is on its pages but also for the material encounters through which the content of those pages was produced.<sup>29</sup>

### Abstractions and enactments

Connections, links, relations or, following Latour, 'associations' form the starting point of our theoretical approach.<sup>30</sup> Action is an outcome of associations between humans and nonhumans, and between different (non)humans. These associations (re)compose space and time, as relational processes. Any individual category, such as waste, is then carved out of this relational time-space as an abstraction.<sup>31</sup> In other words, it is distilled from the tangle of associations which constitute it. It can, under felicitous conditions, find 'renewed relevance in circumstances that have yet to be determined'.<sup>32</sup>

An abstraction is not simply a product of thinking done by a human being alone.<sup>33</sup> Meanings are formed not inside human minds and ascribed to things, nor are they essential attributes of the things in themselves, but rather they are relationally constituted.<sup>34</sup> They are immanent to a specific collective of heterogeneous relations. We think of a collective as a tangle of associations between human bodies, the material-ecological world beyond them, and values and ideas. Any abstraction is thus a product of such a collective. A collective is not just a network of clearly identifiable actants. Instead it is a nebulous and dynamic gathering of associations, which produce and perform abstractions (such as individual categories) within them. An abstraction, even after it has been extricated from the collective that produced it, bears the imprint of that collective.

Any individual idea or category, as an abstraction, is brought into existence out of an acting and changing collective of associations between humans and things, including concepts, categories and other ideas.<sup>35</sup> For example, the meaning of a farm may be formed, made possible, through associations with human efforts alongside the work of notions such as 'natural resources' as well as of associated materials including soils, seeds, plants, fertilizers, wells and tillers. However, in the making of an abstraction, not all associations play an equally important role. Some associations are more forceful than others. Just like the power of humans, the power of nonhumans (including categories and ideas), as 'thing-power', is relational. It is located in associations rather than in the (individualized) entities themselves.<sup>36</sup> Yet, whenever one locates power in a specific association (or a specific entity), one incurs the risk of what Alfred North Whitehead called the 'fallacy of simple location'.<sup>37</sup> Therefore we avoid treating an association as a clearly specifiable

<sup>25</sup> R. Travers, *Ideology and Empire in Eighteenth-Century India: The British in Bengal*, Cambridge, 2007.

<sup>26</sup> Wilson, *The Domination of Strangers*, 52; Travers, *Ideology and Empire in Eighteenth-Century India*.

<sup>27</sup> Travers, *Ideology and Empire in Eighteenth-Century India*; I. Iqbal, *The Bengal Delta: Ecology, State and Social Change, 1840-1943*, Cambridge, 2010.

<sup>28</sup> Iqbal, *The Bengal Delta*, 185.

<sup>29</sup> F. Trentmann, Materiality in the future of history: things, practices, and politics, *Journal of British Studies* 48 (2009) 283–307.

<sup>30</sup> B. Latour, *Reassembling the Social: An Introduction to Actor-Network Theory*, Oxford, 2005.

<sup>31</sup> A.N. Whitehead, *Science and the Modern World*, New York, 1925.

<sup>32</sup> I. Stengers, *Cosmopolitics II*, Minneapolis, 2011, 327.

<sup>33</sup> G. Deleuze and F. Guattari, *What is Philosophy?* New York, 1994, 85–86.

<sup>34</sup> L. Malafouris, *How Things Shape the Mind: A Theory of Material Engagement*, London, 2013; G. Deleuze and F. Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, Minneapolis, 1987.

<sup>35</sup> This also implies that nothing is brought into existence *ex nihilo*, it is rather recreated through changes in its associations.

<sup>36</sup> J. Bennett, *Vibrant Matter: A Political Ecology of Things*, Durham and London, 2010.

<sup>37</sup> Whitehead, *Science and the Modern World*.

and stable tie in a network, retaining a degree of uncertainty about how power is distributed, and exactly where/when asymmetric power is localized, in a collective.

When an abstraction travels out to encounter other (new) collectives, as part of a process of 'universalization', or as part of 'scaling up', it is translated into the new collectives and attempts to reconfigure the tangle of associations that constitute the latter.<sup>38</sup> Borrowing a term from Mol, we refer to this performative process of translation and attempted reconfiguration as enactment.<sup>39</sup> Here, the extent to which meanings may change and associations may be reconfigured will depend on the distribution of (thing-)power in a receiving collective. This distribution of power may itself change as an abstraction is introduced into the receiving collective.

In the process of enactment a direct transfer of an abstract category's extant meaning will generally be resisted by the new collective. Through this material struggle, if successful, the category takes new meanings and performs different actions. In extreme situations, when power is absolutely mobilized behind a particular meaning of a category and concerted efforts are made to keep resistance at bay and keep meanings stable – as in a strictly regulated standardization process – the category's extant meaning may remain unchanged in enactment, leading only to a unilateral reconfiguration of a receiving collective. More often, however, enactment is likely to lead to the production of new meanings as well as reconfiguration of social-material-ecological relations in receiving collectives, to different degrees in different settings.<sup>40</sup> In this way, a multiplicity of meanings of the 'same' category may be produced as it travels across time and space encountering and transforming different collectives composed of associated humans and nonhumans, ideas and values, concepts and categories, as well as bodies and landscapes.

### Wasteland enacted

In order to capture the multiple enactments of wastelands, we use archival material from the India Office Records located at the British Library. We began work in the archives by re-reading passages from documents referred to by authors such as Gidwani and Whitehead. Following this, we performed our own searches using keywords such as waste, wasteland, jungle and uncultivated land. This search was carried out in the archive's digital search engine and in the indexes of collections of incoming and outgoing letters from various revenue collectors' offices in the province of Bengal. The revenue collectors' communications were particularly important for our purposes because, among all the relevant documents we could locate, these came closest to describing the lands, their direct users and their practices. This was important to enable the materiality of lands and their associated entities (such as the entities growing on and below the land's surface and the land's users) to come into view as far as possible.

Before narrating the history of colonial enactments of the category wasteland, we must point out that our work required sensitivity to a range of categories that overlap with it. Where one archival record referred to a piece of land as wasteland, others may have referred to that same land as 'uncultivated land', 'land which is not privately owned', or 'jungle'. An interesting illustration of this comes to the fore in the following claim by the nineteenth-century Scottish historian W.W. Hunter, which was later mobilized by Gidwani to highlight the importance of the category 'wasteland' in

the making of the Permanent Settlement of Bengal.<sup>41</sup> In 1894, Hunter wrote that 'Even in regard to the all-important question of *Waste Lands*, whose vast extent and difficulties of reclamation determined both Cornwallis and the Court of Directors to declare the Settlement permanent, the exact area was absolutely unknown in any District'.<sup>42</sup> Hunter's claim was referring to an estimate by Cornwallis in 1789 that about a third of the company's territory in Bengal was 'jungle'.<sup>43</sup> Curiously, however, instead of using Cornwallis' term 'jungle', Hunter and, later, both Whitehead and Gidwani use the term 'wasteland'. Nineteen years after Cornwallis' original statement, in 1808, Henry Colebrooke, a member of the governor-general's council from 1807 until 1812, also reflected on the extent of 'jungle', arguing – using yet another term – that these were all 'lands fit for cultivation', just not cultivated yet.<sup>44</sup>

Furthermore, in letters written by various colonial administrators in Bengal discussing local situations, both the terms 'waste' and 'jungle' feature prominently, and Chakravarty-Kaul's work has demonstrated that there was a wide range of terms used by the British colonial administrators in Punjab.<sup>45</sup> She herself predominantly uses the term 'common lands', which is her umbrella term for the lands she studied. But her work shows that even though the British often referred to any kind of land that was not both individually owned and cultivated as 'waste', they also deployed a wide range of categories to describe those lands. Those categories were partly British inventions, but many also originated from different kinds of existing institutional arrangements in the area. These include, for example, banjar kadim (long fallows inside village boundaries, but outside the residential area), 'extensive wastes' (uncultivated land, used mostly for grazing located outside village boundaries) and 'riverain grazing'. While some of the terms clearly brought to the fore the specific materiality of those lands – riverain grazing land, for example, was located along a river and sometimes got inundated – others categorized as 'wastes' could be anything from forests to shrubland to grasslands. Similarly, Gidwani highlights that administrators in south India distinguished between five different kinds of 'waste', including commons that were to remain under the jurisdiction of villages.<sup>46</sup> Indeed, in debates on the enclosure of common lands in England between 1700 and 1820, the terms 'commons', 'common waste' and simply 'waste' were all used without clear demarcation of their different meanings.<sup>47</sup>

Two issues emerge out of these observations. First, we need to narrate more than the enactment of the specific term 'wasteland', by including other related (and, it appears, partially substitutable) terms such as 'jungle', 'uncultivated lands', and 'arable land which is not privately owned'. While doing this we have to remain attentive to the subtle differences between these terms as well as the differences in meaning of a single term as it moves from one archival source to the next. Second, not all categories akin to waste were abstractions of the same order: some bore the imprint of the materiality of the lands more overtly and in them the thing-power

<sup>41</sup> Gidwani, 'Waste' and the permanent settlement in Bengal, 39.

<sup>42</sup> W.W. Hunter, *Bengal MS Records 1782-1807*, London, 1894, 86; Gidwani, 'Waste' and the permanent settlement of Bengal, 39, italic by Gidwani.

<sup>43</sup> C. Cornwallis, Minute of the governor-general, 18 September 1789, in: C. Ross, *Correspondence of Charles, First Marquis Cornwallis*, volume 2, London, 1859, 562.

<sup>44</sup> Paragraph 14 of Mr. Colebrooke's minute, 1808, in: *Selection of Papers from the Records of the East India House*, volume 1, London, 1820, italic in the original.

<sup>45</sup> Chakravarty-Kaul, *Common Lands and Customary Law*.

<sup>46</sup> Gidwani, 'Waste' and the permanent settlement in Bengal, 43.

<sup>47</sup> J.M. Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700-1820*, Cambridge, 1993. Neeson's work clearly shows that the debates on enclosure in England at the time focused around the question of how to reap the greatest benefit from lands for specific groups or society as a whole. The fact that land referred to as waste was central to the livelihood of parts of society living on very meagre means was recognized by all, regardless of their position in the debate.

<sup>38</sup> A. Tsing, *Friction: An Ethnography of Global Connection*, Princeton, 2005; J.M. von der Weid, *Scaling Up and Scaling Further Up*, Rio de Janeiro, 2000.

<sup>39</sup> A. Mol, *The Body Multiple: Ontology in Medical Practice*, London, 2002.

<sup>40</sup> Mol, *The Body Multiple*.

of the lands' materiality was more clearly observable. Some categories or meanings were therefore more material than others.

### The Permanent Settlement of Bengal

By the late 1780s Lord Cornwallis was eager to proclaim Bengal's Permanent Settlement, to declare all rates of tax on landholdings as fixed from the date of the settlement's introduction.<sup>48</sup> A quick introduction of the Permanent Settlement, as desired by Cornwallis, was to be based on fixing forever the tax rates that were already being levied. John Shore, then the president of the Board of Revenue of the British government of Bengal, doubted whether this taxation strategy was wise.<sup>49</sup> In a 120-page 'minute', he argued why the introduction of the Permanent Settlement should be slowed down. Shore felt that any permanent tax rate must take into account the enormous diversity of lands (in terms of their material characteristics) even within a single district of Bengal:

It would ... be impossible, I conceive, to fix specific rates for any one species of produce, in any district generally; the quality of the soil and the situation of the land, as enjoying the advantages of markets and water-carriage, must determine it.<sup>50</sup>

Shore's minute is interesting for two additional reasons. First, because it demonstrates the importance of lands' associations with a host of other entities including (quality of the) soil, markets and water, which are critical for making land productive in diverse ways. Second, because Shore effectively challenges Hunter's and later Gidwani's claim that classification of land as waste was central to the implementation of the Permanent Settlement of Bengal. Shore does not mention wasteland, waste, jungle, unassessed lands or any other related category. He did mention the category 'uncultivated land' once, but only to highlight the differences in the proportion of uncultivated land in different districts. In some districts, according to Shore, this proportion was negligible. But in areas where the proportion of 'uncultivated lands' was higher, Shore argued that a Permanent Settlement in which tax rates were independent of the material condition of the lands might cause two kinds of problems.

First, such a Permanent Settlement would fix in perpetuity the tax rate on a parcel of land based on crops produced in its existing condition as uncultivated or undercultivated land, setting a very low or zero tax. The conversion of this land into productive farmland after the introduction of the Permanent Settlement would change the land's material condition. It might, for example, change from being associated with trees or shrubs to being associated with crops, workers and irrigation. However, this change in material associations would be irrelevant for tax collection purposes if the tax rate on this land was fixed in advance. Eventually, the tax revenue collected (under the Permanent Settlement policy favoured by Cornwallis) would be lower than the revenues in a situation where the tax rate was tied to the actual materiality of the land. Second, under Cornwallis' Permanent Settlement, the 'uncultivated land' that had been converted into farmland would continue to be classified in administrative records as 'uncultivated'

or 'unused' or even 'waste'. According to Shore, this administrative category mistake could be avoided if the Permanent Settlement was undergirded by land categories which articulated (with) the actual (changing) material condition and uses of the lands.<sup>51</sup>

Lord Cornwallis replied to Shore's minute twice, and with great vigour. To emphasize the importance of immediately introducing a Permanent Settlement in Bengal, he claimed that a third of the territory under the East India Company was jungle 'inhabited only by wild beasts', from which no rent could be extracted.<sup>52</sup> In addition, Cornwallis claimed that nobody would be willing to clear this jungle for cultivation if they were only allowed a short (ten year) lease on the land. Overall, Cornwallis appeared to be mainly concerned with the quick conversion of uncultivated land into cultivated land. While this conversion may have also been important for Shore, it did not divert his attention from the diversity of lands, based on their actually changing conditions and materialities. Cornwallis, on the other hand, by referring to 'uncultivated lands' as 'jungle' and by associating that land with 'wild beasts', managed to dissociate the lands from many of the material elements, such as soil and water, considered important by Shore. Critically, for Cornwallis, these dissociations were operational not just in the late eighteenth century but for a long – indeed permanent – time to come.

Eventually, as tax rates were fixed in perpetuity, Cornwallis' collective of 'wild beasts' and an overwhelming desire to collect rent, appears to have prevailed over that of Shore with its material elements such as soil and water and a desire for the accurate determination of land value.<sup>53</sup> These two collectives constituted different meanings of the category 'jungle' or 'uncultivated land', and the abstraction produced by Cornwallis' collective is the less materially articulated of the two. By largely ignoring the materiality of the lands Cornwallis' collective produced a category that could, in principle, be applied across Bengal, forming the basis of British Permanent Settlement policy.

The category 'jungle' produced by Cornwallis' collective was also contested on another front. Often the land classified as jungle was already being used for various purposes and thus was not available for cultivation. In those cases, the category jungle took on new meanings upon encountering new user practices and associated material elements of user collectives. As an example, consider the episode that began in 1793 with a debate between the Board of Revenue, the collector of the Burdwan district at the time, Samuel Davis, and a European trader named Robert Heaven.<sup>54</sup> Mr Heaven was the de facto owner of a large parcel of 'jungle' land in Bishnupore, Burdwan, and charged a 'duty' to anyone collecting wood from this jungle. An East India Company employee in Burdwan reported to Davis that he had received numerous complaints from weavers, manufacturers and sugar contractors regarding the high duty that Heaven exacted for cutting wood from the jungle. Clearly, the collective into which the category 'jungle' had landed, through

<sup>48</sup> Shore, Minute of Mr Shore, 114.

<sup>49</sup> It is this very same utterance that Hunter refers to as discussed in the 'wasteland enacted' section of this paper on the observation that wasteland as a category overlaps with a host of other categories.

<sup>50</sup> Guha, *A Rule of Property for Bengal*.

<sup>51</sup> This debate is documented in a series of letters written by S. Davis in 1793, published in R. Guha and A. Mitra (Eds), *West Bengal District Records, Burdwan Letters Issued 1788-1800*, Calcutta, 1956. The letters are entitled Letter to Mr. R. Heaven, Soonamookey, 25th of June 1793; Letter to J. Cheap Esqr., Resident at Soonamookey, 25th of June 1793; Letter to John Cheap Esqr, Resident at Soorool, 26th of June 1793; Letter to Mr. Heaven, Soonamookey, 30th of June 1793; Letter to William Cowper Esqr., President & Members of the Board of Revenue, Fort William, 11th of July, 1793; Letter to Robert Heaven, Soonamookey, 11th of July 1793; Letter to Heaven, Soonamookey, 9th of August 1793; Letter to William Cowper Esqr., President & Members of the Board of Revenue, Fort William, 2nd October 1793.

<sup>48</sup> W. Firminger (Ed.), *The Fifth Report from the Select Committee on the Affairs of the East India Company*, 3 volumes, Calcutta, 1918.

<sup>49</sup> John Shore was a senior official of the government of Bengal from 1787 until 1793, and governor-general of British India from 1793 until 1797. In 1789 he was responsible for the completion of the decennial settlement of the revenues of Bengal, see *Dictionary of National Biography*, London, 1900.

<sup>50</sup> J. Shore, Minute of Mr Shore, dated 18 June 1789; respecting the permanent settlement of the lands in the Bengal provinces, in: Firminger, *The Fifth Report ... on the Affairs of the East India Company*, 86.

associations with trees, wood and diverse users, was quite different from Cornwallis' collective (constituted 'only by wild beasts') out of which the category had been abstracted. Moreover, the 'jungle' of Bishenpore was not land that did not yield any revenue: the jungle users' complaints were precisely about the revenue already being extracted from them by Robert Heaven for using the jungle, part of which would, in turn, be passed on as taxes to the government.

Like 'jungle', the category 'wasteland' appears in many documents from late eighteenth-century Bengal. In one such appearance, the category was deployed in a colonial administrative collective constituted by the collector of Burdwan, the Board of Revenue, a local landlord or zemindar (figures who often also carried out administrative and judicial tasks locally), and the profit imperative, in order to facilitate the transfer of a large parcel of land to a European trader named John Cheap who planned to start indigo production on the 'waste' land, thus ostensibly bringing this land with its 'very proper' soil into cultivation using his 'own bullocks and servants'.<sup>55</sup> The collector of Burdwan and John Shore, as president of the Board of Revenue, by deploying the category in their collective, argued that these lands should be leased at reduced rates to Cheap to facilitate this initiative.<sup>56</sup>

In other instances 'wasteland' was used interchangeably with other categories. Consider an episode from 1789 again involving John Shore. On behalf of the Board of Revenue, Shore sent out requests to all district collectors of Bengal, asking them to inform him about the extent and condition of 'rent-free lands' that could be (re) allocated for cultivation.<sup>57</sup> He also asked them to provide assessments of the probable amount of alienations and protest resulting from allocating these lands to cultivators at reduced rent. Such land allocation was in principle to be carried out by zemindars, followed by approval from the government.<sup>58</sup> Lawrence Mercer, the collector of Burdwan at the time, replied that the extent of rent-free lands could not be easily determined, and 'that on pretense of improving the country by granting waste lands to individuals he [a zemindar] may alienate those already in cultivation'.<sup>59</sup> Nevertheless he felt that this alienation and any subsequent protests should not stop the government from granting these so-called waste lands to individuals. The collector clearly judged that resistance against land transfer, and against the classification which undergirded it, was no reason for halting the eviction of some people (and of their practices) from the 'waste' lands.<sup>60</sup> What appears to prevail here, just as it did in the debate between Cornwallis and Shore, is the central importance afforded to increasing the amount of land under cultivation as quickly as possible. Thus even though the category 'waste' encountered new collectives constituted by lands, their existing users and zemindars, the 'thing-power' of these new associations appears to have been less important than the association with the strictly economic concern of increasing land rents.

In sum, many categories and meanings, with associated

materials and practices, were active at the time of the debate between Shore and Cornwallis over the Permanent Settlement. While the concern with increasing British revenues by increasing the land area under cultivation may have been critical for all prominent colonial administrators, some such as Shore and the collector of Burdwan took into account the categories' associations with different (material) entities implicated in extant use and cover of the categorized lands. Shore also recognized the possibility of land use change, requiring new categories or changes in an existing category's meaning to describe the lands accurately. In contrast, Cornwallis refused to acknowledge the dynamic diversity of lands' materiality. His collective, out of which the category jungle was abstracted, was populated only by 'wild beasts' that must be displaced to make way for rent-generating cultivation. Cornwallis' exclusion of many entities associated with diverse land uses from his collective foreclosed the possibilities of resistance by the excluded entities to his plan for the Permanent Settlement, making it possible for him to argue for his plan as a pragmatic solution which made it simple to administer and collect revenue. This may have been critical in bringing a temporary closure to the debate in Cornwallis' favour with the introduction of the Permanent Settlement in 1793.

However, it is important to note that the influence of the thing-power of the lands and their vegetation may have been marginal only in some collectives, such as those dominated by Cornwallis' 'jungle'. While in other collectives, such as that of Shore, the force of material things played a more central role in shaping the land-categories' meanings. We demonstrate this in greater detail below.<sup>61</sup>

### Permanent Settlement in the Ceded and Conquered Provinces

As the Permanent Settlement was extended to the so-called Ceded and Conquered Provinces in northern India similar debates and controversies ensued as they had two decades earlier in Bengal.<sup>62</sup> A report by the provincial Board of Commissioners from the 13th of April 1808 called for a slow and careful approach. It also argued that more knowledge should be acquired on the diversity of resources, such as irrigation structures, and the many ways in which lands were currently assessed, and on the extent of wasteland that could actually be 'recovered' for cultivation purposes.<sup>63</sup>

In a response to the Board of Commissioners, Henry Colebrooke wrote a long minute stating that the collectors and commissioners

<sup>61</sup> While we provide examples of how Cornwallis' victory in the 1793 Permanent Settlement of Bengal did not get extended to the Ceded and Conquered Provinces, Chakravarty-Kaul, *Customary Lands and Customary Law* very clearly shows that in the case of colonial Punjab there were many situations in which the locally important materiality of wastelands meant that the colonial administration did not gain or attribute themselves rights to those lands. In addition, she shows that this locally-sensitive attitude of the colonial administration changed once they were faced with the material need for wood to build railways and canals, and with the extension of irrigation systems to previously unirrigated lands.

<sup>62</sup> The Ceded and Conquered Provinces were a region in northern India ruled by the East India Company from 1805 onwards. Its capital was Agra. M. Mann, A permanent settlement for the ceded and conquered provinces: revenue administration in north India, 1801–1833, *The Indian Economic and Social History Review* 32 (1995) 245–269.

<sup>63</sup> Board of Commissioners in the Ceded and Conquered Provinces, Report, 13th of April 1808, in: *Report from the Select Committee of the House of Commons on the Affairs of the East-India Company*, London, 1832. This stance is similar to John Shore's, who generally considered the acquisition of more information about land use in practice to be of crucial importance, in order to work towards a situation characterized by the coincidence of experiential 'practice' and general 'principles' of government. Lord Cornwallis and Mr. Colebrooke took a different stance. They doubted whether more information would lead to more useful knowledge, and instead argued that it was crucial to act decisively, see Wilson, *The Domination of Strangers*.

<sup>55</sup> S. Davis, Letter to William Cowper Esqr., President & Members of the Board of Revenue, Fort William, dated 10th of June 1795, in: Guha and Mitra (Eds), *West Bengal District Records*, 203.

<sup>56</sup> J. Cheap, Letter to Samuel Davis Esqr., Collector of Burdwan, 31st of May 1795, in: Guha and Mitra (Eds), *West Bengal District Records*, 203–204.

<sup>57</sup> L. Mercer, Letter to John Shore Esqr., President and Members of the Board of Revenue, Fort William, 20th April 1789, in: Guha and Mitra (Eds), *West Bengal District Records*, 9–10.

<sup>58</sup> Zemindars were the landlords in Bengal, who played various roles in rural areas. One of their most prominent roles was to collect tax from farmers in their locality: B.D. Metcalf and T.R. Metcalf, *A Concise History of Modern India*, second edition, Cambridge, 2006.

<sup>59</sup> Mercer, Letter to John Shore Esqr., 10, emphasis added.

<sup>60</sup> Interestingly, Hunter, *Bengal MS Records*, 87, writes that '[Government] could not give away the rights of the cultivators to the "waste" or pasture lands attached to the village commune, and necessary for the subsistence of the village cattle'.

had overlooked several important factors that made it crucial to immediately install the Permanent Settlement in the Ceded and Conquered Provinces. According to him, the commissioners were delaying the settlement because they wanted to ‘participate’ in the future ‘improvement’ of lands – to levy taxes on previously unassessed ‘wastelands’ once they were successfully brought under cultivation.<sup>64</sup> Colebrooke felt that this obsession with tax collection would ‘counteract, if not wholly damp that spirit of industry and improvement ... which is the greatest object of fixing the tax on each estate’.<sup>65</sup>

Colebrooke's point was that he and Lord Cornwallis before him were not driven by narrow tax-collection interests, but rather by the ultimate goal of promoting the ‘spirit of industry and improvement’. This ultimate goal underlined the urgency with which they treated the matter. Such general urgency was important, he wrote, repeating the governor-general's earlier claim, because ‘Lord Cornwallis [had] estimated no less than a third part of the company's territory to be a jungle’.<sup>66</sup> Regarding this ‘jungle’, Colebrooke was of ‘the opinion that the estimate may, with great approximation to accuracy, be understood as applicable to lands fit for cultivation, and totally exclusive of lands [that were] barren and irreclaimable’.<sup>67</sup> Unfortunately, he did not explain what was to be done in relation to the wild beasts and forest clearing work noted by Cornwallis when he had made his statement about the size of the jungle. Here, Colebrooke's collective, just like Cornwallis' collective before, managed to obscure the enormous diversity of lands classified as jungle while also ignoring the wild beasts whose presence was clear in Cornwallis' collective.

However, Colebrooke did elaborate that there were ‘two sorts of wasteland; first, those in the level country, interspersed in more or less extensive tracts among the cultivated lands; and secondly, the Sunderbunds, at the foot of the vast range of mountains which nearly encircle the Bengal provinces’.<sup>68</sup> According to him, the former could be brought into cultivation easily, though they ‘furnish pasture for the great herds of cattle that are necessary for the plough, and also to supply the inhabitants with ghee and milk, two of the principal necessities of life in this country’. But, he continued, ‘the lands in this desolate state far exceed what would suffice for those two purposes’.<sup>69</sup> As such, he argued, cultivating this type of pastureland could make their future landholders affluent which, for Colebrooke, was crucial in preventing ‘domestic’ uprisings as it would ensure the welfare and general satisfaction of a large landholding community. Thus, Colebrooke's collective, while excluding forests and beasts by narrowing down wasteland-jungle to uncultivated lands that were deemed fit for cultivation, managed to include herds of cattle, ghee and milk, ploughs and the future affluence of the landholders. Nonetheless, these rich associations were only adequate for Colebrooke to describe the condition of this land as ‘desolate’.

By 1812, the Board of Commissioners was still refusing to introduce a Permanent Settlement in the Ceded and Conquered Provinces in the short run (within a span of a few years). They argued that a Permanent Settlement should only be applied to lands that were already in a ‘sufficiently improved state of cultivation’.<sup>70</sup> In addition, they felt that the tax rate for any ‘unsettled

land should only be fixed in perpetuity after it had been brought under cultivation. This would enable the government to secure higher tax revenue from the lands that were newly brought under cultivation. To increase the tax revenues further they suggested a revision of the tax rate at a regular interval.<sup>71</sup>

The commissioners further argued that a Permanent Settlement should only be introduced based on detailed knowledge of the current productivity and revenue collection from the land in question. Lands which did not fall into the category of ‘revenue land under cultivation’ were considered problematic by the commissioners not because they were uncultivated or waste, but rather because they were all different: some were fertile, others were not, some were in use as grazing lands, others were under tree cover, revenue might be collected from some, while still others might be under cultivation despite an absence of revenue collection. This heterogeneity of land blocked access to easy information collection and subsequent categorization. As such, this inclusion of diverse lands in the commissioners' collective effectively challenged Colebrooke's plans for a single permanent settlement rule for all land in the Ceded and Conquered Provinces. The diversity of lands, as well as the general lack of information on existing settlements continued to fuel debate on a Permanent Settlement for the Ceded and Conquered Provinces until the enactment of the Bengal Tenancy Act in 1885.<sup>72</sup>

While the collective of diverse lands classified as waste or uncultivated may have effectively challenged the extension of Permanent Settlement to the Ceded and Conquered Provinces in the first decade of the nineteenth century, this diversity became particularly pertinent and visible again when new wasteland rules were announced after 1863. This began when Act No. XXIII was passed ‘to provide for the adjudication of claims to wastelands’.<sup>73</sup> The Act required district collectors to collate claims made by people asserting their rights to use or own parcels of wasteland that were about to be sold or leased. It suggested that if there were any such claims the sale or lease may be cancelled or subject to particular conditions. However, the Act gave no guidelines on how to weigh existing claims, or on the conditions under which the land was to be sold or leased, the size of each allocation, and who could apply for such wastelands. Following this Act, the various provinces of British India formulated their own rules for allocation of wastelands. For example, Bengal now had many different rules for wastelands in different areas, for allocation to small capitalists or large capitalists, for generally arable lands, and specifically for the cultivation of tea, attempting to suit the socio-material specificity of each type of wasteland allocation.<sup>74</sup> Accompanying the proliferation of these rules, the meanings of wasteland had also multiplied since the late eighteenth century, with new meanings, and often new categories, being formed as the category ‘waste’ encountered, and was enacted in, different collectives constituted by entities such as cattle, milk, mountains, provincial boundaries, water, soils, crops, trees, shrubs and their diverse (human) users.

The rules for wasteland allocation had changed regularly, roughly every ten years, since the time of Cornwallis' Permanent Settlement of Bengal. Perhaps the most consistent change in the rules over time was that the size of the plots to be allocated increased considerably. For example, while the rules for the lease of wastelands in the districts of Julpaiguri and Darjeeling (in Bengal)

<sup>64</sup> Colebrooke, Mr Colebrooke's Minute, 1808.

<sup>65</sup> Colebrooke, Mr Colebrooke's Minute, 1808, paragraph 22, emphasis added.

<sup>66</sup> Colebrooke, Mr Colebrooke's Minute, 1808, paragraph 14.

<sup>67</sup> Colebrooke, Mr Colebrooke's Minute, 1808, paragraph 14.

<sup>68</sup> Colebrooke, Mr Colebrooke's Minute, 1808, paragraph 23.

<sup>69</sup> Colebrooke, Mr Colebrooke's Minute, 1808, paragraph 24.

<sup>70</sup> Board of Commissioners in the Ceded and Conquered Provinces, Extract revenue letter to Bengal, 15th January 1812, paragraph 67, in: *Selection of Papers from the Records of the East India House*, volume 1.

<sup>71</sup> Board of Commissioners in the Ceded and Conquered Provinces, Extract revenue letter to Bengal, paragraph 73.

<sup>72</sup> Mann, A permanent settlement for the ceded and conquered provinces.

<sup>73</sup> Government of British India, *Waste Land (Claims) Act*, 1863.

<sup>74</sup> Board of Revenue, *Bengal Waste Lands Manual*, Calcutta, 1878, 1888, 1904, 1909, 1919, 1936.



from 1888 stated that 800 acres was the maximum plot size to be allotted to any single applicant, the same rules from 1904 allowed for the granting of 1500 acres, illustrating the growing strength of the collective of wasteland rules and their beneficiaries.<sup>75</sup>

In summary, the diverse collectives that (re)composed the categories of land for permanent settlement ended up producing many different rules rather than a uniform one to be applied everywhere in British India. Even within a single province, such as Bengal, many different rules were being enacted. The development and changes in those rules over time shows that the lands' diversity, and the relational power of (some) things covering these lands, was to a limited extent taken into account by colonial administrators. However, more critically, the diversity of lands was marginalized in the creation of a new set of rules aimed at continued allocation of larger parcels of wasteland to productive individuals or companies. Acquiring land under these wasteland rules was popular, for example, for the production of tea. These rules thus successfully facilitated the exploitation of lands for the cultivation of cash crops on modern plantations, which were inevitably accompanied by the marginalization of existing land-use practices.<sup>76</sup> Thus, as we have documented above, while the categories definitely encountered the lands' diverse materiality in the different collectives, and the meanings of the categories were multiplied, the official rules for wasteland reallocation marginalized this multiplicity – and thereby the lands' materiality – and promoted a transition toward cash crop cultivation. Even though the rules stipulated procedures that sometimes allowed the raising of objections to the official assessment of a particular parcel as wasteland, these rules primarily functioned to facilitate land transfers for turning forest, grazing land, common lands, and many other types of lands – which had many important benefits for various groups – into cultivated lands controlled by individuals or companies, and often producing cash crops.

## Conclusions

The Permanent Settlement of colonial Bengal in the late eighteenth century has been previously presented as being underpinned by ideas of mercantilism, physiocracy and Benthamite utilitarianism, as well as by moral ideologies derived from the Lockean theory of natural rights over property. Our aim has been to argue that debates about the lands' materiality were central to the Permanent Settlement. The meanings of categories such as waste, initially designed to facilitate the transfer of land to cultivators and planters, thereby allowing the colonial administration to extract rent from the land, were (re)shaped by the lands' diverse material-ecological realities in different colonial collectives constituted variously by large carnivorous animals, pastures and (the cutting of) trees in densely forested areas. In fact, it was by taking new meanings that the categories could find relevance in collectives other than the ones in which they had previously been constituted. Also, depending on how the relational thing-power of materials was able to act on the categories, multiple meanings of wasteland, and associated categories, were enacted, which in turn led to changing rules for wasteland reallocation to planters and cultivators.

However, the rules nevertheless favoured the development of

plantations and cash crop cultivation, leading to the marginalization and eventual destruction of extant land cover and land use practices. In this sense, the influence of the lands' materiality, the force of their thing-power, on the rules that came into being was limited, with precedence being afforded to the economic motive of rent collection and to furthering a particular version of the 'spirit of industry and improvement'.<sup>77</sup> While the emphasis that scholars such as Gidwani and Whitehead place on the ideological underpinnings of the category 'wasteland' might be justified when it comes to appreciating the thrust of wasteland reallocation policies and rules, it marginalizes the multiplicity of meanings that the category took through its encounters with different collectives constituted by the lands and the cattle and forests that thrived on them. This lack of attention to material encounters creates the impression that once the category was defined it unidirectionally classified land as waste or productive and made available a land classification system that segmented and then dominated the material reality that pre-existed it.<sup>78</sup> Such narratives marginalise the debates and controversies that took place between colonial administrators, which were afforded by the lands' materiality and extant use. In this way, these narratives end up obscuring the relational processes through which socio-material domination was negotiated, achieved and maintained by the colonial apparatus.

We have attempted to unravel these relational processes for achieving domination in three ways. First, by documenting the controversies entailed in classifying land as waste or jungle, and the role played by those controversies in shaping the Permanent Settlement (or later, wasteland development). Second, by showing how different sides in a variety of controversies were undergirded by different meanings of the category wasteland or jungle, which themselves were constituted through associations in different socio-material collectives. And, finally, by demonstrating that victory in each controversy or debate depended not only on the range of human and nonhuman associations mobilized by the proponents of a position, but also crucially by what was left unmobilized or excluded. Thus, the power of British colonial categories of waste and their proponents, unlike the power of Portuguese colonial 'explorers' discussed by Law or the power to dump nuclear waste on 'marginal' Native American lands discussed by Kuletz, was not a function of the sheer number of nonhumans and humans enrolled into collectives.<sup>79</sup> Colonial power during the Permanent Settlement was also built on the entities and relations that were excluded from some collectives. These exclusions included cattle, milk, mountains, provincial boundaries, water, soils, crops, trees and shrubs as well as human land users.

By devoting attention to controversies and material associations in processes through which domination was achieved, we are able

<sup>75</sup> Gidwani, 'Waste' and the permanent settlement in Bengal; Gidwani, *Capital Interrupted*; Whitehead, John Locke and the governance of India's landscape; Whitehead, John Locke, accumulation by dispossession and the governance of colonial India.

<sup>76</sup> I. Stengers, *Cosmopolitics I*, Minneapolis, 2010.

<sup>77</sup> J. Law, On methods of long distance control: vessels, navigation, and the Portuguese route to India, in: J. Law (Ed.), *Power, Action and Belief: A New Sociology of Knowledge?* London, 1986, 234–263; V.L. Kuletz, *The Tainted Desert: Environmental and Social Ruin in the American West*, London, 1998. In a similar way, Cronon has shown how categorization of Native Americans, living in ecologically abundant areas, as 'wasteful' was used to oust them from such areas under conservationist regimes: W. Cronon, The trouble with wilderness: or, getting back to the wrong nature, *Environmental History* 1 (1996) 7–28; W. Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England*, New York, 1983. In China, Yeh shows how Lhasa's Lhalu wetland's classification as a 'wasteland' that had not been cultivated for thousands of years, according to government officials, was later transformed into a 'wetland' with 'pristine nature' that could satisfy the rising demand for tourism, see E.T. Yeh, From wasteland to wetland? Nature and nation, *Environmental History* 14 (2009) 103–137.

<sup>75</sup> Board of Revenue, Section III Part I: Rules for the lease of waste land for tea cultivation in the districts of Julpigoree and Darjeeling in: *Bengal Waste Lands Manual*, Calcutta, 1888, paragraph 7; Board of Revenue, Rules for the grant of leases of waste lands for tea cultivation in the districts of Jalpaiguri and Darjeeling, in: *Bengal Waste Lands Manual*, Calcutta, 1904, paragraph 7.

<sup>76</sup> G. LaFavre, The tea gardens of Assam and Bengal: Company rule and exploitation of the Indian population during the nineteenth century, *The Trinity Papers* (2013) 17–31.

to avoid an inadvertent bias in existing scholarship on colonial categories such as waste. This bias leads to narrative framings that privilege institutional rules and their application, rather than the debates and controversies that lay behind them, and thereby favour the terms of the victors in those controversies. Recovering these controversies and associated struggles has important implications.

First, it demonstrates that before any material realities and practices were disregarded and transformed by the victors in a debate, and by the colonial administrative apparatus more generally, these material-ecological realities of the lands in question were exerting their force in some collectives, through specific positions taken in the controversies.<sup>80</sup> So, by pointing to the role of extant material-ecological realities and associated land-use practices in historical debates, and by giving them analytical importance, we take a preliminary step toward a socio-material form of 'anamnesis', or un-forgetting. We hope that this form of remembering will open up new debates on what colonial categories such as wastelands might mean in the twenty-first century.<sup>81</sup> Perhaps present-day variants of some material realities and practices that were disregarded and marginalized can be found in spaces hidden from, or ignored and suppressed by, state administrative apparatuses. And perhaps, to contribute to the continued project of decolonization, these marginalized practices, that are social as well as material, might be revalorized and promoted, while the power of categories and associated rules defined within powerful postcolonial administrative collectives might be reined in. Together, this reining in and revalorization could help in enlarging the possibility of realizing new practices that are different from those prescribed by the powerful, or handed down as the way things are in historical narratives.

Second, by bringing different human and nonhuman entities to the fore, and showing some of their multifarious associations with each other in different wasteland, jungle and uncultivated land collectives in Bengal and elsewhere in colonial India, we aim to provide a new relationally collective figuration for individual historical actors (who are generally human). This new collective figuration is based on the premise that no single entity, human or nonhuman, is able to act – to make a difference – on its own: every being or thing comes into existence through active relations with others in different situated collectives.<sup>82</sup> In this way, our work also differs from earlier historical work that takes nonhuman agency seriously.<sup>83</sup> In our narrative this relational coming into being, or enactment, was an inherently uncertain process, which depended on the different ways in which material and ideological characteristics of different entities were mobilized in different collectives. Recognizing this uncertainty should not lead to a suspension of (decolonizing) struggle or action simply because the disqualifying and destructive actions of the past have to be distributed across multiple entities in a collective and cannot now be easily attributed to a colonial administrator and his office. Instead it should serve as a call to work with the uncertainly distributed nature of power and agency, to assemble a multitude of on-going struggles to counteract colonial power's equally dispersed and shifting legacies in postcolonial governmental apparatuses and beyond.

Third, we hope to have demonstrated that it is not constructive to think about policy or classification through the lens of the

implementation of ideas. Ideas may not be the horses that pull the cart of material realities behind them, but rather the doing of things (or enactment) may come before or at the same time as knowing about them.<sup>84</sup> Ideas get (re)constituted in action. This not only means that knowing is doing or acting, but also that acting differently produces different knowings. As we have noted above, thing-power is relationally exerted to different effects in different collectives, producing a multiplicity of meanings which are more or less material. By accounting for diverse knowings situated in different collectives, and variously influenced by the thing-power of materials, we may be able to mobilize the multiplicity of heterogeneous meanings hiding under ostensibly monovalent categories.

These theoretical and methodological propositions have important implications for the empirical problem of wastelands. Clearly there were instances in which all of the following happened: a) nonhuman and human members of the collectives associated with so-called wastelands resisted the effects of being classified as wasteland by the colonial administration; b) different colonial administrators produced divergent understandings of land-use in the processes of land classification and policy formation – for instance, compare Cornwallis' static understanding of land-use according to which the extant use would remain unchanged if colonial policy was not introduced and Shore's dynamic understanding in which land use and land quality necessarily changed over time; c) the associations of a parcel of 'wasteland' with extant uses and materials, such as forests or pastures, did not stop the re-allocation of the parcel for cultivation or for a tea estate. Rather, as we have argued, admitting these rich associations often led to various reformulations of wasteland allocation rules which facilitated the new preferred land uses, in spite of all known existing practices. This also meant that the effects of resistance, afforded by nonhuman materials and humans, against the reallocation of wastelands were variable. In some cases, resistance may have resulted in barely any or no change at all. For example, in the collective associated with Burdwan's collector, a strong unwillingness to change the understanding and plans of wasteland allocation was expressed, even if other collectives of land and people strongly resisted them.

In more successful cases, resistance by some collectives of humans and nonhumans played an important role in halting the extension of the Permanent Settlement, as witnessed in the Ceded and Conquered Provinces. This implies that, first, the success and failure of resistance was situated in specific spatio-temporal junctures: victory in one juncture, for one collective of meanings with their associated materiality and rules, did not guarantee a repeat of this success in a new juncture into which the meanings were translated. Second, that power was asymmetrically distributed between different associations between things and human actors constituting a wasteland collective: some of these associations were obviously more forceful in producing transformations of meanings and material-ecological realities than others. And, third, that resistance within a collective was accompanied by struggles between different collectives, out of which some collectives emerged victorious and thus dominant. The collectives that emerged victorious were sometimes built on accommodation of resistance, rather than its suppression, such as in the case of the creation of a range of wasteland allocation rules. In this sense, dominating power was parasitic on the resistance waged against it.

<sup>80</sup> As noted earlier similar points are made in Chakravarty-Kaul, *Common Lands and Customary Law* and Iqbal, *The Bengal Delta*.

<sup>81</sup> Following Stengers, *Cosmopolitics I*.

<sup>82</sup> B. Latour, On technical mediation – philosophy, sociology, genealogy, *Common Knowledge* 3 (1994) 29–64; Latour, *Reassembling the Social*.

<sup>83</sup> This historical work includes Iqbal, *The Bengal Delta*; Wilson, *Domination of Strangers*; Travers, *Ideology and Empire in Eighteenth-Century India* and Chakravarty-Kaul, *Common Lands and Customary Law*.

<sup>84</sup> A. Stirling, Knowing doing governing: realizing heterodyne democracies, in: J.-P. Voss and R. Freeman (Eds), *Knowing Governance: Making Models, Making Methods, Shaping Political Reality*, Basingstoke, 2016, 259–289. Also based on Stengers, *Cosmopolitics I*.

These asymmetric and appropriating contours of power – between humans and nonhumans, within and across multiple collectives – were in no sense static. Power moved across proximate and distant spatio-temporal junctures, including into present-day postcolonial state apparatuses, while constantly shifting its distribution within and between collectives. To counter this now and in the future, resistance must be dynamic and multiple too, deploying tailor-made socio-material strategies and meanings for different spatio-temporal settings. In addition, instead of trying to mimic the contours and desires of dominating power, it must aim to continually carve

new relational spaces in which alternate emancipatory realities can be constructed.

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