The Colonial Prison in Bengal 1860-1945: Alternative Histories and Colonial Experiences vis-à-vis Literary Writings

Thesis
Submitted to the Faculty of Arts of Jadavpur University
in partial fulfilment of the requirements for the Degree of
Doctor of Philosophy
in English

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2024

CERTIFICATE

Certified that the Thesis entitled **“The Colonial Prison in Bengal 1860-1945: Alternative Histories and Colonial Experiences vis-à-vis Literary Writings”** submitted by me for the award of the Degree of Doctor of Philosophy in Arts at Jadavpur University is based upon my work carried out under the Supervision of **Dr. Sonia Sahoo**, Professor, Department of English, Jadavpur University. And that neither this thesis nor any part of it has been submitted before for any degree or diploma anywhere / elsewhere.

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ABSTRACT

This dissertation explores alternative histories of the colonial prison in Bengal 1860-1945, especially focusing on colonial experiences as produced in the literary writings including fiction, drama, and life writings. The colonial government claimed that through the jail system they had introduced the modern concept of punishment into Indian colonial society by eradicating the previous religio-sacral punitive system and the East India Company's authoritarianism. Several studies have already challenged this reformative history of colonial prison in India historically, ideologically as well as anthropologically. Notably, these studies which are based only on historical and archival sources do not discuss how colonial subjects' experiences with imprisonment in Bengal changed over time. This dissertation contends that the colonial prison is neither a homogeneous institution nor is the experience of colonial subjects unidimensional. Therefore, incorporating literary writings will be necessary to understand the perspective of the colonised subjects. It does not conceive literature and archives as the final source of knowledge. Instead, it undertakes them interlinked, more as the forum of dialogue that keeps exchanging and verifying each other's sources.

Officially it was posited that the colonial prison system in Bengal evolved from an arbitrary, religio-local framework under the East India Company to a structured, modern institution focused on maintaining law and order. Initially formalised by the 1838 Prison Discipline Committee, its regulatory framework was solidified by the 1857 Mutiny and the 1860 Indian Penal Code. Subsequent developments in administration and architecture established it as the principal punitive mechanism underpinning the colonial regime's 'rule of law' in nineteenth-century Bengal. Besides, the rise of militant activism prompted changes such as segregation methods, cellular divisions, specialised jail surgeons, and special provisions for political prisoners. The Prisons Act of 1894 aimed at system centralization, while the 1919-20 Indian Jail Committee’s report marked a shift towards rehabilitation over mere control and deterrence. Thus, according to the official penal records, the colonial prison implemented a liberal humane form of punishment that later acquired rehabilitative principals.

This dissertation thus offers alternative histories of the colonial prison in Bengal from 1860 to 1945, emphasising colonial governmentality concerned prison architecture, bureaucracy, and evolving colonial experiences. It analyses official penal records to understand how Bengali subjects perceived, responded to, and experienced the prison, as depicted in nineteenth and twentieth-century literature, including fiction, drama, and life narratives. The study examines whether the colonial prison upheld the equal treatment principle of the 1860 Indian Penal Code or if experiences varied by class and caste. It also explores Bengali colonial subjects’ interactions with prison mechanisms, such as strict routines, solitary confinement, and torture, particularly concerning revolutionary activism. Additionally, the dissertation addresses how these subjects negotiated, resisted, and subverted coercive measures and investigates the penal experiences of Bengali women, both ordinary and political prisoners, focusing on the impact of gender politics and their effects on women’s bodies.

This dissertation, therefore, attempts to establish a comprehensive connection between the macro-historical analysis and the micro-historical perspective of the colonial prison in its five interconnected chapter. These chapters demonstrate the prison’s role in shaping individual and collective identities, the intricate temporal and spatial regulations within the jail, and its impact on convict bodies. They also explore various techniques of corporeal and mental torture, resistance tactics employed by prisoners, and the gendered dynamics of imprisonment, including gender-specific modalities of resistance and subversion.

ACKNOWLEDGEMENTS

This idea of working on the colonial prison first took shape during my days at Visva-Bharati. I fondly remember bothering my professors, Dipankar da, Sourav da, Ananya di, and Sudeb da with my half-baked ideas. Like many beginners, I initially believed it would be challenging to find enough literary texts in this field. However, their encouragement kept me dedicated to this topic. Without their assurance, I might not have been able to develop it into a viable research proposal.

When I started working on this dissertation, I lacked the training to handle the vast array of literary writings, spanning different genres, alongside archival and historical sources. Over the years, through subsequent readings, I realized that literature and archives should not be seen as displacements for one another. To offer alternative histories, especially concerning colonial experiences, it is essential to explore both and maintain a dialogic discourse. The libraries at the Centre for Studies in Social Sciences, Kolkata, the National Library, Kolkata, and the IB records of the State Archives of West Bengal were crucial for collecting official documents on the colonial prison in Bengal. I was also greatly benefited from resources such as rare book collections and archival sources, including periodicals and newspaper reports available online at archive.org, the Rare Book Society, the Hathi Trust Digital Library, and open-access materials available in the India Office Records of the British Library.

This dissertation has accrued many debts at various stages of its creation. My greatest debt of gratitude is to my supervisor and mentor, Professor Sonia Sahoo, whose expertise, insights, and encouragement at every step helped shape this dissertation. More than that, I have learned how to be humble, kind, and tireless from her. I wish I could imbibe more of these qualities. Thank you for everything, Sonia di.

I wish to express my love and appreciation for my wife and friend, Rituparna. She is perhaps my best critic, constantly pushing me to improve and succeed. With every failure and setback, I turned to her. Balancing full-time employment and research is challenging, but her vigilance made this journey smoother. Thank you for being there.

I am also deeply thankful to my friends. To friends past and present and some colleagues who became friends, Gobindo, Palash, Joy, Rishiraj, Krishanu, Anunoy da, Swayamdipta, Sagir, Gourab, and Soumana, who listened to my rambling thoughts, encouraged me, and made this journey joyful. Special thanks to Sumantra and Aryama, who are part of our extended family. Sumantra and I still discuss new ideas frequently. He and Aryama have been my constant mental support.

I also convey my gratitude to those who have inspired me throughout this journey. To my teachers and close acquaintances, Professor Amrit Sen of Visva-Bharati, Dr. Mrinmoy Pramanick of the University of Calcutta, Dr. Arka Chattopadhyay of IIT Gandhinagar, Dr. Samrat Sengupta of Sidho-Kanho-Birsha University, and Dr. Ramkrishna Prasad Chakraborty, Principal of K. K. Das College, who kept encouraging me and helped sustain my dream.

Finally, I express my love and gratitude to my Ma and Baba. They may not fully understand the depth of this study, but they have always believed in me. Despite my inability to always be there for them, their love and affection never wavered. The joy and pride they take in my successes are the best accolades I have ever received.

Contents

Abstract i-ii

Acknowledgements iii-iv

Introduction 1-49

Chapter 1: Beyond the Walls: The Evolving Image of the Colonial Prison vis-à- vis Colonial Subjects 50-95

Chapter 2: Designing Repression: Regulating Space-Time in the Colonial Prison 96-133

Chapter 3: The Laboratory of Violence: Convict Body, Torture, and Penal Power 134-170

Chapter 4: Who is Afraid of Jail? Resistance and the Incarcerated Subject in Colonial Prisons in Bengal 171-207

Chapter 5: Women in Prison: Gender, Morality, Revolution, and the Limits of Colonial Governmentality 208-248

Conclusion 249-257

Bibliography 258-276

Introduction

> A man accused one Sancar of larceny, who pleaded not guilty, and as the theft could not be proved by legal evidence, the trial by ordeal was offered to the appellee, and accepted by him; and after obtaining permission from the Honourable Company's government, it was conducted as follows ... The Pandits of the court and the city having worshiped the god of knowledge, and presented their oblation of clarified butter to the fire, formed nine circles of cow dung on the ground; and having bathed the appellee in the Ganges, brought him with his clothes wet, when, to remove all suspicion of deceit, they washed his hands with pure water; then having written a state of the case, and the words of the Muntra, on a palmyra leaf, they tied it on its head; and put into his hands, which they opened and joined together, seven leaves of pippal, seven of jend, seven blades of darbha grass, a few flowers, and some barely moistened with curds, which they fastened with seven threads of raw white cotton. After this, they made the ball red hot, taking it up with tongs, placed in his hands: he walked with it, step by step, the space of three *gaz* and a half, through each of the seven intermediate rings, and threw the ball in the ninth, where it burnt the grass that had been left in it. He next, to prove his veracity, rubbed some rice in the husk between his hands, which were afterwards examined, and were so far being burned, that not even a blister was raised on either of them. Since it is the nature of the fire to burn, the officers of the court, peoples of Benares, near five hundred of whom attended the ceremony, were astonished at the event; and this well-wisher to mankind was perfectly amazed.[1]

I
Prisons under the Company's Administration

Maria Graham in her travelogue, *Letters on India* (1814) while referring to some of the painful judicial practices in ancient India as well as during the regime of East India Company (hereafter the Company) in the early nineteenth century mentioned this incident of a trial by a red-hot ball that took place in Benares in 1783. With the presence of almost five hundred people, the ritualistic trial was organised while maintaining Hindu rites. More importantly, everything was approved by the Company's government. This instance of convicting in open public gatherings suggests how law and judiciary process were a compromise of *dharmic* (religious) rituals and governmental order in late eighteenth-century India. Even after conviction, immediate punishments, mostly corporeal including amputation, impalement, and flogging had been sanctioned to ordinary criminals like thieves, burglars, dacoits, and such in public forums. “Dungeons were reserved for political offenders (e.g., those accused or suspected of conspiring against the royalty).”[2] Historically, carceral imprisonment was not implemented as the fundamental punitive method in colonial India including Bengal. Often rooms in a remote fort, castle, and palace were used to detain convicts before trial, but it was hardly used for imprisonment.

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[1] Maria Graham, *Letters on India* (London: Longman Hurst Press, 1814), 102-104.

In colonial Bengal, the Company started implementing its laws for managing civil and criminal proceedings before it received the full legislative authority from the Parliament in 1797. The Company established two major courts in Bengal in their 1772 legal framework, *Diwani Sadar Adalat* for civil purposes and *Nizamat Sadar Adalat* for criminal cases for this. Each district then had two additional courts: a *Mofussil Diwani Adalat* for addressing civil disputes and a *Faujdar Adalat* for dealing with criminal offences.[3] While it is evident that in civil courts, Europeans such as the Company officials, council members, and other British employees were given preference to preside, the criminal courts continued to follow the Nawabi order, which was primarily maintained by Muslim authorities like Qazis and Muftis. With the adoption of the Cornwallis Code in 1793, colonial India took its first substantial step towards establishing formal laws. Warren Hastings, however, laid the groundwork for colonial India’s legal system. Hastings proposed a compilation of ancient Indian scripts and made them available to the English judges to increase the Company’s dominance over Indians. These texts were first translated into Persian from Sanskrit, which were then later translated in 1776 by Nathaniel Brassey Halhed into English. Halhed observes that the “materials may be collected towards the legal accomplishment of a new system of government of Bengal, wherein the British laws may, in some degree, be softened and tempered by a moderate attention….”[4] This orientalist approach towards learning about a diverse, foreign nation like India provided the British a deceiving sense of authority, at least on the Enlightenment reasoning that calls for a guarantee of the “gain of humanity,” in Metcalf’s words.[5]

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[2] Sumanta Banerjee, *The Wicked City: Crime and Punishment in Colonial Calcutta* (New Delhi: Orient Blackswan, 2009), 546-47.

[3] Nimai Majumder, *Justice and Police in Bengal 1765-1793* (Calcutta: Firma K. L. Mukhopadhyay, 1960), 97.

& B. N. Pandey, *The Introduction of English Law into India: The Career of Elijah Impey in Bengal, 1774-1783* (London: Asia Publication House, 1967), 25.

Notably, the Company had not fundamentally altered much of the *nizamat* or criminal legislation that was already in place. It “emerged from the late eighteenth century as the jointly authored product of officials of the East India Company and of their chosen and interested Indian informants.”[6] Although they were more concerned with the civil system, which was directly connected to revenue extraction, the prior legal system was partially corrected. The legislation during the Company era could be seen as “a colonial construction (that) meant to accommodate the economic interests and imperial designs of the new rulers in Bengal”.[7] Besides, the 1773 Regulating Act which institutionalised the Supreme Court of Calcutta had already led to the parallel governance of the Company and the Crown in Bengal.[8] This conflict between the Company and the Courts eventually resulted in to the issue of jurisdiction, particularly regarding tax collection and geographical extension. The British government’s determination to establish English administration of law and justice in India was further reflected in the Pitts India Acts, introduced in 1784. On the other hand, the Company started to establish big structured prisons in the 1790s to gain more control over crime and population. Over the next two decades, 35 prisons were constructed in Bengal Presidency including Midnapore Jail in 1792, Burdwan Jail in 1797, and Alipore Jail in 1810 that emphasised on the introduction of imprisonment as the primary punitive method.[9] Before this, two types of jails, the 'House of Correction' in Barabazar and the 'Ambassador's House Gaol' in Lalbazar established in the 1730s could be observed. In his book, *The Good Old Days of Honourable John Company* (1882), Willam Carey's references to the three European men who were "burned in the hand and sentenced to be imprisoned with hard labour in the House of Correction for two years" while six criminals had received death sentences at the general gaol of Calcutta on August 1, 1795, illustrates this.[10] Due to its limited capacity, the Lalbazar jail was eventually moved to Maidan, where Sheriff Hare intended to construct a new 'House of Correction.' Interestingly, until 1865, two different penal facilities simultaneously operated on the same Maidan outskirts. On the contrary to the House of Correction, which was supervised directly by the Calcutta police commissioner, Harinbari (Hurrin Baree), or the Calcutta jail (changed its name quite a few times) was supervised by the sheriff who was required to report directly to the Supreme Court. Charles Moore talking about the brief evolution of Harinbari jail mentioned that

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[4] Nathaniel Brassey Halhed and Robert Coleman Hall Brock, *A Code of Gentoo Laws, or Ordinations of the Pundits* (London, 1776), XI.

[5] Thomas R Metcalf, *The Ideologies of the Ra,* (Cambridge: Cambridge University Press, 2008), 10.

[6] Rosalind O’ Hanlon and David Washbrook, “Histories in Transition: Approaches to the Study of Colonialism and Culture in India,” *History Workshop Journal* 32.1 (1991): 110–127.

[7] Nandini Bhattacharyya Panda, *Appropriation and Invention of Tradition: The East India Company and Hindu Law in Early Colonial Bengal* (New Delhi: Oxford University Press, 2008), 2.

[8] Jörg Fisch, *Cheap Lives and Dear Limbs: The British Transformation of the Bengal Criminal Law 1769-1817* (Wiesbaden: Franz Steiner Verlag, 1983), 4-5.

> For many years after the establishment as a jail, the building on the Maidan, which has lately been demolished was more than an ample to accommodate the prisoners, the guard, and the jail officials. By 1799 the Hurrin Baree was in a bad state of disrepair and the respectable sum of Rs. 34,000 was spent on a thorough overhauling and in the construction of two small new ones…The convicts' compound was to the north of the building, the debtors' compound was to the south. Till 1803 the prison is spoken of as the "new jail" and sometimes "the jail and Hurrin Baree"; later it is known as the "Calcutta jail" and by 1828 as the "great jail"; after 1850 it again becomes the "Calcutta jail," and so continues till it passes out of the hands and the control of the sheriff.[11]

However, the British government under T. B. Macaulay's supervision found some fundamental flaws in this existing legal and penal structure. Macaulay in his 'Minute on Education' significantly pinpointed,

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[9] Sharmistha De, "Europiyo Kayadi: Jailkhanar Bisheshi Atithi," (European Prisoners: The Foreign Guest of Jail) *Garib Sahebnama: Oupanibeshik Bharate Prantik Europiyo Samaj 1770-1947* (Wretched Shahib Nama: The Neglected European Communities in Colonial India 1770-1947) (Kolkata: Bookpost Publication, 2023), 201-233.

[10] William Carey, *The Good Old Days of Honourable John Company: Being Curious Reminiscences During the Rule of the East India Company from 1600-1858* (Calcutta: Quins Book Company, 1882), 103.

[11] Charles Moore, *The Sheriff of Fort William from 1775 to 1926* (Calcutta & Simla: Thacker, Spink & Co, 1926), 37-38.

> The fact that the Hindoo law is to be learned chiefly from Sanscrit books, and the Mahometan law from Arabic books, has been much insisted on, but seems not to bear at all on the question. We are commanded by Parliament to ascertain and digest the laws of India. The assistance of a Law Commission has been given to us for that purpose. As soon as the Code is promulgated the Shasters and the Hedaya will be useless to a moonsiff or a Sudder Ameen.[12]

The Jail Discipline Committee was eventually established on January 2, 1836 under the direction of Macaulay, to start the process of reforming both the current body of statutory provisions and the penal system. The criminal law under the Company with its arbitrary authoritarianism was "tied up with earlier institution, personnel and legal-sacral text" what Macaulay mainly wanted to do away with to establish a systematic rule for controlling and disciplining the colonial population.[13] The view that the implementation of the 'rule of law' would replace "the model of the Mughal-Indian political system (which) was absolute and arbitrary, unchecked by any institution, social or political…formed the ideological infrastructure of British rule in India".[14]

The 1838 Prison Discipline Committee Report (hereafter PDC) put forward the outline of the first modern prison system in India with several 'recommendations of improvements' relating to work, diet, solitary confinement, and transportation. The committee having scrutinised the condition of prisons viewed that without the application of major penalties, "this discretionary power has often been exercised very beneficially" to the prisoner.[15] This led to the introduction of the intramural hard labour for every convict in place of the old extramural job (sometimes working on the streets) that they feared might offend a high caste Hindu zamindar and would spark agitation. In the case of prison diet, while keeping in mind racial issues and indigenous caste practices, the committee advised that "no convicted prisoner be hereafter allowed to cook his own victuals, but that a Brahmin and Mussulman cook be provided for each Gaol."[16] Notably, the common messing system, which did not let the prisoner to cook food for themselves or obtain it from outside, was not introduced in the Bengal Presidency until 1860. This penal reform, arguably, introduced a new 'science of punishment,' which offered "the right calculus of terror and deterrence."[17] Nevertheless, it remained "an archetypal colonial institution" as well as a 'key site' in which the fundamental principles of the colonial state and its subjects were clashed and formulated.[18]

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[12] Thomas Babington Macaulay, "Minute, dated the 2nd February 1835," *Islamic Studies* 54.3/4 (2015): 237-248.

[13] Radhika Singha, *Despotism of Law: Crime and Justice in Early Colonial India* (New Delhi: Oxford University Press, 2000), X.

[14] Bernard S. Cohn, *Colonialism and Its Forms of Knowledge: The British in India* (Princeton: Princeton University Press, 1996), 64-65.

[15] *Report of the Committee on Prison Discipline* (Calcutta: Baptist Mission Press, 1838), 18-19.

This study focuses on the colonial prison in Bengal after the Sepoy Mutiny in 1857, particularly 1860s onwards when the Indian Penal Code (hereafter IPC) was introduced, as the Mutiny radically altered the imperial attitude towards the colonial subject. It became more coercive and disciplinary by nature thereafter. "The Mutiny of 1857 showed them the insecurity of their military power. The inauguration of regular census reports showed them how large the population of India was, and how small a minority they were".[19] Remarkably, to oppose the empire's uncontested power and especially for the fear of its new imprisonment system in nineteenth-century India, mutineers during the rebellion of 1857-58 raided 41 prisons and freed 23,000 prisoners.[20] As a result of the rebels' mass escape and widespread jail vandalisation, coupled with the lack of available prison space on the part of the authorities, this issued a major penal crisis. Thus, in the post-1860s, the prison administration of India had to implement many of the reformative measures recommended by the 1838 PDC. This officially transformed colonial Bengal into a modern disciplinary state, where the prison stood as the emblem of the humanitarian punishment system.

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[16] *Report* 1838, 34.

[17] Anand A. Yang, "Discipling 'natives': Prisons and prisoners in early nineteenth century India," *South Asia: Journal of South Asian Studies* 10.2 (1987): 29-45.

[18] David Arnold, "The Colonial Prison: Power, Knowledge and Penology in Nineteenth-Century India," *Subaltern Studies VIII, Essays in honour of Ranajit Guha,* ed. David Arnold and David Hardiman (New Delhi: Oxford University Press, 1996),148-87.

[19] Kenneth Ballhatchet, *Race, Sex and Class under the Raj* (New York: St. Martin Press, 1980), 6.

[20] Clare Anderson, *The Indian Uprising of 1857-8: Prisons, Prisoners and Rebellion* (London: Anthem Press, 2007), 1-2.

The official codification under the Crown rule discarding the indigenous and Company's arbitrary punitive system proclaims modernity and the Western vision of progressivism. It, in other words, vouched for the imperial legal equality that took "effect throughout the whole territories which are or may become vested in Her Majesty by the Statute 21 and 22 Victoria, Chapter 106, entitled, "An Act for the better government of India.""[21] However, the notion of being modern in the colonial context must be remembered was contingent, primarily as rhetorical verbose because the government was itself biased in nature. The colonial law and its application appeared to be internally debilitated by imperial agendas that prioritised race, class, and caste. "The power to punish, in this context, was a negotiated product of political bargaining between semi-autonomous interests within and without the colonial government."[22] On the other side, the Mutiny added to the complexity of the circumstance. It brought forth a direct contradiction between the oppressive, racist government and the exploited colonised subject desperately struggling for freedom. Therefore, the colonial prison system in contrast to the modern state became a locale where violence and tyranny could be projected as the institutional punishment.

This dissertation thus investigates imagining alternative histories of the colonial prison in Bengal from 1860 to 1945 that entails the question of colonial governmentality in relation to the prison structure i.e., its architectural design and bureaucracy on the one hand and the evolution of colonial experiences on the other. The study aims to examine what the colonial state projected in the official penal records, and how it was conceived, responded to, and experienced by the Bengali colonised subject as produced in the nineteenth and twentieth-century literary writings including fiction, dramas, and life writings. It would raise the question whether the colonial prison was the place where all individuals were treated equally as it claimed to be in the IPC in 1860, or if the experience varied depending on one's class and caste identity. Additionally, it will emphasise the colonial subject's acquaintance with the internal mechanisms of carceral imprisonment including strict routine, solitary isolation, and torture, especially after the emergence of the revolutionary activism in Bengal. This eventually alludes to learning how the colonial subjects, in turn, negotiate, resist, and subvert such coercions within the prison. Finally, is there any significant departure observed in the case of Bengali woman's penal experiences including both the ordinary and the political, and what role does their gendered body play in the context of gender politics and imprisonment in colonial Bengal?

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[21] *The Indian Penal Code (Act XLV of 1860)* (Calcutta: Superintendent Government Printing, India, 1919), 25-26.

[22] Satadru Sen, *Discipling Punishment: Colonialism and Convict Society in the Andaman Islands* (New Delhi: Oxford University Press, 2000), 2.

It must be mentioned that even though the Bengal Presidency consisted of three provinces then—Bengal, Bihar, and Orissa—until the 1912 Bengal, Bihar, Orissa, and Assam Laws Act, this study would not include prisons in Bihar and Orissa. It shall thus be investigating prisons located in the Lower provinces of Bengal, which are currently the state of West Bengal and erstwhile East Bengal (at present Bangladesh). Additionally, it must also be stated that this study does not take into account political or general offenders, convicts, and revolutionaries who were deported to the Andaman Islands' Cellular jail, even if they shared a Bengali ancestry or had activities in colonial Bengal. However, this research may occasionally mention them in this discourse. It also does not include European prisoners or officials in the primary sources, who may have had first-hand knowledge of the colonial prison in Bengal. Moreover, this research will exclude house arrest as a form of imprisonment since it is not directly linked to the institutional power structure though the disciplinary mechanism cannot be ruled out in such cases.

Finally, it should also be mentioned that the period this research covers is between 1860 to 1945. Although the PDC which conceptualised modern reformative measures in the prison system in colonial Bengal in 1838, it was in 1860 when the IPC was introduced, which initiated the foundation of the modern colonial state. Additionally, there was the Mutiny effect in 1857 as stated earlier. Therefore, 1860 could be taken as the breakthrough year for the colonial prison. Besides, after the Second World War in 1945, colonial Bengal took a different political and ideological turn, which requires a separate analysis. Thus, this dissertation concentrates on this particular historical era when the militant revolutionary movement emerged along with general nationalist activism in Bengal. However, this study does not always address this entire period uniformly or even linearly.

II

Anxiety of European Influence: Towards a New Penology

The reformation of the punishment system in colonial India has its origin in late eighteenth-century England when the West was going through major legal-structural ramifications, especially in relation to the state, law, and its subjects. This led to the implementation of imprisonment as a broad method of punishment. John Howard in *The State of the Prisons in England and Wales* (1777) highlighted the miserable states of inmates due to the lack of proper management including the insufficient supply of food, scarcity of medicine, and also extremely hard labour schedule of inmates.[23] Howard presented his detailed report about each institution he had visited, as opposed to making dramatic denunciations of despotism and cruelty, illness, and promiscuity including "the exact fees taken by the gaolers, the cubic contents, window space or depth below ground of each apartment, the number, sex, age and grade of the prisoners confined together or apart, the exact types of chain or irons used", the water supply condition and so on.[24] One of the chief factors of this disorganised state of affairs in Europe was to utilise prison mainly as a detention centre before 1776. This was indicated in Howard's 1776 prison census report in which he listed 653 petty criminals who consisted of only 15.9 percent of the whole number of inmates imprisoned in Wales and England.

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[23] John Howard, *The State of the Prisons in England and Wales* (Warrington: William Eyres, 1977), 7-8.

[24] Sidney Webb and Beatrice Webb, *English Prisons under Local Government* (New York: Routledge, 2018), 107

> Of the rest, 59.7 percent (2,437 individuals) were debtors, and 24.3 percent (994 individuals) were felons, divided into three classes-those awaiting trial, those convicted and waiting for execution or transportation, and those few serving actual sentences of imprisonment. From these figures it is apparent that the prison before 1775 was more a place of confinement for debtors and those passing through the mills of justice than a place of punishment.[25]

Prison, on the other hand, has been introduced in response to the extravagant mandate of the death sentence as codified in the British criminal law generally known as the 'Bloody Code.' In theory, this law was rigid, quick to order the death sentence to almost every offender alike to a murderer or a petty offender like forgery.[26] Previously in England, barbaric forms of punishment were practised including pillory, whipping, gallows, transportation to penal colonies, etc. Such public display of torture rituals demonstrates the state's authority and power over the subject as well as runs a risk of undesirable subversion of the state's supremacy. The crowd who was there to witness the act of punishment used to actively participate in the event. They sometimes attempted to reduce the pain of the convict against extreme cruelty or often tried to ensure that the criminals were properly punished.[27] This ensued an unexpectedly hostile correspondence between the subject and the state especially while the government was trying to establish its uncontested legitimacy. Prison, therefore, became the gateway for the state to retreat the act of punishment from the public gaze to maintain its control and dominion.

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[25] Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industry Revolution 1750-1850* (London: Macmillan, 1978), 17.

[26] Ignatieff, *A Just*, 17.

[27] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New Delhi: Penguin Books, 1991), 7-10.

The Enlightenment thinkers like Cesare Beccaria (1734-1798) and Jeremy Bentham (1748-1832), as well as a few religious groups like the Evangelicals and the Quakers, tried to convince the governing classes that new forms of punishment, primarily imprisonment with hard labour, should be employed instead of public corporal punishments like branding, hanging, and whipping in the end of the eighteenth century. Punishment, they argued, ought to be impartial and rehabilitative.[28] The Quakers believed that by working hard and practicing meditation, some offenders' attitudes could be changed. They asked for segregating of male and female prisons as well as holding violent criminals away from criminal offenders. In 1790, Philadelphia's Walnut Street Jail implemented these principles, which later identified as the Pennsylvania method.

Among the earliest critics of punishment was the Italian philosopher, jurist, and criminologist Beccaria who particularly pointed out the fallacy in theological perceptions of crime and sin. He advocated that "the idea of *common utility*" should serve the foundational tenet of the human justice system, and thereby suggested "a separate law for each citizen, but a new law for each crime" (emphasise in the original).[29] In his 1764 work, *On Crime and Punishment* which can be regarded as the first treatise on penology, Beccaria avows against the use of physical torture, inconsistent sentencing, leveraging personal alliance with offenders, and even the jury's arbitrary discretion. Although he did not prescribe for the implementation of imprisonment itself, he urged for fines and hard labour instead of the death penalty. Later, the Quakers took steps to introduce cellular incarceration replacing the earlier brutal methods of punishment. This new idea spread rapidly across American colonies before making its way to Europe.

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[28] Michael Ignatieff, "State, Civil Society, and Total Institutions: A Critique of Recent Social Histories of Punishment," *Crime and Justice* 3 (1981): 153-192.

[29] Cesare Beccaria, *On Crime and Punishments,* trans. David Young (Indiana: Hackett Publishing House, 1986), 16.

Among others, Bentham, a philosopher and jurist, and French Criminologist, Alphonse Bertillon (1853-1914) had extensively contributed to the evolution of the prison system in nineteenth-century Europe. The conceptual underpinning for Bentham's panopticon writings was John Locke's denial of original sin, which influenced him to dismiss the idea of irredeemable criminals in the process. Although Bentham like others also described criminals as "defective mechanism," they could, he believed, still be made subject to correction with some exceptions. Their sense of guilt and remorse, according to this penal ideology informed, could be effectively aroused by "the scientific application of pain."[30] He suggested that to succeed, the public spectacle must be abandoned, and hard labour, surveillance, and medical care must be placed to in a carceral facility. Bentham for "the joint purposes of *punishment, reformation, and pecuniary economy*" invented a new architectural design of prison that he called a panopticon where every cell bloke would be facing the central watchtower (emphasise in the original).[31] The mechanism of panopticon system would be effective because of the invisibility of prison guards or the invisibility of power that would unconsciously reach into an individual's psyche and make surveillance productive. It will "induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power."[32] The Bentham Tower of surveillance, therefore, can be considered as "the carceral superego" that keeps the prisoner's struggle for freedom (ego) in check.[33] With its enclosed but exposed space, this innovative penology aimed to penetrate the criminal's physical body and seize their consciousness. "The expiation that was once inflicted on the body must be replaced by a punishment that acts in depth on the heart, the mind, the will. This change was the result not so much of a change of attitude—less cruelty, less pain, more kindness, more 'humanity'—as of a change of objective."[34]

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[30] Sen, *Discipling*, 14.
[31] Jeremy Bentham, *Panopticon Writings*, ed. Miran Bozovic (London: Verso Books, 1995), 50.
[32] Bentham, *Panopticon*, 201.
[33] Fred C. Alford, "What Would It Matter If Everything Foucault Said About Prison Were Wrong?" Discipline And Punish" After Twenty Years," *Theory and Society* 29.1 (2000): 125-146.

Along with Bentham, James Mill brought significant improvements to the prison administration, particularly in relation to convict labour. They disagreed with the assertion made by others such as Elizabeth Fry and Howard, that productive labour in prison could reduce the effect of isolation and the degree of punishment. In one of his articles published in the *Encyclopaedia Britannica* in 1823, Mill "advocated strenuously the plan of "reform by industry," as against Elizabeth Fry's panacea of "reform by religious emotion," and also against the "commonsense school" of Sydney Smith and others, which sought only penal deterrence".[35] He promoted the industry-based reformation system that is divided into punishing and profitable segments. A convict, in the first place, should be assigned to punitive labour as a part of the deterrent punishment before being given to productive labour. These work schedules taken together will eventually contribute to the criminal's rehabilitation procedure.

The colonial government in the post-Company period largely adopted the new legislative practice in India in terms of the European civilised, secluded methods of punishment. The institutionalisation of prisons and adoption of a uniform penal code are illustrations of their efforts to reinforce the centrality of the legal system similar to England. While its application exhibits anomalies, this validates the legitimacy of the colonial government. The colonial vision of the legal order as drafted by Macaulay in the IPC was to justify the legitimacy of the colonial government that could also gain subordination of the colonised subject. He claimed that the penal code was based on humanitarian principles to prevent individuals from harming one another rather than being only an ethical code. "Thus, the death penalty was reserved for murder and for treason, the highest offences against the state; and neither flogging nor the pillory–or its Indian equivalent, public exhibition of the offender on an ass–was permitted as a mode of punishment"[36] He insisted on the application of imprisonment chiefly.[37]

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[34] Alan Sheridan, *Michel Foucault: The Will to Truth* (London and New York: Routledge, 2005), 135.
[35] Webb and Webb, *English Prisons*, 161.

> The general features of the system of Prison Discipline recommended by the committee are these viz. that a Penitentiary for all prisoners sentenced to more than one year's imprisonment shall be established in the centre of every 6 or 8 districts, and that a better system of classification of pioneers shall be adopted: that each prisoner shall have a separate sleeping place: that solitary confinement shall be much restored to: that monotonous, uninteresting labour within doors shall be enforced upon all prisoners sentenced to labour: that prisoners shall be deprived of every indulgence not absolutely necessary to heath, and that the management of each penitentiary shall be committed to an able trustworthy superintendent, either European or Native.[38]

Thus, Benthamite humane model of prison coupled with Mill's utilitarian philosophy could be observed in Macaulay's interventions in this new legal framework for colonial Bengal. To stand with the fervour of the age, public display of executed bodies of criminals and *godna* or branding of the convicts had been abolished in 1849. Following Bentham, the colonial jail architecture in Bengal also underwent a considerable transformation, moving from forts to squat-shaped buildings with impenetrable walls and iron gates placed in a remote region of the city. The Jail Act of 1894 and the Jail Code of 1864 both made strong arguments in favour of a well-made prison structure with an efficient water supply and hygienic conditions. Owing to this lack of insanitation facility, "during the 21 years, from 1833 to 1854, the *Mortality,* per 1,000 of strength, amounted to 72.5 in Bengal, that, during the 23 years, from 1831-32 to 1853-54, it amounted to 61.5 per 1,000 in Bombay; and, during the 10 years, from 1844 to. 1853, to 61.3 in Madras" (emphasise in the original).[39] It was largely due to the fact that most of the jails in Bengal except the Calcutta Great Gaol till

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[36] John Clive, *Macaulay: The Shaping of the Historian* (Cambridge: Belknap Press, 1987), 147.

[37] Tapas Kumar Banerjee, *Background to Indian Criminal Law* (Bombay: Orient Longman, 1963), 360.

[38] Eric Stokes, *The English Utilitarians and India* (London: Oxford University Press, 1959), 218.

[39] Joseph Ewart, *The Sanitary Condition And Discipline of Indian Jails* (London: Smith, Elder & Co., 1860), 1-2.

1864 had “temporary buildings, constructed mainly for the confinement of the road-makers by night”.[40] John Mulvany in his article, “Two Notable Prison Administrators in Bengal: Fredrick J Mouat, Alfred Swayne Lethbridge” mentioned that they brought considerable change in prison administration in Bengal. The Inspector General of Prison of Bengal, Fredric J. Mouat (1855-1870), correspondingly, called for the proper construction of the prison including the drainage system, ventilation, and sanitation. He mentioned in 1867 jail report that “[B]engal also began a new era of convict control in 1853…The prisons generally were badly built, were to the last degree insecure, were often placed in irreclaimably unhealthy positions, and accumulated within their walls every defect of administration…”.[41] Observation on health and labour of the convicts became the moral concerns of the government. Under the influence of Howard and Bentham, the reform committee “argued that the requirements of penal discipline could be achieved in a healthier, more humane, and less costly manner if extramural labour were banned and replaced by intramural work.”[42] Prisons were thus unreliable places of confinement without enough security and structural identity until the mid-nineteenth century. For resolving this problem, W.H. Woodcock was appointed as the inspector of jails in India’s North-Western provinces to introduce centralised control similar to that of Pentonville Prison in London.

However, it must be remembered that the colonial prison system, which had its English origin, differed significantly from its British counterpart in terms of punitive ideology. While segregation and reformation were sought in Britain, prisons served as an instrument to bring the colonial subject under the colonial government’s political and financial tutelage. New penology across Europe, particularly in England was developed to rectify individuals who violated institutional codes due to inappropriate socialisation mostly belonging to the margin of the society. In this context, it would be critical to comprehend the case of homeless individuals in England. The Vagrancy Act which had a long history of revision tried to address the issue of vagrants once again in 1744. It stated that "rogues, vagabonds, and beggars, and other idle and disorderly persons" including jugglers, minstrels, gypsies, and pretending astrologers "were to be whipped, or sent to the House of Correction, and afterwards conveyed to the place of their settlement or of their birth."[43] Later in the Victorian era, genuinely unemployed people who were on the move in the quest of employment as well as professional vagabonds and beggars were also included in the vagrancy category.[44] This concept of the vagrant, marginal people, as well as the legal application on them, was directly relevant to colonial India, where the entire racially determined mass has been identified as criminals for their nomadic lifestyles. The English penal law as Martin Weiner in his work, *Reconstructing the Criminal* (1990) rightly pointed out, was intended to mould a "*self-distancing individual* capable of disciplining his impulses and planning his life" according to the moral and behavioural standards set by the society (emphasise in the original).[45] Contrarily, any reformation by moral instruction, teaching, and giving rewards for maintaining good conduct in the 1838 PDC was vehemently rejected in colonial India while it was evident in the act that the objective of the newly established prison was to inflict pain on the convict's body.[46] Furthermore, it is imperative to highlight that the colonial government continued to exercise its sovereign power of corporeal torture inside and outside of the prison. The Madras Torture Commission Report published in 1855 collected responses from British officials regarding the employment of torture in various criminal cases could manifest this. In 1854, W. Knor, Esq., who was the Governor of Fort St. George at Ganjam's Acting Agent stated:

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[40] *The Calcutta Review* (Calcutta: The Calcutta General Publishing Co.,1916), 75.

[41] Fredrick J. Mouat, “On Prison Discipline and Statistics in Lower Bengal,” *Journal of Statistical Society of London* 30.1 (1867): 21-57.

[42] David Arnold, “Labouring the Raj: Convict Work Regimes in Colonial India, 1836-1939,” *Global Convict Labour*, edit. Christian G. De Vito and Alex Lichtenstein (Leiden: Brill, 2015), 199-221.

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[43] John Lambert, *Vagrancy Laws and Vagrant, a Lecture* (Salisbury: Brown & Co., Canal, 1868), 19.

[44] Gareth Stedman Jones, *Outcast London: A Study in the Relationship Between Classes in Victorian Society*, (London: Verso, 2013), 125.

[45] Martin J. Weiner, *Reconstructing the Criminal: Culture, Law, and policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990), 47.

[46] A. P. Howell, *Note on Jails and Jail Discipline in India, 1867-68* (Calcutta: Supt. Govt. Printing, 1869), 1.

> The use of torture or force, for it seldom amounts to torture, to enforce payment from a needy and money-loving Hindoo, was a lesson taught by their Mahomedan masters, and never forgotten; it is now part and parcel of their creed. One of the first lessons my moonshee gave me, was that a servant would rather get a thrashing than have his pay stopped. [47]

Therefore, the ideology of the colonial state could be perceived, was to teach subordination rather than rehabilitation, dominance rather than integration, and crushing the outlawed population through the institutional pathologisation of the body, where the prison acts as the chief repressive apparatus. The introduction to the modern penal ideology in colonial Bengal thus despite being influenced by the European ideals appears only as an imperial anxiety, that had to keep justifying its reformation motif.

III

Existing Discourses on the Colonial Prison in Bengal

Before moving to our main argument, we must investigate existing studies on the colonial prison in Bengal. There is a considerable volume of historical and sociological writings existing on the colonial punishment system in India, especially on the prison, some of which focus solely on colonial Bengal while others include the context of the Bengal Presidency as a part of their discussion. B. N. Pandey's *The Introduction of English Law into India: The Career of Elijah Impey in Bengal, 1774-1783* (1967) is one of the earliest texts that deals with the initial period of Anglo-Indian history of its law-making process. It outlines, among other things, Sir Elijah Impey's involvement in the Nandakumar case, favourable alliance with Warren Hastings, his suggestion for an efficient judicial system, and the ensuing struggle between the council and the court. In particular, Pandey focuses on how the British government upheld the principles of the rule of law, which Sir Impey with his fellow judges wanted to adopt in colonial Bengal mentioning that all colonial subjects would be treated equally and could not be deprived of their fundamental rights.[48] This historical account goes deeper into the other intricate layers of judicial history before Mill and Bentham take over Indian history. However, it must be remembered that the new colonial rule of law, as Radhika Singha in *A Despotism of Law: Crime and Justice in Early Colonial India* (2000) observed, was a system of subjugation of the colonial subject in this judicial-punitive regime. Moreover, the institutionalisation of the codified law in colonial India produced an inescapable dilemma for the colonialist since it threatened to overturn the essential unequal politics of colonial authority itself. Contrarily, modern liberal ideologies and their implementation in colonies usually resulted in anomalies. Similarly, in the context of India also, the judicial system, Elizabeth Kolsky pointed out, posed "legal distinctions, exceptions, and inequalities, and thereby exacerbated and normalized the very problems of white violence and lawlessness that the codified law was supposed to solve."[49]

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[47] *Report of the Commission for the Investigation of Alleged Cases of Torture at Madras* (The House of Commons, 1855), 68.

Historically, if the pre-carceral model of the prison system in colonial India is observed, the major available option was the penal settlement or transportation, with the first such voyage taking place in 1787 to Bencoolen (Bengkulen), Sumatra, and the second in 1819 to Singapore.[50] This exilement of the convicts to penal colonies, Anand A. Yang observed, was mostly in terms of indentureship and debt bondage. Notably, "Indian convict transportation to Southeast Asia provided much needed labor in the rising outposts of the British Empire in Southeast Asia in the late eighteenth and the early nineteenth centuries."[51] This labour was essential in developing and solidifying the British Empire globally. Historian Clare Anderson worked substantially on the penal colonies, their transatlantic connection as well as colonial laws regarding their utilisation regulated by both the Company and the crown rule. In her book, *Convict in the Indian Ocean: Transportation from South Asia to Mauritius, 1815-53* (2000), she explored the root of the convict labour, its racial and socio-economic backdrop, and also "the organisation of Indian convicts; convict 'resistance'; and, convict 'identity'".[52] In her book chapter, "The British Indian Empire, 1789-1939" in *A Global History of Convicts and Penal Colonies* (2018) she further emphasises on the "multi-directionality of transportation, and its relationship to frontier expansion and political economy… its gendered dynamics, and explores its carceral character, connections to other kinds of labour, and relationship to indigenous destruction and confinement".[53] Anderson has contributed two other significant articles, "Convicts, Commodities, and Connections in British Asia and the Indian Ocean, 1789-1866" and "Sepoys, Servants and Settlers: Convict Transportation in the Indian Ocean, 1787-1945," in which she expanded the discourse on the convict's banishment to penal colonies from its inception to the post-Mutiny Andaman Islands penal settlement. She added that this new colony at Andaman having "continued the association between transportation and productive labour" became a distant secluded space for the nationalist revolutionaries who would pose a threat to the colonial government.[54] Satadru Sen has taken up the Port Blair settlement issue in his book *Disciplining Punishment: Colonialism and Convict in the Andaman Islands* (2000). He identified the year 1898 as the historical reference point of the convict hagiography since it was the year the cellular jail was built, which fundamentally altered the penal system by enforcing isolation and greater control. Sen's research highlights the shift from the chaotic, erratic existence of older penal colonies to a modern, regulated environment, focusing on ordinary transported criminals rather than political prisoners.

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[48] B. N. Pandey's *The Introduction of English Law into India: The Career of Elijah Impey in Bengal, 1774-1783* (New York: Asia Publishing, 1967), 43-71.

[49] Elizabeth Kolsky, *Colonial Justice in British India* (New Delhi: Cambridge University Press, 2010), 73

[50] H. L. Adam, *The Indian Criminal* (London: John Milne, 1909), 46-47.

[51] Anand A. Yang, "Indian Convict Workers in Southeast Asia in the Late Eighteenth and Early Nineteenth Centuries," *Journal of World History*, 14. 2 (2003): 179-208.

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[52] Clare Anderson, *Convict in the Indian Ocean: Transportation from South Asia to Mauritius, 1815-53* (London: Palgrave Macmillan, 2000), 10.

[53] Clare Anderson, "The British Indian Empire, 1789-1939" *A Global History of Convicts and Penal Colonies* (London: Bloomsbury Academic, 2018), 279.

[54] Clare Anderson, "Sepoys, Servants and Settlers: Convict Transportation in the Indian Ocean, 1787-1945," *Cultures of Confinement: A History of the Prison in Africa, Asia and Latin America*, edit. Frank Dikotter and Ian Brown (New York: Cornell University Press, 2007), 185-220.

Amarendra Mahanty and Narayan Hazary's book, *Indian Prison System* (1990) has traced the historical evolution of prisons in India from the Ancient to the British period with particular reference to Orissa. Their study shows how the prison as a modern institution was initiated, especially when under the Company's rule, "143 civil jails, 75 criminal jails and 68 mixed jails, with a total accommodation of 75,100 had been built in Bengal, North-Western provinces, Madras and Bombay".[55] David Arnold in his seminal article, "The Colonial Prison: Power, Knowledge and Penology in Nineteenth-Century India" produced a comprehensive discourse on the colonial prison and its development including the consequences of the introduction of the new penology, dietary system, labour, uniform as well as the use of medicine under the British governance. He emphasised that the present understanding of colonial prison is largely owed to the middle class's interventions in the post-1890s. Even if it appears as an austere institution displaying absolute power and authority, Arnold claims that prisons may also be viewed "a site of sporadic defiance and 'everyday resistance'" in nineteenth-century India. [56]

In the case of prisons in early colonial Bengal, an important discussion can be found in one of the chapters of Sumanta Banerjee called "Jail: The Meeting Ground of Criminology and Penology" in his book, *The Wicked City: Crime and Punishment in Colonial Calcutta* (2009). While discussing the social history of criminal activity in urban Calcutta, the capital of British India and also the colonial punishment procedure, especially in terms of the growth of the police system and criminal prosecution technique, Banerjee outlines the initial history of prison in colonial Bengal. He has significantly pointed out how the establishment of Harinbari jail in Maidan, Calcutta has marked a new beginning for the penal system in the colonial era from the previous public display of punishment. Although Harinbari "ended up as a penal fiasco…bred instead more criminals from within its portals," he claimed, it foregrounded the root of the modern disciplinary state.[57] One of the major works on the history of prison has been written by Madhurima Sen, *Prisons in Colonial Bengal 1838-1919*, published in 2007. Sen explores not only the development of the colonial prison as the modern penal institution in Bengal but also focuses on its nature if it is "custodial, coercive and correctional" as well as the shift of its "ideological impulse and policy perspective, highlighting the racial assumptions…caste and religious differences as the basis for discrimination among groups of prisoners."[58]

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[55] Amarendra Mahanty and Narayan Hazary, *Indian Prison System* (New Delhi: Asish Publication House, 1990), 24.

[56] Arnold, "The Colonial," 185.

In addition to these historical studies, P. K. Tarapore in his book, *Prison Reform in India* (1936) explored the evolution of the colonial prison from the administrative standpoint. He pointed out the shortcomings of the penal institution in early British India, especially the lack of application of modern social science, the discriminatory attitude of the officials towards the indigenous criminal as well as the shortfall of an ethical approach that made the foundation of the prison system in colonial India faulty and despotic by nature.[59] Another significant article on the penal administration was produced by S. M. Diaz. He identified the 1919-20 Indian Jail Committee report as the breakthrough in the history of judicial development when the "reformation and rehabilitation of offender" was deemed as the chief objective.[60] Diaz also analysed how the 1935 Government of India Act gave the states exclusive control over the prisons oversight, with the centre serving as the coordinating agency. This administrative progression could be observed, was not linear; it underwent considerable changes due to the shifting temper of the British sovereignty. Moreover, the response of the colonised subjects forced the British government to transform its colonial penology. “The constant challenges to British authority by defiant subjects, from ‘criminal dacoits’ via ‘rebellious tribals’ to ‘seditious elites,’ prompted the state to search for new ways of maintaining (the illusion) of colonial control.”[61] However, the prison system in the nineteenth century, as S. K. Pachauri highlighted in his short piece, “History of Prison Administration in India in 19th Century,” chiefly acted as a tyrannical institution in the post-Mutiny period. “Moreover, custodial violence, torture and repression was the order of the day and if this was not enough even annihilation and liquidation seem to be a satisfactory solution to the problem.”[62]

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[57] Banerjee, *The Wicked*, 590.

[58] Madhurima Das, *Prisons in Colonial Bengal 1838-1919* (Kolkata: Thema, 2007), 3.

[59] P. K. Tarapore, *Prison Reform in India* (Bombay: Oxford University Press, 1936), XVI-XX.

[60] S. M. Diaz, "Prison Administration in India," *Indian Journal of Public Administration* 25.1 (1979): 120-148.

Most of these research works have focused on the ideological and repressive perspective of the colonial prison in India that broadly refers to the nature of the disciplinary mechanism of the colonial government. In the early eighteenth century, the institutionalisation begins with the emergence of the police power at the rural level in response to the local disturbance. In the essay, “The Darogah and the Countryside: The Imposition of Police Control in Bengal and its Impact (1793—1837),” as Basudev Chatterji showed the development of the police force in Bengal and their function “in a vicious and speculative milieu, constituted the lowest and the most vital point in a chain of subordination which connected the thana through the *Sudder* with the Fort William.”[63] David Arnold likewise identified the colonial police force as “the metaphor for the colonial regime as a whole,” the symbol of the state authority which was “intrusive, oppressive and unheeding.”[64]

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[61] Michael Offermann, “Penal Law, Penology, and Prisons in Colonial India,” ed. Harald Fischer-Tiné and Maria Framke, *Routledge Handbook of the History of Colonialism in South Asia* (London & New York: Routledge, 2022), 230-240.

[62] C. K. Pachauri, “History of Prison Administration in India in 19th Century,” *Proceedings of the Indian History Congress* 55 (1994): 492-498.

[63] Basudev Chatterji, “The Darogah and the Countryside: The Imposition of Police Control in Bengal and its Impact (1793—1837),” *The Indian Economic & Social History Review* 18.1 (1981): 19-42.

[64] David Arnold, *Police Power and Colonial Rule: Madras 1859-19* (New Delhi: Oxford University Press, 1986), 2-4.

Deana Heath in her recent 2021 book, *Colonial Terror: Torture and State Violence in Colonial India*, similarly examines the development of the police department in colonial India mainly between the 1900s and 1945. It examines the excessive deployment of violence and brutality of the colonial government on the colonial body under the veil of preserving legal order, which she calls the 'regime of exception.' It "involved the creation of a state, or spaces, of exception, an 'insidious politics of emergency' wrought by widespread emergency regulations through which particular groups or segments of the Indian population were excluded from the law."[65]

Historian Ranjan Chakrabarti in his *Authority and Violence in Colonial Bengal:1800-1860* (1997) traced the evolution of colonial apparatuses of social control particularly the British administrative system including law, court, police, and prison. He focuses on the colonial government's approach towards the law-and-order policy during normal times apart from social disturbances and rural insurgencies. The prisons, Chakrabarti maintains, are the "bastions of the colonial state," "one of the legitimate instruments of coercion to discipline and pacify possible rural unrest in nineteenth-century Bengal."[66] In his essay "Disciplining 'natives': Prisons and prisoners in early nineteenth-century India," Anand A. Yang holds a similar observation in his discussion on the new prison system in colonial India. Investigating the prisons in Bihar specifically its strict rationing and dietary provisions, Yang shows how the colonial power through its new disciplinary institution attempts to negate any threatening colonial resistance to ensure their absolute authority. Yang's edited book, *Crime and Criminality in British India* (1985), similarly, explored the social history of the colonial state by "looking at ideologies and mentalities relating to crime and criminality, at law both as ideology and as an instrument of control, at penal and other

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[65] Deana Heath, *Colonial Terror: Torture and State Violence in Colonial India* (Oxford: Oxford University Press, 2021), 12.

[66] Ranjan Chakrabarti, *Authority and Violence in Colonial Bengal:1800-1860* (Calcutta: Bookland Private Limited, 1997), 97.

‘social welfare’ institutions, at the police, and at ’social’ crime and its many subtle and overt links to protest.”[67] However, the colonial tool of domination and repression has always been masked under the veil of the liberal government. Satadru Sen addresses ideological, sociological, and political implications of the imperial disciplinary institutions like prisons, schools, playgrounds, etc that ensure racial supremacy over the colonial body. In his *Disciplined Natives: Race, Freedom and Confinement in Colonial India* (2012), Sen shows the British government’s “slippages and distortions introduced by race” which either subvert or reinforce the idea of freedom and confinement in the colonial society.[68] His work also examined if the colonial subject was assimilated in the colonial power network or whether there were occasional instances of radical subversion of this hierarchy. This issue of racial prejudice along with caste question among penal bodies, and how it produces broader cultural and biological determinism with respect to colonial knowledge production are further explored by Clare Anderson in *Legible Bodies: Race, Criminality and Colonialism in South Asia* (2004). The process of taking notes of a prisoner’s physical characteristics, nature of their crime, place, time, caste etc before imprisonment established the tradition of “textualization of criminal body.”[69] Although branding of the criminal body was abolished in the 1890s in colonial India, new methods like taking photographs and fingerprints were adopted “to enhance the visibility of individual bodies rather than whole social groups” to keep an effective racial classification.[70] In his article, Mark Brown asserted that race and ethnology were important factors of the colonial administration. Towards the end of the eighteenth century, Brown indicated that native agents accumulated and exchanged knowledge of the local population and society with urban theorists and bureaucrats, which helped to continue the political ideologies and governmental practices. One of the main issues that fascinated the colonial ethnographer in this period was the nature of indigenous crime and criminality. This "extensive socio-cultural ethnology that developed in support of the criminal tribes policy seems to have viewed biological racial profiling with ambivalence."[71] This Western scientific racism, Preeti Nijhar in her book, *Law and Imperialism: Criminality and the Constitution in Colonial India and Victorian England* (2009) argued, presented the oriental other as a corrupt and "pathologically deviant," which was supported by the development of the new criminal science like "revolutionary anthropometry which classified criminal physiognomy in order to predict different kinds of criminal behaviour."[72] This impacted highly on the legal system, especially how the colonial subjects would be treated inside the prison alongside the increasing racial discrimination. The police force, prisons, and poorhouses, therefore, become the immediate disciplinary institutions to control the colonial population.

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[67] Anand A. Yang, *Crime and Criminality in British India*, ed. (Tucson: Arizona University Press, 1985), 24.

[68] Satadru Sen, *Disciplined Natives: Race, Freedom and Confinement in Colonial India* (Delhi: Primus Books, 2012), 3.

[69] Clare Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford: Berg, 2004), 3.

[70] Anderson, *Legible*, 142.

Studies on prison have expanded beyond the institutional and administrative perspective with the advent of sociological and psychoanalytical analyses. The empirical aspects of prison life have drawn the attention of social scientists. In 1979, Indra Jeet Singh published an important work, *Indian Prison: A Sociological Enquiry* focusing on the model prison of Uttar Pradesh in post-Independence India. His study not only deals with the formal structure of the prison, it also includes the interaction and cooperation among the inmates, "the elements of prison culture, language, argot, attitude, tradition, stereotypes, and mythology as well as the impact of extraneous factors."[73] While commenting on the everyday work programmes and the mobility of the prisoners, Singh referred to the colonial penal administrative policy and how the British government maintained “the internal order of the jail and also help the prisoners to learn to adjust in society”.[74] Other sociological works albeit mainly focused on the postcolonial period include S.P. Srivastava’s *The Indian Prison Community* (1977), B.V. Trivedi’s *Prison Administration in India: Model Prisons Programmes in Uttar Pradesh* (1987), Guha Ray Jaitilak’s *Prisons and Society: A Study of the Indian Jail System* (1989), Mahuya Bandyopadhyay’s unpublished dissertation, “A Sociological Study of a Prison in Bengal” (2005) as well as her later book, *Everyday Life in a Prison: Confinement, Surveillance, Resistance* (2010).

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[71] Mark Brown, "Ethnology and Colonial Administration in Nineteenth-Century British India: The Question of Native Crime and Criminality," *The British Journal for the History of Science* 36.2 (2003): 201-219.

[72] Preeti Nijhar, *Law and Imperialism: Criminality and the Constitution in Colonial India and Victorian England* (London: Pickering and Chatto, 2009), 61-77.

[73] Indra Jeet Singh, *Indian Prison: A Sociological Enquiry* (Delhi: Concept, 1979), 15.

These studies have examined the colonial prison in Bengal and also India from multiple perspectives including its history, organisational structure, bureaucracy, ideology, societal implication, and anthropology. Despite the abundance of legal, historical, and archival material, statistics, and reports that constitute these works, the authors have failed to hone in on the *experience* of the colonial subjects that the colonial prison system in Bengal introduced (emphasise mine). Mostly, their studies substantially lack in conceiving the development of the colonial prison concerning with the colonial subjects. Since the colonial state introduced carceral imprisonment as a method of punishment, it is essential to look into this disciplinary institution and its experiential impacts on colonial society from their perspective. Otherwise, the history of the colonial prison in Bengal will merely be an extended area of the modern welfare system of the colonial government. When collective experiences of the colonised people inside and outside of prisons are taken into account, this study argues that the narrative of reformation or the teleological evolution of the colonial prison in Bengal from its stage of barbarity to the Enlightenment will be revealed with all its distortions, nuances, and silences. Therefore, a thorough conceptual understanding of the colonial state, its ruling mechanism, governmental ideology, and the position of the colonised subject is required to realise the history and development of the colonial prison.

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[74] Singh, *Indian*, 26.

IV

Technologies of Rule: Prison, Governmentality, and the Will to be Governed

Discourses on colonialism took an epochal shift in the post 1960s with the thinkers like Frantz Fanon, Edward Said, Homi K Bhabha, and others who lay bare colonialism's false liberal claim by concentrating on its exclusionary practices towards the colonised people. Edward Said in his *Orientalism* (1978) shows how the Orient has been conceived as the lack of the Occident, which triggers the reductive reasoning of racial inferiority. In the Eurocentric logical fallacy, which conceptualises Europe as the centre of civilisation, the non-Western is deemed as relegated, non-modern, chaotic, and disintegrated 'Other.' So, writings *against* the centre regarding the history of postcolonial nations begin with the provincialisation of the image of Europe.

The general tradition of historiography in the case of India is mainly thought of in three fundamental teleological successions: the pre-colonial which is deemed as feudal and barbaric, especially indicating the Mughal and Islamic period; the colonial which has been credited in the orientalist discourse as the initiator of modernity prominently in the post-British government's implementation of the IPC; and the nationalist developed in reaction to the colonial modernity attempts to present our modernity largely during the Bengal renaissance in the nineteenth century. What is crucial is not this diachronic periodisation of colonial history and its typical breakage of time, rather the significance of the contestation over the issue of 'modernity' in Indian history. Historically, it must be noted that "the same historical process that has taught us the value of modernity has also made us the victims of modernity… (therefore we must) "have the courage at times to reject the modernities established by others" to "fashion our own modernity."[75] This denial is required, as Partha Chatterjee argues, to construct Indian history from the deadlock of the Western framework of world history where India continues to be an extension of Britain's history.[76] Thus, Chatterjee has not only criticised the tradition of colonialist historiography but the recent revisionist liberal historiographical tendencies also. For him, the introduction of 'rule of law' was the 'rule of colonial difference' in practice, that legitimised oppression, violence, and domination.

However, such a straightforward counter-oppositional view in a colonial context could address the process of otherisation, yet would run a risk of homogenising the idea of the colonial state itself. It, in turn, holds the colonial state as a continual project with consistent power dynamics, maintaining the steady application of its 'political rationalities,' and even its effects.[77] Nonetheless, not only the history of the colonial state, its various forms of power hierarchy between the British and the colonised, punishment systems, and even ruling mechanisms transform so do the reaction and techniques of resistance of the colonial subject. Therefore,

> [R]ather, what is necessary to understand, it seems to me, is that within the structures and projects that gave shape to the colonial enterprise as a whole, there were discontinuities in which different political rationalities, *different configurations of power, took the stage in commanding positions*… And therefore, in my view, not only accommodation but resistance as well would have to articulate itself in relation to this comprehensively altered situation (emphasise mine).[78]

Thus, the prison as a colonial institution that serves as an austere controlling power machinery, we contend, must be addressed in the broad terrain of imperial political rationality, colonial power structure as well as the changing notion of governmentality. As the colonial state constantly switches its ideological position, prison must not be thought of as simply a modern disciplinary apparatus, but rather in terms of extended power dynamics.

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[75] Partha Chatterjee, *Empire and Nation* (Ranikhet: Permanent Black, 2010), 152.

[76] Partha Chatterjee, *The Nation and Its Fragments: Colonial and Postcolonial Histories, The Partha Chatterjee Omnibus, Comprising Nationalist Thought and the Colonial World, The Nation and Its Fragments, A Possible India* (New Delhi: Oxford University Press, 1999), 33-34.

[77] For a detailed discussion on political rationality, see Lars Cornelissen's "What is Political Rationality," *Parrhesia* 29 (2018): 125-162.

[78] David Scott, "Colonial Governmentality," *Social Text* 43 (1995):191-220.

This efficacy of power in governance has been identified and differentiated by Michel Foucault in two case histories of punishment, set in eighteenth-century Europe in *Discipline and Punish* (1991). To him, the long eighty years breach between the two instances of the violent physical torture of Damiens the regicide in Paris and Léon Faucher at the House of young prisoners in Paris with strict regulated convict-timetable and working hours witness a noticeable shift of punishment procedure in Europe. Old methods, customs, and laws have been replaced with modern, morally justified codes and techniques. Foucault designates these two contrasting punitive techniques as the demonstration of the sovereign and disciplinary power. Punishment, he observed, was made to be the secret section of the penal procedure, suspended to the "abstract consciousness" off to the public display. "The body, according to this penality, is caught up in a system of constraints and privations, obligations and prohibitions…[F]rom being an art of unbearable sensations punishment has become an economy of suspended rights."[79] It marked, according to Foucault, a transformation from the feudal sovereign power (right to kill) to modern disciplinary power (right over body), which was incorporated in the penal schema to make it civilised and benign. Later, Foucault talks about another pervasive presence of power that is directed at the context of the population. In one of his lecture series that complied and published in the 1991 collection, edited by Graham Burchell, Colin Gordon, and Peter Miller called *The Foucault Effect: Studies in Governmentality*, he maintains that abandoning "the consciousness of each individual," the fundamental target of the government aims at the controlling of population, giving "the birth of new art, or at any rate of a range of absolutely new tactics and techniques."[80] In his 1977-78 Collège de France lecture, *Security, Territory, Population,* (translated in English in 2007), Foucault calls it governmentality. He emphasises that

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[79] Foucault, *Discipline*, 11.

> "Governmentality" I understand (is) the ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument. … (Secondly it) has constantly led towards the pre-eminence over all other types of power— sovereignty, discipline, and so on—of the type of power that we can call "government" and which has led to the development of a series of specific governmental apparatuses (*appareils*) on the one hand, [and, on the other] to the development of a series of knowledges (*savoirs*).[81]

Importantly, governmentality not only includes objectification at the mass level but also involves a sense of "self-interest" of the subject, a will to be governed.[82] Thus, it gives rise to the bio-political power i.e., the power over life. However, it must be resolved upfront if this Foucauldian triumvirate concept of power can be considered together or should be put in succession as well as if its deployment is feasible in the colonial context.

To answer the debate over the application of Foucault's governmentality which is largely theorised on over his European metropolitan experience engenders the concept of 'colonial governmentality.' Albeit, both the contexts of Europe and the colony, Baidik Bhattacharya contends, must not be studied differently or even conceived the former as the precedence of the latter in terms of colonial mimicry.[83] However, while defining colonial governmentality, David Scott in his seminal article cautions to its "distinctive political rationality… in which power comes to be directed at the destruction and reconstruction of colonial space so as to produce not so much extractive-effects on colonial bodies as governing-effects on colonial."[84] This view challenges the normativity of Foucault's governmentality and tries to look beyond its Eurocentric conceptualisation. Gyan Prakash correctly points out that the colonial governmentality is fundamentally disrupting since instead of being self-liberating it attempts to reform the Indians who are made "self-governing subjects in spite of their will" by placing them "in the colonial grid of knowledges and practices."[85] Perhaps, this dislocation in the government-mentality, which appeared pernicious in the context of the colonial state of affairs was already informed by Foucault in his later lectures. While addressing modern state security and its problem at the population level, he did not exclude the possibilities of the presence of sovereign or disciplinary power. It might only one dominating the other at a particular time.[86] Therefore, the colonial prison as a modern *dispositif* must be identified not only as a part of the colonial power-schema that simply translates from the sovereign to the governmental power but also with its exceptionality in addition to its constant shifting.

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[80] Michel Foucault, "Governmentality," *The Foucault Effect Studies in Governmentality, with Two Lectures by and an Interview with Michel Foucault*, edit. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press,1991), 100.

[81] Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-78*, trans. Graham Burchell (London: Palgrave Macmillan, 2009), 108

[82] Foucault, "Governmentality," 202.

[83] Baidik Bhattacharya, "Public penology: Postcolonial Biopolitics and a Death in Alipur Central Jail, Calcutta," *Postcolonial Studies* 12.1 (2009): 7-28.

The prison management took a historic turn in colonial India with the formation of the PDC in 1838. According to the committee report, all the presidencies and districts' jails of Calcutta, Madras, and Bombay were recommended to introduce hard labour within the prison replacing the previous intramural engagement.[87] Such reformative inclinations indicate a shift from the previous public exhibition of the corporeal punishment to the production of docile subjects in an enclosed setting under the purview of surveillance maintained by jailors, guards, and other prison officials. The abolishment of physical torture including impalement, mutilation, amputation, and so on by the colonial state manifests its disciplinary turn from the barbaric sovereign display of power. Thus, one of the earliest applications of the Benthamite panopticon technique was adopted by the British administrator Mountstuart Elphinstone in western India, Poona. He suggested in his report that

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[84] Scott, "Colonial," 204.

[85] Gyan Prakash, *Another Reason: Science and the Imagination of Modern India* (Princeton: Princeton University Press, 2020), 143.

[86] Mark Brown, *Penal Power and Colonial Rule* (London: Routledge, 2014), 8.

[87] *Report* 1838, 16.

> A place might be constructed for their (prisoner's) residence which might combine the plan so much recommended by Mr. Bentham, with the economical arrangement suggested in Bengal, a circular or octagon wall, with an open arcade or tiled Veranda to run all round the inside, deep enough to afford shelter and deep enough for concealment, this Veranda to be partitioned off into cells, with walls, and to be shut in with an iron grating or a deep ditch in front, to prevent the prisoners meeting in the open space in the middle.... In the centre should be a circular building for the Jailor, from which he might see into every cell ... while he himself was concealed by blinds (quoted in Kaplan).[88]

Later, prisons in colonial India, we argue, advanced from its disciplinary mechanism to the domain of governmental power schema with the emergence of nationalist insurgencies, especially in the post-Mutiny period. Although British officials and administrations such as F. J. Mouat who had worked in the Bengal Presidency between 1859-65 still intended the prison to be considered as the "terror to evil doers," and utilised as an institution of punishment and reform, prison in the late 1860s was chiefly invested as the dominant governmental technology of repression at the mass level.[89] The colonial prison was posited as the symbol of fear of violent repression and absolute domination at the population level, especially to control the mass agitation fuelled by nationalist revolutionaries. Although it was presented as a bio-political machinery that would protect the lives of the colonial people from crimes and disorder, this governmental protection came only with its exclusion, leaving the colonised subject at the edge of discrimination, subjugation, and even death. Being racially prejudiced, the colonial prison became the site where the convicts were subjected to physical and mental torture. This implies the return to the sovereign power in a disciplinary setting. It further manifests the 'exceptional' presence of 'bare life' consciously allowed in the periphery of a state-sanctioned punitive institution. This power over life, contrarily, allows death to infiltrate into the colonial sphere, that Achille Mbembé may call 'Necropolitics.'[90]

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[88] Martha Kaplan, "Panopticon in Poona: An Essay on Foucault and colonialism," *Cultural Anthropology* 10.1 (1995): 85-98.

[89] Fredrick J. Mouat, "On Prison Discipline And Statistics in Lower Bengal," *Journal of the Statistical Society of London* 30.1 (1867): 21-57.

Nonetheless, it cannot be denied that elite *bhadralok* section of the society particularly in colonial Bengal, showed a certain interest in self-governance, valorising the colonial state's false rhetoric of law and order. They not only accepted the rule of law albeit in a limited sense but they fostered their identity as a law-abiding subject in relation to the colonial legal and punitive machinery. This indicates the limited penetration of the colonial governmentality in relation to the colonial prison. However, soon "through subtle practices of transgression and repetition, nationalism subverted colonial governmentality and pursued its own program of the welfare of the population."[91] Prisons thus were eventually transformed into a place of contestation and resistance against the colonial state.

Thus, we will scrutinize the history and evolution of the colonial prison in Bengal through the lens of the colonial/governmentality discourse. Our analysis will fervently concentrate on how experiences of the colonial subject, which change with time and their identity in the society have been unequivocally influenced by the introduction of carceral imprisonment. As this is an alternative history, in addition to this theoretical stance, we must clarify how we are using literature as an alternative source to official archives.

V

Silences of History: The Issue of Colonial Archive and Literature

The term archive is commonly used to describe a public or government institution's repository of historical records. Since it maintains information about the past, an archive can potentially reveal the truth, yet its very nature or the techniques it uses to do so are open to debate. It is a "physical" or "institutional space" as well as a metaphorical or "conceptual space," which connects both the public and the private, history and individual.[92] There is a growing interest observed in archives from academics outside the library and archival sphere, as diverse as history, literature, sociology, geography, politics, and more. It gives insight into the interconnected nature of ongoing transformations in the dissemination of information as well as the function of archives in the modern world, which can be considered as "archival turn."[93] Theoretically, Jacques Derrida and Michel Foucault are two of the most influential thinkers who were integral to comprehending archive and its methodology. Derrida maintains that

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[90] J-A Mbembé and Libby Meintjes, "Necropolitics," *Public culture*15.1 (2003): 11-40.

[91] Prakash, *Another*, 157.

> *Arkhe* we recall, names at once the *commencement* and the *commandment*. This name apparently coordinates two principles in one: the principle according to nature or history, *there* where things *commence*-physical, historical, or ontological principle-but also the principle according to the law, *there* where men and gods *command*, there where authority, social order are exercised, in this place from which order is given-nomological principle.[94] (emphasise in the original).

From a psychoanalytical standpoint, Derrida views archive as human being's primary subjective desire for preservation, which can be tied to Freud's "pleasure principle," whereas the urge to annihilate archive is tied to the "death drive." Thus, an archive can be viewed as the cohesiveness of the past and the present, or 'eros' and 'thanatos,' which determine the trajectory of an 'event' (history). In addition, Derrida emphasises on the provisional aspect of 'archivization,' arguing that the manner of organising the archive is contingent upon the command of political control and cultural norms.

On the other hand, Michel Foucault in *Order of Things* (1966) which deals with the concept of knowledge (equivalent to power) and its hierarchical character similarly observes that psychoanalysis and ethnology occupy a particular place in the discourse of knowledge-formation. From his archaeological perspective, these particular arrangements of entities, concepts, and interconnectedness of information as viewed in the structure of archive are “rooted” in the “topological space of knowledge.”[95] His ideas raise fundamental questions about the nature of the archive. Foucault defines an archive in terms of how it is generated, shifting our understanding of archives from a static repository of texts to an interconnected web of power structures. He argues that knowledge results from an unequal power dynamic, and that retrieving an archive is a manner of challenging these assumptions of the dynamic. “It emerges in fragments, regions, and levels, more fully, no doubt, and with greater sharpness....”[96]

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[92] Voss, Paul J., and Marta L. Werner, "Towards a Poetics of the Archive: Introduction," *Studies in the Literary Imagination* 29.1 (1999): I–VIII.

[93] Marlene Manoff, "Theories of the Archive from Across the Disciplines," *Libraries and the Academy*, 4.1, (2004): 9–25.

[94] Jacques Derrida and Eric Prenowitz, "Archive Fever: A Freudian Impression," *Diacritics* 25.2 (1995): 9-63.

So, both in Derridean psychoanalytical perspective and Foucauldian discourse, the archive is conceived metaphorically as well as physically focusing on the archival politics. Their discursive strategy could also be applicable in the context of the colonial archive since the power dynamics in a colonial setting are characterised by unequal hierarchy and imperial politics. To define “colonial archives,” Ann Laura Stoler maintains that, these are “both sites of the imaginary and institutions that fashioned histories as they concealed, revealed, and reproduced the power of the state.” [97] Colonialism is not a dead historical project but a continuous past that shapes the present. It is, therefore, necessary to undermine the “effects of distortion owing to the elimination of what in fact situates it, but without its either being expressed or brought to consciousness: a power which has its own logic.”[98] Over the decades, the method of exploring the colonial archive, reciprocatively, has been characterised by the turn of going against the centre or reading along the footnotes or margins. At the outset, the colonial archive's epistemological perspective is questioned, along with its veracity, how the material is presented or organised, the knowledge that was omitted, etc. In this way, the colonial archive has been considered through the lenses of power dynamics, bias, and institutionalised inequality within the official system of knowledge production. This new reinvestment in the archival study and its emphasis on "silences" and "experience" seem influential in the context of historiography, especially in the end of the 90s, which resulted in the development of microhistories "that may not have left sufficient traces in official documents and histories."[99] It denotes the beginning of 'metanarratives' with the closure of 'grand narratives.' From the perspective of postcolonial nations, this postmodern receptivity towards the acceptance of alternative/micro/other narratives becomes immensely significant.

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[95] Adina Arvatu, “Spectres of Feud: The Figure of the Archive in Derrida and Foucault,” *Mosaic: A Journal for the Interdisciplinary Study of Literature* (2011): 141-159.

[96] Michel Foucault, *Archaeology of Knowledge* (London: Routledge, 2002), 148.

[97] Ann Laura Stoler, “Colonial Archives and the Arts of Governance,” *Refiguring the Archive* (2002): 83-102.

[98] Michel De Certeau, *The Writing of History*, trans. Tom Conley (New York: Columbia University Press, 1988), 62.

In *Colonialism and its Forms of Knowledge* (1996), Bernard Cohn correctly mentions that the colonisation of India can be considered as the triumph of knowledge. It was not just a crude illustration of oppressive and vertical power dynamics, racial ideology that the colonial population required a master/leader in addition to the prevalent oriental knowledge system linked to the power structure, fostered this process.[100] What Edward Said implicitly tried to question was the contingency of the colonial archive that was developed by the totalitarian imperial agenda. Therefore, it is important to scrutinise the colonial archive, its authority, and forms of knowledge to recover the micro histories of the disenfranchised colonial subject and their experiences. Thus, literary writings appear as the primary source in this process for their representational quality.

It must be recalled that a certain literary text is a work of art of polyphony, yet it can be distinct from one another in form, genre, and style. Broadly, literary text may include journal entries, letters, diary testimonies, pieces from periodicals, monographs, source documents, and more. All are historically inscribed in a particular time and space. These varied literary texts could be observed to validate, contradict, or even critique each other, which maintains a dialectical balance with history. Only a panoramic view of such diverse ranges of texts provides a possibility for a comprehensive production of a certain historical period from an alternative perspective.

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[99] Dominick La Capra, *History in Transit: Experience, Identity, Critical Theory* (Ithaca and London: Cornell University press, 2004), 3.

[100] Edward Said, *Culture and Imperialism* (New York: Vintage Books, 1994), 9.

During the nineteenth-century Bengal Renaissance, there was a dominant urge, especially among the Bengali educated middle-class *bhadralok* community start growing stronger to present their own nation's history and indigenous sense of modernity. Along with historians and social thinkers, literary writers took significant roles in the nationalist insurgency. Bankim Chandra Chattopadhyay was one of the prominent intellectual voices in Bengal who called for writing the Indian history in *Bangadarshan* in 1880.[101] Rabindranath Tagore in his 1903 essay, "Bharatbarsher Itihasa" (History of Bharat), similarly, bewails for the absence of the national history. He commented that "those people are fortunate who discover their nation in the history of their country, as they get the opportunity to learn about their homeland from an early age. We experience the opposite. Our own nation is overwhelmed by our country's history" (translation is mine).[102] This reconstruction of the national history predominantly began with the reconceptualisation of the Indian mythical past, *purana*, and folklore meditated through historical and literary writings. Ranajit Guha in his three-lecture series later compiled as a book called, *An Indian Historiography of India: A Nineteenth-Century Agenda and Its Implications* (1988) observed that with this emergence of historical drama, social sketchbook (*naksha*), and historical accounts, the nationalist historiography in colonial India was foregrounded. It was pitted against the colonialist/orientalist historiography, earlier established through the works like Alexander Dow's *The History of Hindostan* (in three volumes) published in 1768-72 and James Mill's *History of British India* published in 1817.[103]

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[101] Ranajit Guha, *Dominance without Hegemony: History and Power in Colonial India* (Cambridge: Harvard University Press, 1997), 153.

[102] Rabindranath Tagore, *Itihasa* (Calcutta: Visva Bharati Granthanalaya, 1955), 3.

Until the postmodernist turn, history as a discipline shares a contrasting relation with literature since it has been generally conceived that the former as a discipline is based on facts, while the latter is epistemologically imaginative. However, Ranajit Guha argues that Bengali literary figures particularly Rabindranath Tagore through his poetry extend the boundary of the formal historiography by projecting historicality in the domain of literary text. Any literary text, therefore, for Tagore refers to "a creative individuality" which has "its roots in a region of primal experience…But that experience, however primal, is by no means inert. It has a life of its own and a movement characterized by a certain towardness…It is thus a tendency already informed by historicality."[104] Thus, from Bankim to Rabindranath, Indian historiography as produced in the literary writings manifests a transformation from the Hindu nationalist to the deeply anticolonial, democratic, and liberal history rooted in *itihasa*, without being assimilated into the terrain of world history. However, there is still an important issue to be resolved whether we are considering literature as the alternative archival source in this dissertation, which in the way will replace the official archives. As literature, particularly novels and drama, must be reminded that, involves a certain narrative and perspective, the authenticity of knowledge literature produces may appear questionable.

This issue of archive, knowledge formation, and the role of literature are substantiated by Gayatri Chakravorty Spivak in her article, "The Rani of Sirmur: An Essay in Reading the Archives." She has pointed out that the issue of narrativity and the use of language are also involved in colonial archives. Spivak showed by citing the example of the Rani (the queen) of Sirmur that in the archives especially in the letters sent between various East India Company authorities, the Rani was projected as someone who desperately required British assistance to secure her son's kingship, and even she was on the verge of conducting *sati*, while her husband was still alive. Such a fictitious narrative later became the justification of the final absorption of Sirmur. According to Spivak, the Rani could be taken as the representation for the fictional narrativity of the colonial archive in which the subjectivity of the Rani was assimilated to secure colonial domination. She contends that based on such misrepresentation of the colonial archive, India as a nation and its history has been formed. As a result, a critic must introduce literature as his/her text in the reconstruction of the imperial past while not simply conceiving the colonial archive as the truthful account of history. "Singular" and "unverifiable" which are the two important aspects Spivak attributes to literature, constitute a major "ethical force of texts."[105] It combines both the subjective and objective, private and public together. "Literature and the archives," Spivak argues, "seem complicit in that they are both a crosshatching of condensations, a traffic in telescoped symbols, that can only too easily be read as each other's repetition-with-a-displacement."[106] So, literature and archive, keeping in mind limitations of both, must not be used as the replacement of one another. A similar argument is put forward by Ann Stoler when she contends that

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[103] Ranajit Guha, *An Indian Historiography of India: A Nineteenth-Century Agenda and Its Implications* (Calcutta and New Delhi: K. P. Bagchi & Company, 1988), 3-13.

[104] Ranajit Guha, *History at the Limit of World-History* (New York: Columbia University Press, 2002), 78-79.

> How can we compare colonialisms without knowing the circuits of knowledge production in which they operated and the racial commensurabilities on which they relied? … archival production is itself both a process and a powerful technology of rule, then we need not only to brush against the archive's received categories. We need to read for its regularities, for its logic of recall, for its densities and distributions, for its consistencies of misinformation, omission, and mistake – along the archival grain.[107]

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[105] Leila Neti, *Colonial Law in India and the Victorian Imagination* (Cambridge: Cambridge University Press, 2021), 24.

[106] Gayatri Chakravorty Spivak, "The Rani of Sirmur: An Essay in Reading the Archives," *History and Theory*, 24.3 (1985): 247-272.

[107] Ann Laura Stoler, "Colonial Archive and the Art of Governance," *Archival Science* 2 (2002): 87-109.

Therefore, literary writings will be considered as the fundamental resources in this dissertation regarding the formation of an alternative history of the colonial prison in Bengal, along with the official colonial archive on prisons as observed in the penal laws, committee reports, policy drafts, data, records, and other governmental documents. It would be thus a dialogic exchange between the archive and literature to explore nuances, silences, and intricacies of the colonial prison.

VI

The Colonial Prison in Bengal vis-à-vis Literary Writings

This study consults several literary texts set in colonial Bengal between 1960 to 1945 including fiction, dramas, and life writings. All these texts cannot be categorised as prison writing, as they do not adhere to its generic tropes in strict sense. Notably, the prison writing, as maintained by Dora Larson in her article, "Towards a Prison Poetics," as a genre, its internal, recurrent tropes and traits must be linked "to the strategies of power exercised within prisons in general and to the particular conditions of each writer's incarceration."[108] Several generic characteristics she identifies include the preference for writing as a form of resistance, the production of alienated monologue in a controlled environment, high sensitivity to the material space, and the narrative of violence and extremism, that are all intricately linked to the legal and justice system and primarily its failure. Although the majority of the primary texts we have used for this study may exhibit these characteristics, they are not inherently written by prisoners except by the revolutionaries. Even though prison is a crucial component of their broader narrative, and serves as the foundation in a few cases, such as in life accounts, revolutionary stories, and fictional works, it cannot be considered as prison writings. Therefore, we are considering these literary texts that provide information on the colonial prison in Bengal as well as present experiences of the colonial subject inside and outside the prison locale.

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[108] Doran Larson, "Toward a Prison Poetics," *College Literature* 37.3 (2010): 143-166.

Among fictions, we have included Kedarnath Dutta's *Sachitra Gulzarnagar*[109] (Illustrated Gulzarnagar), published in 1871, Charu Chandra Chakraborty's (written under his pseudonym, Jarasandhra) *Louha Kapat*[110] (The Iron Gate) *Dwitio Parba* (second Volume) published in 1954 (1362 in Bengali), and Gopal Halder's *Onnyodin*[111] (The Other Day), published in 1950 (1357 in Bengali). Notably, there are certain autobiographical elements in common among all these fictions.

We have looked into three Bengali dramas including Dinabandhu Mitra's *Nil Darpan*, originally published in Bengali in 1860) and translated in English entitled *Nil Darpan or the Indigo Planting Mirror* by Michael Madhusudan Dutt in 1861,[112]

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[109] Kedarnath Dutta, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965). The book as recorded was first published in 1871, but we are taking the 1965 edition of this book because it contains a long introduction to the text written by Chittaranjan Bandyopadhyay including properly mentioning its time frame, the writer's identification as well as a note to the socio-political context. The work belongs to the tradition of Bengali *Naksha* (sketch). Kedarnath Dutta provided a pen picture of Calcutta city and its surroundings set between 1850 to 1870 with his typical wit and satire, in which prison experience of the colonial subjects and torture technique within the prison could be observed.

[110] Charu Chandra Chakraborty, *Louha Kapat* (The Iron Gate) (Kolkata: Bengal Publishers Private Limited). *Louha Kapat* has four volumes. We are taking only *Dwitio Parba* (second volume), the first edition published in 1954 (1362 in Bengali). This collection of stories recounts Charu Chandra Chattopadhyay's personal experience as a jailor during the British rule in India. In his writings, he observes and recollects those people who have perpetrated horrible acts and imprisoned subsequently in prisons. The work contains not only Chakraborty's personal experience of witnessing the changing dynamics of the judiciary, legal procedure, and an insider's view of the colonial prison but also a detailed description of the penal torture, infliction of pain and violence, and hunger strikes.

[111] Gopal Halder, *Onnyodin* (The Other Day) (Kolkata: Bengal Publishers Private Limited, 1957). Although Gopal Halder's *Onnyodin* (The Other Day), published in 1950 (1357 in Bengali), we have taken the third edition because the author himself has mentioned in the preface that he has revised a few sections of the novel keeping the fundamental story intact. Halder also stated that *Onnyodin* (The Other Day) despite being the part of a trilogy should be read as an independent story that he had conceptualised at the Presidency Jail in 1948. The story is set in 1937-38 that contains various coercive techniques of the colonial prison including the political prisoners' effort to produce something meaningful within the prison while being detained or held in jails under trial through the central character, Amit's perspective.

[112] Dinabandhu Mitra, *Nil Darpan or the Indigo Planting Mirror*, trans. Michael Madhusudan Dutt (Calcutta: Eastern Trading Company, 1861). Although the original text is published in Bengali, we have taken its English translation of the poet, Michael Madhusudan Dutt. The drama depicts the oppression, extortion, prison brutality including sexual abuse, and the lack of access to justice that many Bengalis had to deal with in the nineteenth century.

Dakshinaranjan Chattopadhyay's *Jail Darpan*[113] (Jail Mirror) published in 1875, and Upendranath Das's *Surendra-Binodini Natok* (Drama Surendra-Bindodini), published in 1880 (in Bengali 1287).[114]

The life writings we have considered are mostly memoirs written by both male and female revolutionaries who actively participated in the revolutionary activism in colonial Bengal, and had first-hand carceral experience. Among these, we have looked at Bina Das' *Bina Das: A Memoir*[115] which was originally published in Bengali as *Srinkhal Jhankar* in 1948 and later translated by Dhira Dhar in 2010, Kamala Dasgupta's *Rakter Akshare*[116] (Written in Blood) published in 1954 (1362 in Bengali), Rani Chanda's *Jenana Phatak*[117] (Zenana Prison) published in 1958 (1365 in Bengali), Shanti Das' *Arun Banhi* (Fiery Dawn), originally published in Bengali in 1957,[118] Aurobindo Ghosh's *Tales of Prison Life*[119] which was originally published in Bengali as *Karakahini* in 1909 translated in English and published in 1974, Hemchandra Kanungo's *Banglai Biplab Prechesta*[120] (Revolutionary

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[113] Dakshinaranjan Chattopadhyay, *Jail Darpan* (Jail Mirror) (Kolkata: 1875). We are taking the first edition of the play. This is a self-published book as mentioned in the second edition. It is one of the rare books that address extensively the prison condition of nineteenth century Bengal.

[114] Upendranath Das, *Surendra-Binodini Natok* (Drama Surendra-Binodini) (Kolkata: G. P. Roy and Company, 1880). We are taking the second edition of this drama. Notably, the play presents the prison revolt at the district jail at Hooghly. Both Upendranath Das, the playwright and Amritlal Basu, the director, were arrested in 1876 due to the charges of showing obscenity on stage, especially in this drama.

[115] Bina Das, *Bina Das: A Memoir* (New Delhi: Zubaan, 2010). Although the original memoir of Bina Das entitled *Srinkhal Jhankar* was published in Bengali, we are taking the English translation of Dhira Dhar. The memoir recounts Das's militant activism, nationalist ideology, and her prison experience in Presidency Jail and Midnapore Jail in 1930s Bengal.

[116] Kamala Dasgupta, *Rakter Akshare* (Written in Blood) (Kolkata: Radical Impression, 1954). We have taken this new edition of the memoir of Kamala Dasgupta published recently in 2022 as a part of a series called, *Agnijuger Granthamala* started by Radical Impression publisher. This edition contains a brief introduction written by the revolutionary Bhupendranath Dutta. Like Bina Das, Kamala had similar carceral experience in Presidency and Midnapore Jail.

[117] Rani Chanda, *Jenana Phatak* (Zenana Prison) (Kolkata: Kolkata: Prakash Bhawan, 1958). It presents Chanda's penal experience in Suri Jail at Birbhum and later in Rajshahi Jail.

[118] Shanti Das, *Arun Banhi* (Fiery Dawn) (Kolkata: Basumati Sahitya Mandir, 1957).

[119] Aurobindo Ghosh, *Tales of Prison Life* (Pondicherry: Sri Aurobindo Ashram Publication Department, 2018). The original text, *Karakahini* was written in Bengali, but we have taken the fifth edition of its English translation of Sisirkumar Ghosh. This 2018 edition is better complied with the additional translator's note as well as extra notes on the text. The account records Aurobindo Ghosh's experience of solitary confinement, jail monotony and finally his spiritual transformation in Alipore Jail.

[120] Hemchandra Kanungo, *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal) (Kolkata: Kamala Book Depot Limited, 1928). We are taking the first edition of this text. This memoir is significant due its chronical description of the revolutionary movement in Bengal, and particularly for its depiction of penal torture.

Endeavours in Bengal) published in 1928, Bhupendrakumar Dutta's *Biplaber Padachinha*[121] (Footprints of Revolution) published in 1953, Jogesh Chandra Chatterji's *In Search of Freedom*[122] published in 1958, Trailokyanath Chakrabarty's *Jaile Trish Bachar O Pak-Bharater Swadhinata Sangram*[123] (Thirty Years in Jail and Struggle for Freedom of Pak-India) published in 1962, and Amalendu Dasgupta's *Detenu*[124] published in 1966.

VII
Methodology

We have primarily employed close reading approach in this research, which entails analysing and evaluating textual information, tropes, ambiguities, and silences in relation to the official colonial archive. Literature serves mainly as a testimony here, as an alternative archival source. Thus, we will be using the texts for both what they represent and what they manifest or testify. This dissertation is not concerned to the narrativity or the structural formation of the texts, ideological and aesthetical perspectives will not be overlooked though. Notably, we have specifically dealt with the sections of the texts that contain knowledge about the colonial prison, prisoner's activity, or the officials' enterprising procedure. It does not try to provide an interpretation of the text in its entirety. Moreover, all the textual information, references, and representation will be intersected by secondary materials including books, articles, historical records, and archival data.

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[121] Bhupendrakumar Dutta, *Biplaber Padachinha* (Footprints of Revolution) (Kolkata: Saraswati Press, 1953). This edition has an important introduction written by Arunchandra Guha. This account is important for Dutta's experience in Alipore, Rajshahi, and Burma prison. It provides information regarding the prison condition in East Bengal. The memoir also contains a detailed description of hunger strikes in jail.

[122] Jogesh Chandra Chatterji, *In Search of Freedom* (Kolkata: Firma K. L. Mukhopadhyay, 1958). This memoir also shares information about the conditions of the militant revolutionaries in Bengal as well as Chatterji's hunger strike in Rajshahi prison.

[123] Trilokyanath Chakrabarty, *Jaile Trish Bachar O Pak-Bharater Swadhinata Sangram* (Thirty Years in Jail and Struggle for Freedom of Pak-India) (Kolkata: Maharaj Trilokyanath Mukhopadhyay Smriti Rakhsha Committee, 1962). This memoir presents Trilokyanath's experience in Alipore Jail, Mymensingh jail of East Bengal as well as Burma jail.

[124] Amalendu Dasgupta, *Detenu* (Kolkata: Sahitya Sangsad, 1966). This autobiographical work describes Dasgupta's experience in Suri, Faridpur, Presidency, and Burma prison.

Although this dissertation chiefly deals with literary texts set between 1860 to 1945, carefully considers historical and archival materials as meticulously as its primary texts. Notably, a few of these texts such as *Louha Kapat, Rakter Akshare, Biplaber Padachinha, In Search of Freedom, Jaile Trish Bachar O Pak-Bharater Swadhinata Sangram,* and *Detenu* have been published in the post-Independence period, all are set in the colonial era though. Since it intends to explore the alternative histories and experiences of the Bengali colonialised people, it does not approach the literary text generically, but rather as the sources. The addition of poetry, songs, and letters—which, from what we can understand, may contribute to our understanding of the penal experience—would have rendered the dissertation far too voluminous.

Many of our primary texts have several editions. Some of them are no longer in print, and a few of them might qualify as rare books. The editions we have considered for this dissertation have been selected in some cases owing to availability, printing issues, or because they offer introductory sections, prefaces, editorial columns, and other features. Footnotes from 109 to 122 contain all the information regarding textual details in brief, its publishing history, publication house and editions.

All the primary texts are written by the Bengali authors. We have not considered British writers including officials, missionaries, and travel writers. For example, Mary Carpenter, a missionary, and educator from England who was particularly concerned with women's education mentioned her experience in Indian jails including Bengal in her *Six Months in India* (1868), chapter II in Volume 1 and chapter VI and VII in Volume 2. However, one must realise that placing a work by a European author in a colonial framework necessitates a different analytical approach for its inverted authorial gaze and different textual politics.

Except *Neel Darpan*, *Bina das: A Memoir*, *Tales of Prison Life,* and *In Search of Freedom*, none of the texts are available in English. The translations of the other textual quotations, words, phrases as well as the title of these texts are mine. While translating, we have tried to maintain the original sense or meaning. It is also understandable that translating every indigenous word or phrase is a difficult task, especially due to the distinct cultural expression. We have not translated several indigenous words because of this limitation.

VIII

Chapter Overview

The dissertation contains five interconnected chapters. The first chapter entitled "Beyond the Walls: The Evolving Image of the Colonial Prison vis-à-vis Colonial Subjects" will show how the image of the colonial prison has changed over the period from the Mutiny days to the militant nationalist insurgency in colonial Bengal. It focuses on the macro social perspectives of the colonial prison extending its boundary going beyond the prison house. It realises that neither the function of the colonial prison nor the identity and status of the colonised subject is constant. The chapter, therefore, explores how the colonial prison tries to produce law-abiding docile subjects by the utilisation of fear, repression, and the rationale of rehabilitation in the penal context on the one hand and is contested and defied on the other. Notably, the institutionalisation of the modern prison system in British India with the implementation of the IPC in 1860 marks a clear departure from the earlier Company rule not only in terms of the governance technique but also the application of its modern penal reformative measures. However, this so-claimed humane form of carceral imprisonment became the place of terror and social blasphemy for the colonial subjects in the initial years. With the rise of nationalist activism in colonial Bengal, the prison was utilised more as the machinery of suppression, while the colonised subjects took prison as a place of demonstrating their protest. Thus, this chapter attempts to locate this changing signification of the colonial prison and the evolution of the identity of the Bengali people simultaneously.

The issue of class and caste identity among the Bengali people thus will also be significant in this regard.

The second chapter of this dissertation called “Designing Repression: Regulating Time and Space in the Colonial Prison” presents how the prison in the colonial setting applies its ‘techno-disciplinary’ mechanism to its inmates. It argues that the development of the prison architecture as well as the evolution of modern prison administration in colonial Bengal needs to be explored together to understand this mechanism broadly. This chapter, therefore, focuses on the prison basically as a repressive *dispositif*, which not only serves as a vital part of the justice system of the colonial government but also as an independent institution. It identifies that the shift of old prison buildings from castles and forts to a designated place on the city’s outskirts with measured cells, iron walls, and limited communication facilities aims to produce a cultural fear as well as to impart strict discipline. Thus, this chapter examines how the material conditions of the prison including its outside wall, building, general cell, and isolated ward were utilised to produce an effective disciplinary machinery. It must be remembered that the internal spatial dynamic is interlinked with the temporal dimension of imprisonment in addition to the surveillance monitored by the prison officials. How the colonial state determines the development of the penal architecture or its internal tempo-spatial distribution with a definitive purpose and how the colonial imprisoned body experiences such corporeal and psychological repression will be the plethora of this second chapter.

The third chapter entitled “The Laboratory of Violence: Convict Body, Torture, and the Penal Power” show that violence was banal in the form of physical and mental torture within the colonial prison in Bengal. Although in the official records, as the colonial state claimed that torture was abolished and corporeal punishment used to be applied in a minimal sense mainly in extraordinary cases, the literary writings, especially the life writings of the revolutionaries provided accounts of its almost systematic application. It contends that the process of producing a ‘docile’ colonial body within the prison starts with the textualisation of the convict body through *godna*, photographing, and taking fingerprints, then solitary isolation, and finally torture. This chapter argues that under colonial governmentality, the prison functions as the laboratory of the colonial state, where the sovereign power of torture is reintroduced if any threat is recognised. During the rise of militant activism in colonial Bengal, prisons became the chief site of institutional torture, which was mostly not mentioned in the official records. Not only physical torture but also psychological torture including abuse and humiliation was utilised within the prison. Thus, this chapter will examine how the colonial prison despite positing itself as a pro-people rehabilitative institution chiefly relied on violence and torture and even became the place of ‘exception’ to mitigate the political activism in colonial Bengal. Additionally, this chapter identifies that prison doctor plays a significant role in this punitive procedure. It is the physician who instructs how much a convict body can be subjected to physical pain and torture, which in turn transforms the prison into the necropolitical domain or the authority over death.

The fourth chapter, “Who is Afraid of Jail? Resistance and the Incarcerated Subject in Colonial Prisons in Bengal” explores how the colonial prison in Bengal was defied, resisted, and subverted by the colonial subject within the prison through their conscious and unconscious transgression. It shows that initially there were several instances of jailbreaking, vandalising, and jail escaping that indicate the existence of confrontational resistance against the new penal order. However, with the systematic deployment of power, proper prison building, and adequate officials, violent forms of resistance decreased and took subtle forms. This paper thus focuses on the indirect forms of resistance that Foucault calls ‘counter conducts’ i.e., a rejection, a refusal to comply with the colonial authority. It manifests in the act of hunger strikes and collective solidarity as well as in small subversive acts like composing a poem, singing a song, and even staging a play within the prison. Moreover, this chapter also tries to locate an ethical form of resistance or ‘parrhesia’ put forward by the revolutionaries for their ethical anticolonial position.

The fifth and final chapter, entitled “Women in Prison: Gender, Morality, Revolution, and the Limits of Colonial Governmentality” will attempt to explore the gendered dimension of the penal experience in colonial Bengal. In other words, the chapter will produce the history of women’s experiences briefly and examine in what extent their gendered identity played a significant role within the prison, especially in their subjugation methods and even their resistance tactics. It must be noted that the female prison population was relatively smaller, mostly coming from the downgrade section of the Bengali society; besides they were sentenced for a short period. The colonial authority who could not dare to bring the upper class *bhadramahila* into the legal domain in anticipation of the fierce reaction for disturbing the sanctity of Indian womanhood held these lower class and caste-oppressed women as their subject to show their domination. Although the literary writings of this period could not show women’s experiences of imprisonment, it indicated what types of women should be considered for this disciplinary institution. Colonial prisons thus became the practical field for implementing moral values, forcing them to learn complete subordination to the colonialist as well as the upper class society in Bengal. However, with the mass number of political women getting imprisoned, this power dynamics quickly changed. Taking references to several women revolutionaries’ accounts, this chapter shows the interior life of the colonial prison for the political women including their pain, determination, adda, solidarity, and also their subversive activities like hunger strikes. Their imprisonment and collective solidarity in the prison exhibits resistance, that fissures the horizontal power networks of the colonial prison. This chapter, thus, contextualising women experiences in the colonial prison in Bengal not only contends that there was the presence of autonomy for the subject which had a gendered notion, even within a strict disciplinary setting of the colonial state but also identifies that women subjects remained as the eternal visible enigma for the colonial state. Even the despotic penal regime was not able to resolve that.

Chapter 1

Beyond the Walls: The Evolving Image of the Colonial Prison vis-à-vis Colonial Subjects

I

Introduction

This chapter will show how, from the initial years of the implementation of the IPC to the rise of nationalist insurgency in twentieth-century Bengal, the significance of the colonial prison has changed. In other words, the focus of the chapter is to *reconsider* the experiences of the colonial prison from the cultural perspective. It must be remembered that neither the power relation between the colonial government and the colonised subject nor the position of the subject is unidirectional. The prison as a system effect on the colonial subject as much as it is confronted, negotiated, and resisted. So, the chapter broadly will present the gradual transformation of the perception of the colonial prison concerned the development of the subjectivity of the colonised people. How a new punitive institution like a prison that had impacted on their identity and characterised them as social threats, dangers, criminals, terrorists as well as rebels also be called into question. The issue of class and caste thus would be significant here.

The evolution of the colonial prison in the context of India has earlier been envisaged under the rhetoric of reformation, shown as the modern carceral replacement of the public spectacle of corporeal punishment. This terrain of reformist historiography mimics the model of European and American penal history in the Indian colonial context. These accounts either observe prison as a result of the humanitarian and moral critique of the Enlightenment project replacing the existing inhumane, erratic punishment technique or focus on the structural and institutional changes it brought in the punitive system. The reformist historiography proclaims of the teleological advancement towards a civilised, mature state of society, and governance. Thus, in turn, it disregards repression, mass surveillance, and violence on the indigenous society owing to the new punitive model. This liberal approach towards the modern state was seriously challenged with the advent of the postcolonial school of thought in the 1960s as they showcased how the colonial government that introduced the 'rule of law' was paradoxically unequal and authoritarian.[1] Therefore, the evolution of any institution in the revisionist historiography including "the history of the prison, the school, the hospital, the asylum seemed more easily (should be) understood as a history of Leviathan (power networks) than as a history of reform."[2] The logic and the counter-logic of the reformist and revisionist history both may be argued, fall short as the former finds reformation too humane and moralistic, while the later either formulates modern state as an absolute force that holds supreme authority over the subject, or they construct history in terms of subordination-narrative in which resistance of the subject sometimes stands prominent. This chapter being disruptive to this binary intends to show that the relation between the colonial prison and the colonial subject was rather dialogical and could infiltrate the prison boundary extending its impact to the exterior society.

The function of prison is generally thought of in terms of its inmates and their internal struggle. Prison, contrarily, can produce state hegemony, change the perception of society, and even influence their shared cultural experience. Besides, a subject is not a non-resistant, neutral, and homogeneous entity that can only be objected to power. So, it will be difficult to comprehend the development of the jail without incorporating the ideology of authority in power and its correlation to the class structure at large. "The prison was thus studied not for itself but for what its rituals of humiliation could reveal about a society's ruling conceptions of power, social obligation, and human malleability."[3] In the case of colonial Bengal, class and caste relation and their internal difference, therefore, is crucial to understanding the transformation of the image of prison.

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[1] Martin J. Weiner, *An Empire on Trial: Race, Murder, and Justice under British Rule, 1870-1935* (Cambridge: Cambridge University Press, 2009), 2.

[2] Michael Ignatieff, "State, Civil Society, and Total Institutions: A Critique of Recent Social Histories of Punishment," *Crime and Justice* 3 (1981): 153-192.

The sociological theory of prison is distinguished by a wide range of intellectual traditions that owe to its complexity. It can broadly be divided into two discrete directions. The microsociological method of inquiry which focuses on the internal mechanism of prison explores the experience of the inmates and the prison officials, while the macrosociological deals with the external dynamics of prison i.e., society, its relation to the punishment system, and more importantly, the function of the state.[4] For instance, classic works like Erving Goffman's *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (1961) and Thomas Matheisen's *The Defences of the Weak* (1965) deal with particulars of certain prisons, their inside struggle, everyday routine, and conflict to emphasise on how an individual subjectivity is produced. Macrosociologists, contrarily, including the writings of Michel Foucault, Émile Durkheim, and Michael Ignatieff are more concerned with the historical development of prison, its economic and political relation, and cultural reception. Our intention in this chapter is to put forward a method of investigation that integrates the sociology of the jail into a more conceptually thorough account of domination and regulation strategies with an emphasis on the experience of the colonised subject.

Since the discourse entails a broader paradigm of the colonial state and its governmental structure, three key fundamental ideas including subjectivity, penal power, and the concept of governmentality would be the predominant aspects. Governmentality as an idea outlines the way people and groups are governed, both internally at the personal level and by the external state authority. It encompasses an examination of the varied structure of power, mechanisms, and strategies for shaping and restraining the attitudes, ideas, and identities of individuals. Governmentality cannot be reduced to the use of governmental power alone; it also suggests the use of other forms of authority, such as those derived from social, economic, and cultural processes. In the 1977-78 Collège de France lectures, Foucault first presented this idea on the subject. Governmentality, for Foucault, is the modern complex form of governmental techniques directed at the mass level unlike the other forms of powers including sovereign, disciplinary, and pastoral.[5] Although diverse, it is futuristic, developed on the existing controlling apparatus aiming to govern 'population.' While discipline works at the individual level, governmental power effects on the collective level, in which the prison system functions as one of the major apparatuses.

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[3] Ignatieff, "State," 156.

[4] Eamonn Carrabine, "Discourse, governmentality and Translation: Towards a Social Theory of Imprisonment," *Theoretical Criminology* 4.3 (2000): 309-331.

A widespread sense of surveillance and control that permeates society at large is created by the simple fact that prisons exist and hold the fear of rigorous punishment. But prison cannot be considered as an isolated institution; rather, it is a component of the larger system of social control that includes the judiciary, law enforcement, and extended cultural and political structures. Thus, it serves as the tool of social discipline that moulds individual subjectivity and the behaviour of the larger population. Prisons are frequently employed as a tool of colonial dominance in the application of colonial governmentality, both to punish people who oppose the colonial authority as well as to instil fear and intimidation among the indigenous population. Thus, in addition to being a place where power is exercised over the bodies of the imprisoned convicts, prisons also have had a significant effect on the subjectivities of the entire colonial people. To illustrate this, we need to encompass literary references in contention to the historical development of the colonial prison in Bengal. Irving Wohlfarth rightly points out in this regard that

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[5] Steven Hutchinson and Pat O'Malley, "Discipline and Governmentality," in *The Handbook of Social Control*, ed. Mathieu Deflem (Hoboken: Willey-Blackwell, 2009), 64.

> If one wants to consider history as a text, then what a recent author says about literary texts also holds true for it. The past, he writes, has deposited images in them comparable to those retained by a photosensitive plate. “Only the future has at its disposal developers strong enough to bring out the image in full detail. ...” (Monglond) . . . “To read what was never written,” says Hofmannsthal. The reader in question is the true historian.[6]

It cannot be denied that literary texts are the parts of ‘events’ located within life, society, and culture – all are inscribed in the moments of human history. Edward Said has argued that “texts have ways of existing that even in their most rarefied form are always enmeshed in circumstance, time, place, and society-in short, they are in the world, and hence worldly.”[7] Similar observation is shared by Walter Benjamin in his essay, “Storyteller” where he has mentioned that “[T]o write a novel means to carry the incommensurable to extremes in the representation of human life. In the midst of life’s fullness, and through the representation of this fullness, the novel gives evidence of the profound perplexity of the living.”[8] It is this tension and conflict that literary texts including novels and other literary genres bring into a discourse owing to its inscription in a particular tempo-spatiality and the nature of experience it records. Nonetheless, such experience must be argued that, does not indicate a teleological progression of human history. The reader or the critic like ‘the true historian’ bears the responsibility to decode those preserved images, words, and signs in a text in relation to power, authority, institution, and individual as well as in opposition to one another.

In the nineteenth century, Bengali prose was developed as the standardised medium of print literature due to the initiatives taken by the Missionaries, various book societies, literary clubs, *samitees*, and the foundation of Fort William College. Besides, with the rise of English educated Bengali authors who were markedly different from the previous generations, a new possibility of quality writing also opened as the previous dispute over the standardisation of the Bengali language finally came to an end.[9] They tried to envision traditional literary forms and indigenous sources in a new literary environment under the purview of Victorian morality. Therefore, the creative faculty of the Bengali literati faced a cognitive dilemma – a contradiction, to choose between being culturally and philosophically Indian, or being Western intellectual. The former tendency could be called "a cross-cultural mentality," while the latter, contrarily, which finds the world as fundamentally united yet diverse where the Indian and European thoughts get enmeshed seamlessly, may be termed "universalism."[10] In this broad contrast of tradition and modernity which had influenced the Bengali literary tradition, it could be observed that the representation of people, culture, and authority changed over time. Similarly, under this cultural rhetoric, the representation of colonial jail in the early Bengali writings like *Nil Darpan or the Indigo Planter Mirror* and *Sachitra Gulzar Nagar* ((Illustrated Gulzarnagar), for instance, had drastically changed with the emergence of nationalist insurgencies as located in the accounts of the revolutionaries. The issue of class and caste dynamics in Bengali society thereby appears in the corollary.

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[6] Irving Wohlfarth, “History, Literature and the Text: The Case of Walter Benjamin,” *MLN* 96.5 (1981): 1002-1014.

[7] Edward W. Said, “The Text, the World, the Critic,” *The Bulletin of the Midwest Modern Language Association* 8.2 (1975): 1-23.

[8] Walter Benjamin, *Storyteller*, trans. and ed. Sam Dolbear, Esther Leslie, and Sebastian Truskolaski (London: Verso, 2016), 3.

II

Prison Reformation in Colonial India and Its Critique

> Cultures across the world have had to grapple with the twin problems of conservation and change, but the way these were perceived and sought to be resolved naturally differed with time and social context. In the context of Indian civilization and culture, the use of the term 'reform' to indicate religious belief and social practices goes back only as far as the nineteenth century, coinciding with the consolidation of British power and the advent of what has been generally described 'modernity.'[11]

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[9] Tithi Bhattacharya, *The Sentinels of Culture: Class, Education, and the Colonial Intellectual in Bengal (1848-85)* (New Delhi: Oxford University Press, 2005), 66.

[10] Subrata Dasgupta, *The Bengal Renaissance: Identity and Creativity from Rammohun Roy to Rabindranath Tagore* (Ranikhet: Permanent Black, 2007), 4.

[11] Amiya P. Sen, ed. *Social and Religious Reform: The Hindus of British India* (New Delhi: Oxford University Press, 2003), 7.

The evolution of the colonial prison in India has a long history of experimentation, revision, and an instance of political expediency. The project of modernising the prison system in colonial India was the result of Britain's civilising mission, a colonial intervention of the Enlightenment ideas. It was advanced as part of the reformative initiatives of the colonial state including other infrastructural constructions like the railway, postal system, school, and medical facility. For, the utilitarian thinkers like Mill opined that Indian conventional Islamic legal structure had to be abandoned to meet the demands of society focusing on competition and the safeguarding of autonomy.[12] But the reform in the field of law and the judiciary system in colonial India, must be remembered, was not entirely structured by the British intrusion. It was Macaulay who had conceptualised how this new legislation could be implemented on the colonial people deeming their customs, rituals, and prejudices. Eric Stokes stated that Macaulay chiefly followed the philosophical foundation laid down by Bentham and Mill, especially regarding the criminal codification model.[13] However, as Mira Rai Waits has noted, this new penal system has succeeded through subsequent stages in tandem with the transformation of the colonial knowledge. She mentioned that as the British forced their way into India, they started to rule coercively in the initial period. The British perceived the local civilisation as exotic and unique, but not necessarily dangerous in the early nineteenth century. India was rather considered as a relegated society like their European feudal past, which required the imperial guidance and civilised sensibility of the West. This otherisation of the colonial identity, therefore, was fostered through the binary of the colonial master in opposition to the colonised Other. That perception soon changed with their violent experience of the Mutiny in 1857. The image of the colonialised people was consequently altered as the untrustworthy and unruly people, who needed a strong dominating colonial governance. As a result, a modern form of punishment system emerged during the post-mutiny period, the British officials kept altering their measures though. In maintaining such a large population so diverse in nature, the administration could not remain impartial, especially due to their prejudices of race, class, and caste. This unequal attitude while following a written penal code simultaneously, that promised equality for all subjects could be observed in shaping the prison as the chief colonial ruling apparatus. Therefore, "the colonial prison eventually operated as a kind of laboratory where inquiries into categories of Indian social difference could be conducted."[14] This new form of a penal regime with rigid discipline, strict regulations inside the prison in addition to the solitary confinement for the dangerous criminals became the new template for the colonial administration in India. To the colonial government, prisoners appear as "the ideal subject or citizen of the state, one who, in confinement, lives a life as planned and dictated by the state."[15] Nonetheless, the British government quickly recognised the urgency of prison reformation to hold their effective control on the colonised people. To address this

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[12] David Skuy, "Macaulay and the Indian Penal Code of 1862: The Myth of the Inherent Superiority and Modernity of the English Legal System Compared to India's Legal System in the Nineteenth Century," *Modern Asian Studies* 32.3 (July 1998): 513-57.

[13] Eric Stokes, *The English Utilitarians and India* (London: Oxford University Press, 1959), 219-20.

> In forty-eight Districts in the Lower Provinces of the Bengal Presidency in which there are Gaols, there are 13 distinct civil Gaols, and 35 Gaols in which criminals and debtors are confined. There are 14 Gaols in which only criminals and accused persons are confined… under the Government of your Lordship in Council, exclusive of Her Majesty's Gaols, are 43 distinct civil Gaols; 62 Gaols used for purposes both civil and criminal, and 72 distinct criminal Gaols.[16]

However, these jails were poorly managed by the officials because of their indifferent attitude towards the administration. It was only after the report of the PDC in 1838, that a noticeable improvement in the general conditions of jails was initiated particularly in the North-West province of the Bengal Presidency under the supervision of Mr. Woodcock who had been credited as the first inspector of prison. Mouat informed in his article on the discipline and statistics of the jails in lower Bengal that the cellular system of incarceration was first implemented in India with the recommendation of Macaulay's committee. Additionally, the application of labour in prison became well organised, education was attempted to impart among convicts as well as a system of rewards for well-behaved prisoners was also put into effect.[17] One of the major steps towards the modernisation of the colonial jail was the categorisation of prisoners also came into effect in this period. During the Company's regime, the implementation of separate cells for males and females, while the debtor's cell from the convicted criminals or inmates accused of crime which was already in practice, was further revised after 1838. Notably, nine categories including individuals "suspected being Thugs," males suspected of horrific crimes like murder and rape, males accused of theft or forgery, and ordinary mischiefs among other classes had been directed to specify.[18] This rule of classifying prisoners was later intensified in the Prisons Act of 1894. For instance, it was decided that the female convicts would be imprisoned in a different building or at least in a distinct cell of the same premises. On the other hand, rooms had also been made available in jails where male inmates under the age of twenty-one would be housed for complete separation from other inmates. The age of puberty became the marker of segregation for male inmates.[19] However, regarding the prison building there was a significant delay in Bengal, especially in developing a standard layout for jails aside from the futile attempts to open prisons in Hazareebagh and Deegha. Even there had been no significant advancement made in the case of central jails too, until 1864, when Alipore Jail was finally converted and announced as the first central jail in Bengal.[20]

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[14] Mira Rai Waits, "Imperial Vision, Colonial Prisons: British Jails in Bengal, 1823–73," *Journal of the Society of Architectural Historians* 77.2 (2018): 146-167.

[15] Mahuya Bandyopadhyay, "Reform and Everyday Practice: Some Issues of Prison Governance," *Contributions to Indian Sociology* 41.3 (2007): 387-416.

[16] *Report of the Committee of Prison-Discipline* (Calcutta: Baptist Mission Press, 1838), 22-23.

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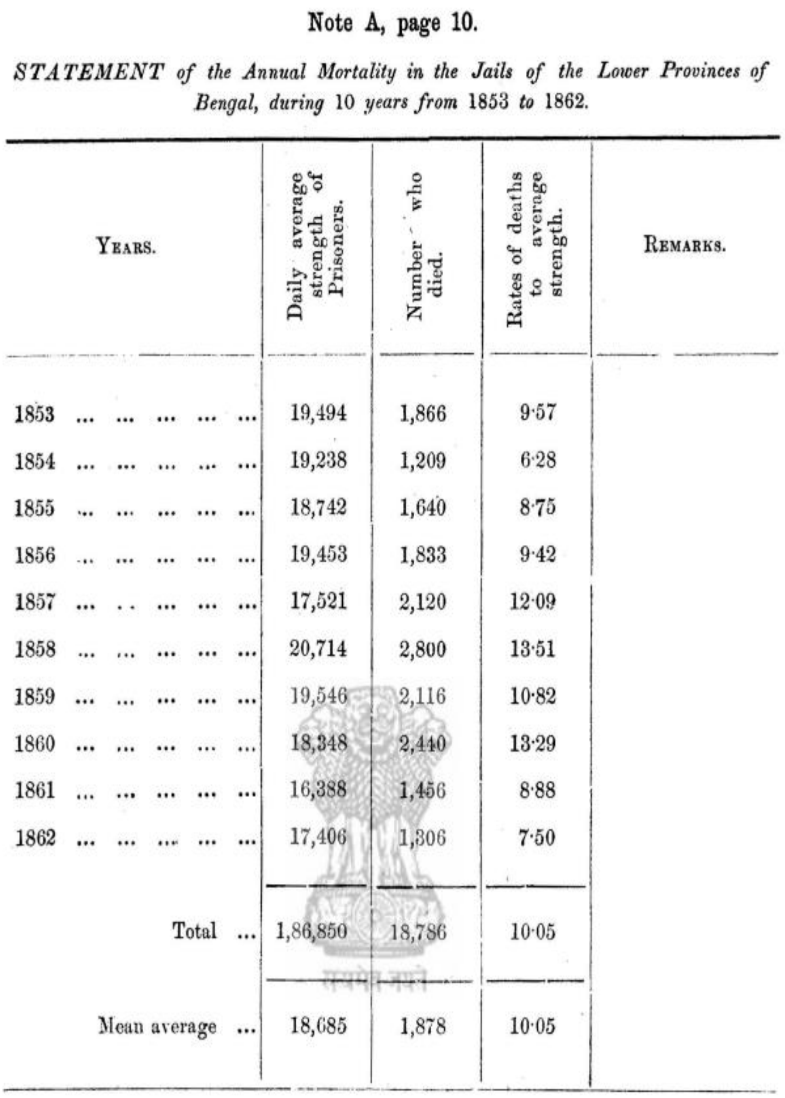
[17] Frederic J. Mouat, "On Prison Discipline and Statistics in Lower Bengal," *Journal of the Statistical Society of London* 30.1 (1867): 21-57.

[18] Report 1838, 24-25.

[19] *The Prisons Act, 1894*. Ministry of Law, Government of India, 1957. 8-9, https://www.mha.gov.in/sites/default/files/2023-03/Prisons_act1894_0%5B1%5D%5B1%5D.pdf

Besides, health issues in prison had been a major concern for the colonial government. The Indian Jail Committee recorded in 1864 that 46,309 convicts had died over the previous ten years.[21] The mortality rate in Bengal from 1853 to 1862 as per the report follows:[22]



Note A, page 10.

STATEMENT of the Annual Mortality in the Jails of the Lower Provinces of Bengal, during 10 *years from* 1853 *to* 1862.

YEARS.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	REMARKS.
1853	19,494	1,866	9·57	
1854	19,238	1,209	6·28	
1855	18,742	1,640	8·75	
1856	19,453	1,833	9·42	
1857	17,521	2,120	12·09	
1858	20,714	2,800	13·51	
1859	19,546	2,116	10·82	
1860	18,348	2,440	13·29	
1861	16,388	1,456	8·88	
1862	17,406	1,306	7·50	
Total ...	1,86,850	18,786	10·05	
Mean average ...	18,685	1,878	10·05	

Table 1
The mortality rate from 1853-1864 as per the 1864 Indian Jail Committee report

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[20] Madhurima Sen, *Prisons in Colonial Bengal 1838-1919* (Kolkata: Thema, 2007), 34.
[21] *Report of the Indian Jail Committee* (Calcutta: Bengal Printing Company Limited, 1864), 10.
[22] *Report,*1864, III.

The 1864 committee listed ten likely causes, such as overcrowding, poor drainage system, and lack of medical facilities among others to address the mortality issue. It also empowered the position of the medical officers in jail, who were given authority to decide whether to assign any prisoner to hard, medium, and light labour, or to provide them with medical care.[23] So, between 1838 and 1894, improvements were made in terms of construction, convict classification, rationing, hygiene, and medical care. Moreover, a general trend towards fewer jails was observed to centralise the colonial prison system in the 1890s.

Jails in the Indian provinces were split into three categories: Central jails, District jails, and Subsidiary jails. According to the Prisons Act of 1894, in the Bengal Presidency, serious offenders who were given sentences with hard labour for six months or more were held in central prisons. These jails were supervised by one full-time superintendent, a deputy, two or three jailors, deputy jailors, assistant jailors, a matron, a female warder, and at least two medical officers. With more than a thousand inmates in each, Bengal had nine first class central jails including Alipore, Presidency, Hooghly, Midnapore, Burdwan, Rajshahi, Dacca, Mymensingh, and Bhagalpur.[24] The British administration in their Indian Jail Committee report of 1919-20 further intended to collect a large number of prisoners within one single space so that they could be better managed economically, uniformly as well effectively. They recommended that "with improved communications, it has no longer been necessary to keep up the district system in its entirety. A single superior court or a single jail has been found to suffice in suitable circumstances for two districts."[25] However, until the 1890s, there was not much of a difference between central and district jails other than the number of accommodations and institutional nomenclature because both types of prisons used to take in all kinds of inmates including serious or minor criminals, civil litigants, and even those who were awaiting trial. In fact, the same antiquated penal policy was followed for all categories of prisoners.[26] Therefore, the colonial prison reformation in India, which suggests a gradual progression, appears incongruous in practice.

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[23] *Report*, 1864, 18-19.

[24] Sen, *Prisons*, 35-36.

[25] *Report of the Indian Jail Committee,* 1919-20, Volume 1, Report and Appendices, (Simla: Superintendent Government Central Press, 1920), 39.

Reformation in relation to any institution indicates the moral upliftment including therapeutic rehabilitation, dignified treatment, and the fulfilment of basic human needs adjunct to its material convenience. While developing a carceral punitive model for the colony, it cannot be ignored, that the British government advanced several material progressions, yet they could not provide a system the colonised people were able to rely on. For, the officials were driven to the conflict between reform and deterrence. Penal reform which began as a "pragmatic goal of cost-cutting" in the guise of the "rhetorical trope" of modernity was chiefly intended to deter and hold superior control over the population.[27] The civilising project of reformation which was able to rationalise the condition of India having a despotic past "informed the ideological infrastructure of British rule in India."[28] This, in other ways, valorised their new punitive regime. However, the modern punishment introduced with the penal code of 1860 became an extension of the imperial project of disciplining and suppressing the colonial population.

Along with Europe, the penal reformation in the colony brought a change in the language of the punishment system. From body to consciousness, prison transits the foundational basis of punishment from an act of retaliation to an instrument of defence. Through the application of penal power, it became possible to create a segregation among the colonial subjects by detecting criminal classes who were posited as the threat to the equilibrium of the society. This, in turn, bestowed a false sense of security to the middle-class people initially. As a result, prison reforms in colonial India become an exclusionary but systematic tool of deterrence. An institutional space that operates at the micro level off to the public gaze has extended its influence in the larger community. The colonised people, therefore, could sense how the British legal authority had penetrated their identity and everyday experience.[29] Although after the 1920s, prison administration had changed some of its coercive techniques, the case of the political prisoners showed that still "the prison was inextricably linked with the colonial framework of disciplining and strategies of power and designed also to serve the important function of demonstrating the superiority and inviolability of imperial power."[30] The colonial prison which claimed of abolishing elitism, class, and caste hierarchy earlier prevalent in the colonial society could not address either class and caste question or gender issue properly. So, the penal reform project might be a progressive step for the colonialists, torture, mental assault, and a series of various brutal penalties including solitary isolation were deployed in prison as the most effective methods of managing colonial people, which itself stood against the principle of reformation. It appeared particularly detrimental to the marginalised, class, and caste-oppressed sections of Bengali society. To understand this troika of the colonial government, their use of imprisonment, and the hierarchical position of the colonial subject, we need a detailed theoretical analysis first.

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[26] Sen, *Prisons*, 50.

[27] Radhika Singha, *A Despotism of Law: Crime and Justice in Early Colonial* India (New Delhi: Oxford University Press, 2000), 229.

[28] Bernard S. Cohn, *Colonialism and Its Forms of Knowledge* (Princeton: Princeton University press, 1996), 65.

III

The Apparatus of the State: Governmentality, Penal Power, and the Subject

The following section examines how, primarily from a Foucauldian perspective, penal power is operated by the colonial state as a significant governmental technology in connection to the evolution of the colonial subject, both materially and symbolically. It needs to be realised that the function of prison cannot be comprehended in isolation from the broad paradigm of power, the notion of the self, and the analytics of governmentality. The reason is already pointed out by Foucault in his *Security, Territory, Population* lecture in 1977-78 that moving off to the "institutional-centric approach," "entails going behind the institution and trying to discover in a wider and more overall perspective what we can broadly call a technology of power."[31] Besides, by closely observing the application of governmental technologies, we can gain insight into how state policies can bring about political transformation and exert control over the population. However, this discourse frequently slips into two basic pitfalls: either it views society as the product of technological determinations, or it views technology as the manifestation of social interactions. But, "there can be politics to private life given the ways in which the boundaries of the private and the public have been reconfigured and contested. There can (also) be a politics of the body given the complex ways in which the body and its acts are made up," while politics, on the contrary, cannot also be mediated automatically without social and public engagements.[32]

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[29] Shailesh Kumar, "Thinking Beyond Penal Reform in India: Questioning the Logic of Colonial Punishments," in *The Routledge Handbook of Penal Abolition*, ed. Michael J. Coyle and David Scott (London and New York: Routledge, 2021), 263.

[30] Ujjwal Kumar Singh, *Political Prisoners in India* (New Delhi: Oxford University Press, 2001), 5.

Michel Foucault addresses this idea of governmental technology in a plural sense exploring how it aims to produce subjectivity including gender normativity and govern the way of life, especially in his *Discipline and Punish* and *The History of Sexuality Vol 1*. Earlier, he started to explore the effect of disciplinary power over the subject in the nineteenth-century European society. To argue on the existence and function of prison in a society, Foucault goes on to demonstrate its historical and theoretical ground in his 1971-72 lecture at the Collège de France collectively called *The Punitive Society*, translated and published in 2015. He had identified four major stages of punitive tactics applied by the modern state what he called “subtle tactics of the sanction.”[33] This includes the exclusion of an individual in the first place, which entails abolishing or forbidding all laws of hospitality pertaining to the offender, as well as restricting the appearance in public or sacred areas. It is in a way robbing him of his own home and denying even his home’s existence; secondly is “to organise a redemption” and “impose compensation” that, in contrast, involves tying the offender to an ensemble of duties that are doubled and amplified in relation to the typical structure of obligations of his existence. It means severing all ties with the offender so that the individual is held in control; next is to “mark” “the visible or symbolic, physical, or social, anatomical, or statutory body” to show the authority of the sovereign; and the final tactic is confinement.[34] The series of lecture presents how Foucault views determinism as the constitution of individual subjectivity indicating to the essential lack of human agency in the modern punitive regime.

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[31] Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-78*, trans. Graham Burchell (London: Palgrave Macmillan, 2009), 116-117.

[32] Andrew Barry, *Political Machines: Governing a Technological Society* (London: A&C Black, 2001), 7-10.

In the 1980s, Foucault in a similar fashion to the neo-Marxist thinkers further focused on the historical context of power dynamics of this punitive turn. In *Discipline and Punish*, he traces the origins of the prison to the development of the modern state in nineteenth-century Europe. However, Foucault sets himself apart from other mainstream Marxist thoughts by concentrating on the ways—or “technologies”—in which state authority is manifested. The extensive material structure, complicated, dispersed yet consistent, of the carceral mechanism became the base for the universality of the penal purpose, that in the eighteenth century, modern states looked for in their “ideological” approach of “representations and signs” of the government.[35] It was the kind of analysis that sociological interactionists had been advocating, what the Marxist and most feminist approaches had not considered being conceptually significant.[36] Foucault maintains that a prison is a place for disciplining body as well as a controlling machinery of collective consciousness. Imprisonment as a punitive technology creates and reinforces social norms by citing the medical regimens and architectural restriction. Fundamentally, to make a point about the essence of power, subjectivity, and societal control in the post-Enlightenment society, Foucault turned to the prison system. However, it is not that

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[33] Michel Foucault, *The Punitive Society: Lectures at the Collège de France, 1972-1973*, trans. Graham Burchell (London: Palgrave Macmillan, 2015), 6.

[34] Foucault, *The Punitive*, 6-8.

[35] Foucault, *Discipline*, 299.

> we should consider the "modern state" as an entity which was developed above individuals, ignoring what they are and even their very existence, but, on the contrary, as a very sophisticated structure, in which individuals can be integrated, under one condition: that this individuality would be shaped in a new form and submitted to a set of very specific patterns.[37]

After *Discipline and Punish*, Foucault reinforced his idea on the disciplinary state and its relation to the autonomous and rational subject in "The Subject and Power" in 1982 with further intricacies. He contends that constructing 'subjects' rather than oppressing them is how power is exercised by the modern state. The way he examines the relationships between the subject and power combines two intertwined meanings. In his view, apart from being a self-conscious entity, the 'subject' can also indicate an individual who is under authority of control. The subject thus becomes an issue in the series of communications mediated through language, power, and struggles. Nonetheless, "power relations, relationships of communication, and objective capacities" is rather "a question of three types of relationships which in fact always overlap one another, support one another reciprocally, and use each other mutually as means to an end."[38] Foucault has distinguished three techniques of objectification that turn individuals into subjects. The first being a scientific method of inquiry obtains 'objective' insights into the subject in question, and objectify life in the process. The division and distinction between the insane and the rational, lawbreaker upright people are what he demonstrates the second practice of objectification. The third method of objectification is the way individuals assign themselves in relation to various social identities like gender, and thereby become subjects. However, it does not mean that in this interconnected network of power structures, the position of the subject has always been passive and negative. What Foucault brings in these two works is the revised interest in the sociology of punitive systems focusing on the methods of normalising penal regulation and its deep relation to the production of individual subjectivity. It also provides a new analytical tool for understanding state control or the notion of governmentality over the punishment system.[39]

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[36] Mariana Valverde, "Specters of Foucault in Law and Society scholarship," *Annual Review of Law and Social Science* 6 (2010): 45-59.
[37] Michel Foucault, "The Subject and the Power," *Critical Inquiry* 8.4 (Summer, 1982): 777-795.
[38] Foucault, "The Subject," 786-87.

What seems to be crucial to him in the case of "governmental practice and its rationalities is the idea of a kind of power which takes freedom itself and the 'soul of the citizen', the life and life-conduct of the ethically free subject, as in some sense the correlative object of its own suasive capacity."[40] He, consequently, expands on the concept of power as an analytical tool in volume I of *The History of Sexuality: The Will to Knowledge* emphasising that power is not unidimensional, rather an interplay between "non-egalitarian and mobile relations".[41] Therefore, the structure of power is not divided into binary; it is not the dominance of one group over the other disenfranchised group, rather the relation is flexible. When one group is dominated by others, there may not be a simple passive relationship; one who is dominated, on the contrary, may also be dominating over others in different conditions. Even, being dominated still requires somewhat active participation in a power dynamic. Notably, people regularly engage in power struggles and counter-strategies with a variety of goals including thwarting the objectives of strategies that often work against them.[42] Thereby, both in the operations of repression and the involvement of subjects in it, or even in resistance, power is produced through some interrelated networks. Thus, power, for Foucault, is omnipresent, productive, and implies an end. He contends that

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[39] David Garland, "Frameworks of Inquiry in the Sociology of Punishment," *The British Journal of Sociology* 41.1 (Mar., 1990): 1- 15.

[40] Colin Gordon, "Governmental Rationality: An Introduction," in *The Foucault Effect: Studies in Governmentality*, ed. Graham Burchell et all (Chicago: University of Chicago Press, 1991), 5.

[41] Michel Foucault, *History of Sexuality Volume 1: An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), 94.

> The manifold relationships of force that take shape and come into play in the machinery of production, in families, limited groups, and institutions, are the basis of wide-ranging effects of cleavage that run through the social body as a whole. These then form a general line of force that traverses the local oppositions and links them together; to be sure, they also bring about redistributions, realignments, homogenizations, serial arrangements, and the convergences of the force relations.[43]

This process includes the origination of a new kind of subjectivity which Foucault further develops in his idea of governmentality. He emphasises that power is marked by "Führung" which dictates the possible field of experience for subjects, which may include violence and even the consent of subjects, but it also contributes to the formation of the self. So, the "concept of governmentality represents a theoretical move beyond the problematic of consent and will on the one hand, and conquest and war on the other."[44] Foucault talks about in specific terms what he calls 'technologies' or 'rationalities,' while discussing governmentality. In his later seminar talk in the 1980s, he outlined four major technologies: I. "technologies of production" that enable to develop, rework, or regulate things; II. "technologies of sign system" that assist to deciphering signs, associations, symbols, or meanings; III. "technologies of power" which control how people behave and subjects them to authority for particular goals; and IV. "technologies of self" which allow subjects independently or with the external assistance to allow "a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality."[45] Governmentality, therefore, indicates the organised and regulated techniques of government as well as components of computation and the rational understanding of the subjects for shaping and controlling their behaviour. Secondly, instead of directly influencing the course of individual or collective actors, the government seeks to determine their potential courses of action in an indirect and reflective manner. The goal of government becomes to influence how people carry out their actions, or in other words, 'the conduct of the conduct.' Therefore, it links individuals to the question of morality and ethics. If morality is considered as an ability to take responsibility of own's action, or if human being restricts themself with self-regulation before conducting anything, governmentality is intensely a moralistic activity. Thus, "the government of the prison, of the economy and of the unemployed, as much as the government of our own bodies, personalities and inclinations," encompasses technologies to produce how individuals and population are and should be.[46]

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[42] Katrina Mitcheson, "Foucault's Technologies of the Self: Between Control and Creativity," *Journal of the British Society for Phenomenology* 43.1 (2012): 59-75.
[43] Foucault, *History*, 94.
[44] Thomas Lemke, *Foucault, Governmentality, and Critique* (London and New York: Routledge, 2016), 18.

Therefore, the penal power with the governmental turn, we contend, extends its disciplinary power from its iron cages into the psyche of the collective transcending the distinction between micro and macro social body, individual and the government. The repressive *dispositif* of the imperial state in supplement to its material existence symbolically and semiotically produces a collective notion of the subject that must be identified with a new legal structure. It follows a construction of social category through the exclusion of others who do not comply. Prison thus does not remain only as an institution for the convicts, it starts producing subjects at the mass level. More importantly, this formation of the subject is not the outcome of the 'subjectivation' of the disciplinary mechanisms alone; people start to govern and turn themselves into morally upstanding, responsible subjects of their own volition. A new legal anxiety could be observed to develop in relation to penal codes and the fear of imprisonment, especially among the elite class in colonial India.

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[45] Michel Foucault, "Technologies of the Self," in *Technologies of the Self: A Seminar with Michel Foucault*, ed. Luther H. Martin et all (Massachusetts: University of Massachusetts Press, 1988), 18.
[46] Mitchel Dean, *Governmentality: Power and Rule in Modern Society* (London: Sage, 2010), 34.

However, this must be mentioned that Foucault's schema of government, power, and subject in terms of the modern liberal state cannot be employed uncritically in the colonial setting. These interrelated structures in the context of colonial Bengal fall short with the political shift, especially after the emergence of nationalist consciousness in the latter half of the nineteenth century. The "technologies of self" that Foucault mentions later in his seminar talk is somewhat determined by "the political technology of individual," in which subjects have been led to perceive themselves as part of the society, a component of a larger social group, a member of a country or nation-state.[47] He demonstrates the reason why human beings who have been subjected to various disciplines cannot be found in ideology rather in the application of political technology prevalent in our society.[48] In the colonial setting which is marked by racial tension, legal despotism, judicial arbitrariness among others, the British government could not provide the conditions where the colonial subjects could feel connected, and act as an independent citizen. Their sense of nation was rather based on their anti-colonial sensibilities. On the other hand, the colonial state can be observed, to continue to apply its sovereign power including violent coercive techniques inside and outside the prison against nationalists. It follows not only a transformation of governmental technologies particularly its penal power but also a shift in the colonised subjectivity. This transformation can be understood through a broad literary discourse.

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[47] Michel Foucault, "The Political Technology of Individual," in *Power,* ed. James D. Faubion, trans. Robert Hurly and Others (New York: The New Press, 2001), 404.

[48] Foucault, "The Political," 417.

IV

Transformation of the Image of the Colonial Prison in Bengal

IV(a) Prison as the Place of Terror

In 1867, the Inspector General of Gaols in the lower provinces of Bengal Presidency, F. J. Mouat in his report on prison discipline mentioned “that a prison should be rendered a terror to evil doers, inflicting as much of pain as can be inflicted without injury to health of body or mind, and without resorting to punishments that err from excess of severity.”[49] The statement of Mouat who played a vital role in structuring Bengal prison system indicated that even if the reformative measures had been initiated after the 1838 PDC report, the British authority intended to project the colonial prison in Bengal chiefly as an apparatus of fear. In addition to their earlier counter-mutiny experience, the general intention of the colonial government was to establish a formidable ruling machinery with a designated intimidating building and a system. For the colonised, prison has come to represent a dark, terrible place because of its enclosed carceral setting.

Bengali literature including several plays, sketches, and satires had responded to this shift of the new punishment system in the 1870s and even alluded to jails as a location of colonial persecution. Such descriptions in these writings might be an outcome of the intense official distress displayed in the 1850s and the 60s by the British government including the formation of a legislative council, the introduction of the IPC, and the establishment of the Calcutta High Court among others. These texts hence may have been lacking in literary merit as per conventional aesthetics, they are acutely historically engaged. One of the earlier references to this evil colonial institution can be found in Kedarnath Dutta’s *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) published in 1871. In the long introduction to its 1965 reprint version, Chittaranjan Bandyopadhyay has provided detailed information regarding the novel, its genre, and its author's identity. *Sachitra Gulzarnagar* (Illustrated Gulzarnagar), he mentions, is one of the final instances of Bengali *Naksha* (sketch) tradition already popularised with Peary Chand Mitra's *Alaler Ghorer Dulal* (Pampered Son of a Front-Rank Family) in 1858, and Kaliprasanna Singha's *Hutom Pechar Naksha* (Sketch by the Observant Owl) in 1862. In the context of Bengali *Naksha* tradition, Pareshnath Goswami has argued in his *Naksha Sekal-Ekal Porbo 1*(Sketch's Past and Present, Part 1), published in 1959 that it is somewhat similar to the English literary tradition of 'sketch,' though it has another distinguished significance in the Bengali convention which he calls as "something odd, ludicrous, or the like".[50] Thus *Naksha* in Bengali literature, he adds further, occasionally sacrifices literary aesthetic in order to incorporate social ills and issues satirically and humorously. In *Sachitra Gulzarnagar* (Illustrated Gulzarnagar), Dutta, based on his experiences between 1850 to 1870 captured the essence of Calcutta city, its societal customs, and the British government, in which remarkably misconduct among police and poor conditions of jails in Bengal appear prominent.[51] In a chapter of the novel called "Jail," the author describes the colonial prison as a frightening place which is commonly identified by disrespect, pain, suffering, and death. He rhetorically puts imprisonment as equally deplorable as the death of a closed one, or close to the state of being destitute after a royal verdict. The condition of *Faujdar* jail (prison for criminals), he complains, is sordid compared to the *diwani* jail (mainly for debtors or suchlike). For the inmates imprisoned in jails of the capital city which may be a reference to Alipore Central Jail, there is no limit to agony as they have to constantly go through awful living conditions coupled with hard labour, abuse, and flogging from the guards. Additionally, there has always been a deficiency of proper food in jails.[52]

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[49] Mouat, “On Prison,” 48.

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[50] Pareshnath Goswami, *Naksha Sekal-Ekal Porbo 1*(Sketch's Past and Present, Part 1) (Kolkata: Sreepress Art, 1959), 2.

[51] Chittaranjan Bandyopadhyay, "Introduction," *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965), I-III.

This description shows the successful implementation of penal power on the colonised, which the British prison reformers including Mouat and others have desired. Through the replacement of the public display of punishment with institutional carcerality, the colonial state posited itself as the harbinger of modernity in Bengal. It, on the other hand, can be observed, moves towards the formation of the disciplinary society that starts producing control and fear at the macro level. Through prisons, the colonial government was able to extend its perpetually transferable mechanism of surveillance into the collective consciousness. Nonetheless, it is not that it replaces previous modalities of power, particularly sovereign; it rather links, combines, and more importantly produces "an infinitesimal distribution of the power relations".[53] The colonial prison in Bengal with its image of fear objectifies the colonial individual imposing "a law of truth on him which he must recognize and which others have to recognize in him."[54] The author in *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) has shown that spending night at jail appears more difficult than daylight. While days are generally accompanied by humiliation and torture by the prison officials, nights bring reflection with a sense of guilt, repentance, and a continual desire of not to be imprisoned in the future.[55] The colonial penitentiary, therefore, bestows an individual a notion of legal responsibility through its punitive measures, that transmits the sense of docility into the larger colonial society.

However, the institutional application of terror through imprisonment has generally been projected as an emblem of justice, an imperial sceptre of law and order. The collective perception of prison, on the other hand, is maintained by its intramural disciplinary practices. In addition to *Sachitra Gulzarnagar* (Illustrated Gulzarnagar), Dakshinaranjan Chattopadhyay more profoundly explores the internal trajectory of colonial jail in his play, *Jail Darpan* (Jail Mirror) in 1875. This self-published drama although not outrageously criticising the colonial government, presents the interior atmosphere of fear and torture of both the Alipore *Faujdar* and *diwani* Jail, Jessore Jail, Narail Jail, Burdwan Jail, Bankura Jail, and even certain mental asylums. For instance, the prison officials of Alipore Jail in Act 2, Scene III of the play states blatantly to Madhu, one of the inmates convicted for theft, that one must remember before stealing that in a government, everyone needs to break rocks lifelong until he bleeds to death.[56] When the magistrate of Jessore jail emphatically declares in Act 3, Scene I that prison has been established to punish rogues and criminals, he is likely echoing the statements of the colonial government. He adds further that the government here punishes wrongdoers in a manner similar to how God punishes mortals in paradise. Moreover, every prisoner should be subjected to hard punishment whether they live or die in the process.[57] This proclamation emphasises the severity of punishment rather than rehabilitating an individual.

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[52] Kedarnath Dutta, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965), 108-9.

[53] Michel Foucault, "Panopticism," in *The Foucault Reader*, ed Paul Rainbow (New York: Pantheon Books, 1984), 206-207.

[54] Foucault, "The Subject," 781.

[55] Dutta, *Sachitra*, 111.

So, both the texts set in the post-IPC period demonstrate that the colonial state intended to produce docile bodies by applying its disciplinary power. Nonetheless, in the colonial setting, disciplinary power is always already coupled with sovereign power, a right to inflict pain if not sanctioning death. The new carceral structure introduced by the colonial government ensures that a colonial subject must be under constant panoptic surveillance. It further develops into a new "instrument for the formation of knowledge."[58] Through its hardcore punitive treatment of convicts, as these works produce, the British authority aims to control the colonial population inside and outside of jail. The prison becomes imperial machinery to segregate people into two legal categories, thereby giving an implication that demands awe and reverence from its colonised subject. Thus, the image of the colonial prison as the site of terror, at least in the mid-nineteenth-century in Bengal, was effectively produced by the colonial government.

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[56] Dakshinaranjan Chattopadhyay, *Jail Darpan* (Jail Mirror) (Kolkata, 1875), 36.
[57] Chattopadhyay, *Jail*, 48.
[58] Foucault, *Discipline*, 304.

IV(b) The Liberal Governmental Turn or the Site of Repression

The 1857-58 "Report on the Jails of the Lower Provinces of the Bengal Presidency" showed that almost twelve thousand criminals had been imprisoned in various prisons.[59]

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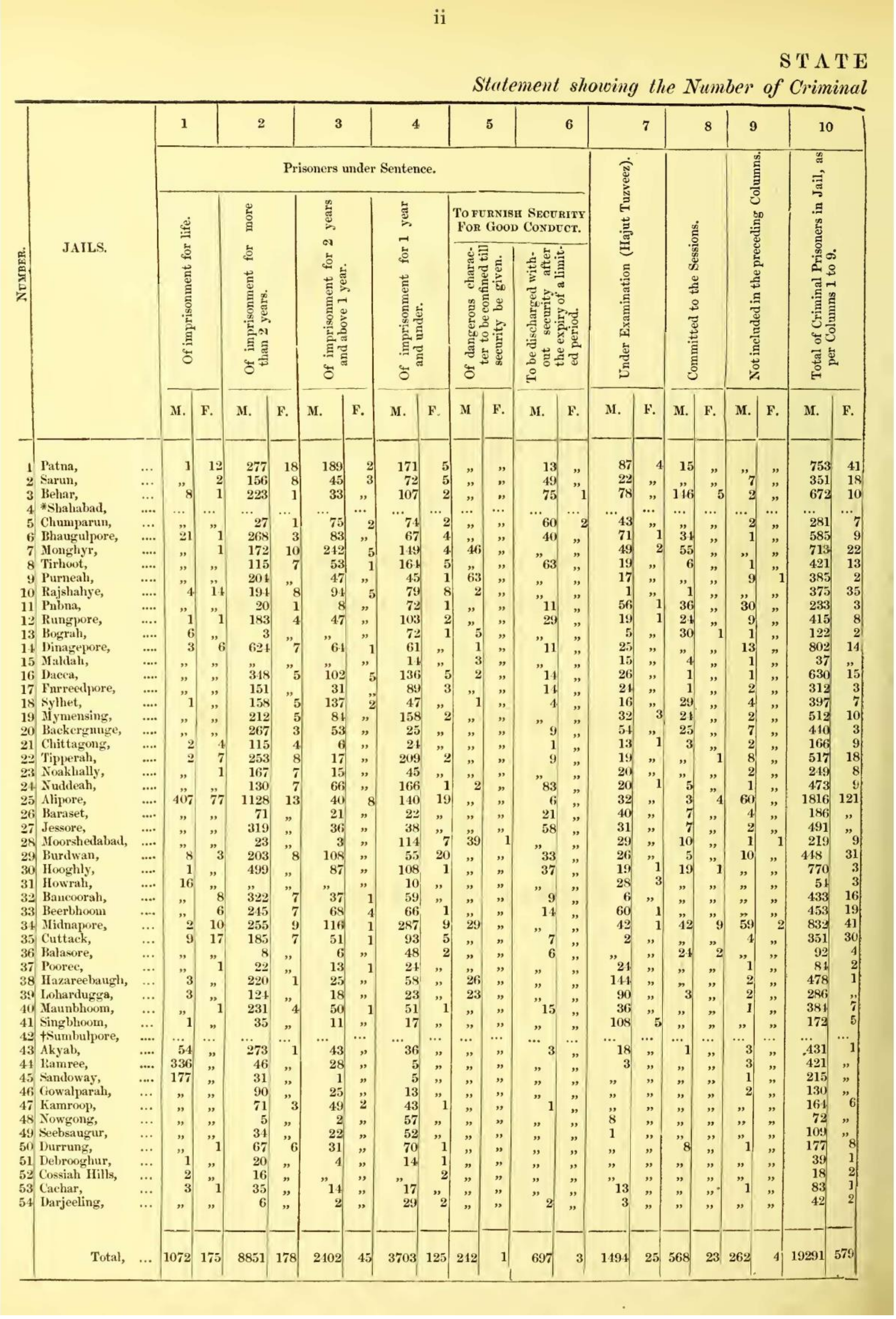
[59] Fred. J. Mout, *Report on the Jails of the Lower Provinces of the Bengal Presidency for 1857-58* (Calcutta: Alipore Jail Press, 1858), II.



ii

STATE

Statement showing the Number of Criminal

Number.	Jails.	1		2		3		4		5		6		7		8		9		10	
		Prisoners under Sentence.												Under Examination (Hajut Tuzveez).		Committed to the Sessions.		Not included in the preceding Columns.		Total of Criminal Prisoners in Jail, as per Columns 1 to 9.	
		Of imprisonment for life.		Of imprisonment for more than 2 years.		Of imprisonment for 2 years and above 1 year.		Of imprisonment for 1 year and under.		To furnish Security for Good Conduct. Of dangerous character to be confined till security be given.		To be discharged without security after the expiry of a limited period.									
		M.	F.	M.	F.	M.	F.	M.	F.	M	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
1	Patna, ...	1	12	277	18	189	2	171	5	„	„	13	„	87	4	15	„	„	„	753	41
2	Sarun, ...	„	2	156	8	45	3	72	5	„	„	49	„	22	„	„	„	7	„	351	18
3	Behar, ...	8	1	223	1	33	„	107	2	„	„	75	1	78	„	146	5	2	„	672	10
4	*Shahabad, ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
5	Chumparun, ...	„	„	27	1	75	2	74	2	„	„	60	2	43	„	„	„	2	„	281	7
6	Bhaugulpore, ...	21	1	268	3	83	„	67	4	„	„	40	„	71	1	34	„	1	„	585	9
7	Monghyr, ...	„	1	172	10	242	5	149	4	46	„	„	„	49	2	55	„	„	„	713	22
8	Tirhoot, ...	„	„	115	7	53	1	164	5	„	„	63	„	19	„	6	„	1	„	421	13
9	Purneah, ...	„	„	204	„	47	„	45	1	63	„	„	„	17	„	„	„	9	1	385	2
10	Rajshahye, ...	4	14	194	8	94	5	79	8	2	„	„	„	1	„	1	„	„	„	375	35
11	Pubna, ...	„	„	20	1	8	„	72	1	„	„	11	„	56	1	36	„	30	„	233	3
12	Rungpore, ...	1	1	183	4	47	„	103	2	„	„	29	„	19	1	24	„	9	„	415	8
13	Bograh, ...	6	„	3	„	„	„	72	1	5	„	„	„	5	„	30	1	1	„	122	2
14	Dinagepore, ...	3	6	624	7	64	1	61	„	1	„	11	„	25	„	„	„	13	„	802	14
15	Maldah, ...	„	„	„	„	„	„	14	„	3	„	„	„	15	„	4	„	1	„	37	„
16	Dacca, ...	„	„	348	5	102	5	136	5	2	„	14	„	26	„	1	„	1	„	630	15
17	Furreedpore, ...	„	„	151	„	31	„	89	3	„	„	14	„	24	„	1	„	2	„	312	3
18	Sylhet, ...	1	„	158	5	137	2	47	„	1	„	4	„	16	„	29	„	4	„	397	7
19	Mymensing, ...	„	„	212	5	84	„	158	2	„	„	„	„	32	3	24	„	2	„	512	10
20	Backergunge, ...	„	„	267	3	53	„	25	„	„	„	9	„	54	„	25	„	7	„	440	3
21	Chittagong, ...	2	4	115	4	6	„	24	„	„	„	1	„	13	1	3	„	2	„	166	9
22	Tipperah, ...	2	7	253	8	17	„	209	2	„	„	9	„	19	„	„	1	8	„	517	18
23	Noakhally, ...	„	1	167	7	15	„	45	„	„	„	„	„	20	„	„	„	2	„	249	8
24	Nuddeah, ...	„	„	130	7	66	„	166	1	2	„	83	„	20	1	5	„	1	„	473	9
25	Alipore, ...	407	77	1128	13	40	8	140	19	„	„	6	„	32	„	3	4	60	„	1816	121
26	Baraset, ...	„	„	71	„	21	„	22	„	„	„	21	„	40	„	7	„	4	„	186	„
27	Jessore, ...	„	„	319	„	36	„	38	„	„	„	58	„	31	„	7	„	2	„	491	„
28	Moorshedabad, ...	„	„	23	„	3	„	114	7	39	1	„	„	29	„	10	„	1	1	219	9
29	Burdwan, ...	8	3	203	8	108	„	55	20	„	„	33	„	26	„	5	„	10	„	448	31
30	Hooghly, ...	1	„	499	„	87	„	108	1	„	„	37	„	19	1	19	1	„	„	770	3
31	Howrah, ...	16	„	„	„	„	„	10	„	„	„	„	„	28	3	„	„	„	„	51	3
32	Bancoorah, ...	„	8	322	7	37	1	59	„	„	„	9	„	6	„	„	„	„	„	433	16
33	Beerbhoom	„	6	245	7	68	4	66	1	„	„	14	„	60	1	„	„	„	„	453	19
34	Midnapore, ...	2	10	255	9	116	1	287	9	29	„	„	„	42	1	42	9	59	2	832	41
35	Cuttack, ...	9	17	185	7	51	1	93	5	„	„	7	„	2	„	„	„	4	„	351	30
36	Balasore, ...	„	„	8	„	6	„	48	2	„	„	6	„	„	„	24	2	„	„	92	4
37	Pooree, ...	„	1	22	„	13	1	24	„	„	„	„	„	24	„	„	„	1	„	84	2
38	Hazareebaugh, ...	3	„	220	1	25	„	58	„	26	„	„	„	144	„	„	„	2	„	478	1
39	Lohardugga, ...	3	„	124	„	18	„	23	„	23	„	„	„	90	„	3	„	2	„	286	„
40	Maunbhoom, ...	„	1	231	4	50	1	51	1	„	„	15	„	36	„	„	„	1	„	384	7
41	Singbhoom, ...	1	„	35	„	11	„	17	„	„	„	„	„	108	5	„	„	„	„	172	5
42	†Sumbulpore, ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
43	Akyab, ...	54	„	273	1	43	„	36	„	„	„	3	„	18	„	1	„	3	„	431	1
44	Ramree, ...	336	„	46	„	28	„	5	„	„	„	„	„	3	„	„	„	3	„	421	„
45	Sandoway, ...	177	„	31	„	1	„	5	„	„	„	„	„	„	„	„	„	1	„	215	„
46	Gowalparah, ...	„	„	90	„	25	„	13	„	„	„	„	„	„	„	„	„	2	„	130	„
47	Kamroop, ...	„	„	71	3	49	2	43	1	„	„	1	„	„	„	„	„	„	„	164	6
48	Nowgong, ...	„	„	5	„	2	„	57	„	„	„	„	„	8	„	„	„	„	„	72	„
49	Seebsaugur, ...	„	„	34	„	22	„	52	„	„	„	„	„	1	„	„	„	„	„	109	„
50	Durrung, ...	„	1	67	6	31	„	70	1	„	„	„	„	„	„	8	„	1	„	177	8
51	Debrooghur, ...	1	„	20	„	4	„	14	1	„	„	„	„	„	„	„	„	„	„	39	1
52	Cossiah Hills, ...	2	„	16	„	„	„	„	2	„	„	„	„	„	„	„	„	„	„	18	2
53	Cachar, ...	3	1	35	„	14	„	17	„	„	„	„	„	13	„	„	„	1	„	83	1
54	Darjeeling, ...	„	„	6	„	2	„	29	2	„	„	2	„	3	„	„	„	„	„	42	2
	Total, ...	1072	175	8851	178	2402	45	3703	125	212	1	697	3	1494	25	568	23	262	4	19291	579

Table 2

Number of criminals as mentioned in the lower provinces of Bengal including male and female in Mouat's report of 1857-58

Roughly for the initial twenty to thirty years of the establishment, even if the number of convicts in Bengal increased, numerous strategies had been exerted by the British government mainly to inculcate the fearful image of prison instead of developing a genuine penal system. This poor state of affairs can be clarified by adding a few non-governmental sources here. In 1968, Mary Carpenter in her book, *Six Months in India Vol. II*, while commenting on the present condition of jails in colonial India raised a crucial issue to the authority. She stated that

> Sunk in the deepest ignorance, and with the criminal habits of many generations strangely rooted in them, are we to them deprived of liberty, grasping them with the strong hand of law, solely to punish them, and obtain as much labour as possible from them, without attention their mental or physical condition, and without an attempt to send them forth into the world better to do their duty to God and to man, and raised in the scale of existence?[60]

This statement of Carpenter while valorising the British rule in India put a discomforting question towards the welfare attitude of the colonial government, especially regarding the penal system. She was deeply concerned about the shabby condition of the jail building and the lack of designated cells for the long-term convicts largely female prisoners. Nonetheless, she praised Calcutta jails where a separate portion had been sanctioned for female inmates.[61] Mouat in another article "On International Prison Statistics" in 1876 further explicated that the jails in India typically lacked many necessary components of safety, health, and adequate equipment, which made them expensive in the long run. This became obvious if statistics were to be gathered on the actual prison structures.[62] Both observations can be corroborated in connection to Kedarnath Dutta's *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) in which the author describes the walls of the prisons as a musty, moss-grown, not being painted for long including the doors and windows being marked with vermin. The cells seem cramped, malodorous, and too tiny for the convicts. During monsoons, in particular, cells have become completely uninhabitable as it gets water-lodged.[63]

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[60] Mary Carpenter, *Six Months in India Vol. II* (London: Spottiswoode and Co., 1868), 207.
[61] Carpenter, *Six Months*, 211.
[62] Fredric J. Mouat, "On International Prison Statistics," *Journal of the Statistical Society of London* 39. 2 (Jun., 1876): 311-331.

However, the colonial government quickly realises its liberal principles that imply governmental turn. Since a welfare state requires uniformity of laws, punishment, and subjecthood, it needs to manufacture the consent of the colonised subjects. This new colonial-liberal technology of the state then was directed to managing the population, what Foucault would call governmentality. They adopted two methods including allowing the colonial representatives in the stately affairs as well as the publicity of the government action through journals and newspapers. Sometimes, provincial authorities recognised invariably some "natural leaders" and provided them additional recognition through regional organisations in an effort to help them fit within the existing framework of colonial self-governance.[64] In the early twentieth-century in Bengal, even a journal had been published solely to make people aware and celebrate police activities. The following poem was published in the Calcutta Police Journal in 1939.[65]

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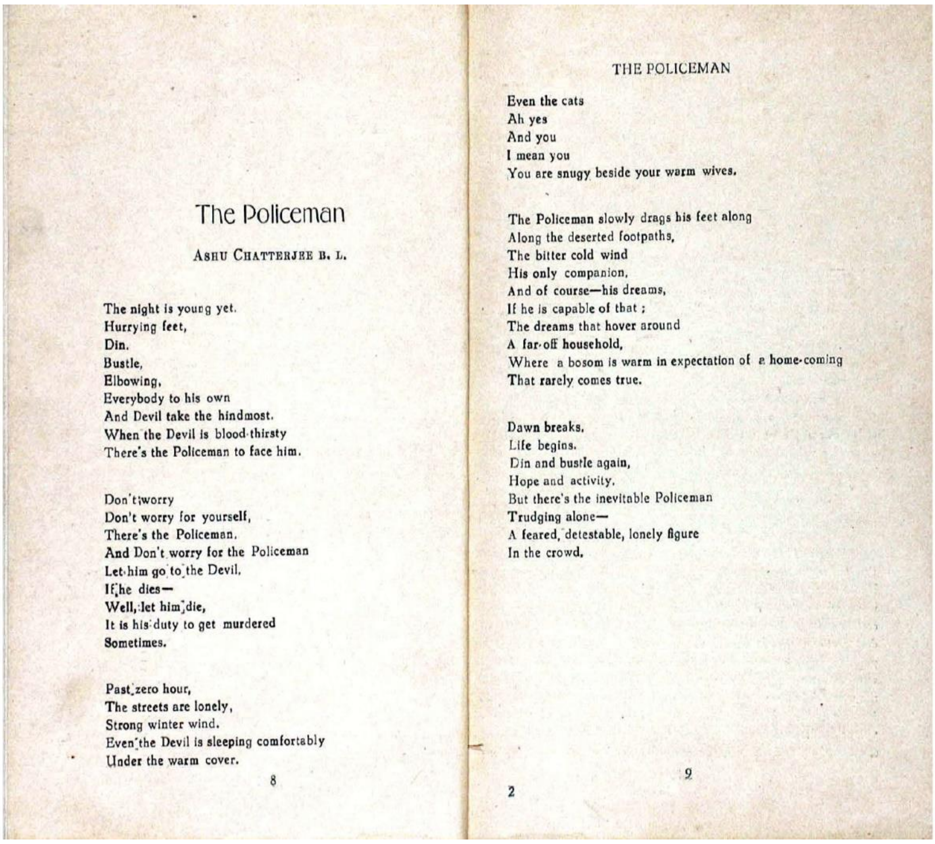
[63] Dutta, *Sachitra*, 109.

[64] Sandra B. Freitag, *Collective Action & Comm: Public Arenas and the Emergence of Communalism in North India* (California: California University Press, 1989), 56.

[65] *Calcutta Police Journal*, Summer, 1939, ed. K. F. Sobhan (Calcutta: P. K. Chatterjee, 1939), 8-9.



The Policeman

Ashu Chatterjee B. L.

The night is young yet.
Hurrying feet,
Din.
Bustle,
Elbowing,
Everybody to his own
And Devil take the hindmost.
When the Devil is blood-thirsty
There's the Policeman to face him.

Don't worry
Don't worry for yourself,
There's the Policeman.
And Don't worry for the Policeman
Let him go to the Devil.
If he dies—
Well, let him die,
It is his duty to get murdered
Sometimes.

Past zero hour,
The streets are lonely,
Strong winter wind.
Even the Devil is sleeping comfortably
Under the warm cover.

8

THE POLICEMAN

Even the cats
Ah yes
And you
I mean you
You are snugy beside your warm wives.

The Policeman slowly drags his feet along
Along the deserted footpaths,
The bitter cold wind
His only companion,
And of course—his dreams,
If he is capable of that ;
The dreams that hover around
A far-off household,
Where a bosom is warm in expectation of a home-coming
That rarely comes true.

Dawn breaks,
Life begins.
Din and bustle again,
Hope and activity,
But there's the inevitable Policeman
Trudging alone—
A feared, detestable, lonely figure
In the crowd.

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Table 3
Poem entitled as "The Policeman" in Calcutta Police Journal published in 1939

In the case of the punitive system, though an open communication between the imperial state and the colonised people was not tenable, the British government relied on their reformative tools including ramifications in rules and policies to demonstrate its liberal principles. The Prison Act of 1894 and the Indian Jails Committee in 1919-20 brought some noted administrative changes that signified its macro social impact. A Committee of Drs. Walker and Lethbridge who met in Calcutta in 1892 provided guidelines on jail offences and punishments that were later adopted into the Prisons Act of 1894. This act, especially focused on the improvement of medical facilities and the arrangement of separate cells for the prisoners. As a result, when a jail committee was appointed in 1888-89, a working rehabilitation system could be observed to develop including improved sanitation conditions and the visible reduction of mortality rates. Notably, the average death rate in Bengal was

100.5, while it was 78.5 was in all the provinces of India lowered down to 20.10 in Bengal and 18.55 in all the prisons in India in 1917.[66] The colonial government started to gradually set up a dialogue between the state and its subject. The prison did not remain as an isolated, concealed site of punishment anymore. With the 1919-20 committee report, the exchange of letters and interviews in the process of rehabilitation had been given importance. The government also considered the psychological impact on prisoners being cast off from their family, relatives, and society for a longer period.[67] Additionally, elementary education for all convicts was also recommended thereafter, and a small library with adequate books was set up in all central and district jails in India.[68] This manifests the liberal move of the colonial government regarding its punitive technology, which connects the population to the state as well as bestows a governing notion of 'technology of the self' to them.

The irony of this liberalism lies in its exclusionary application in the colonial context as Kalpagam points out in her article, "Colonial Governmentality and the Public Sphere in India." She argues that the consent of rule it has sought through its application of technologies to conduct the colonial subjectivity exposes itself in the process, especially when the colonial rule of difference becomes more unjust to the subject.[69] Such a project of colonial construction of people's conduct would inevitably fail due to the presence of anti-colonial sensibilities coupled with the issues of class and caste. It was rather the mutual co-existence of imperial suppression and diverse tendencies of nationalist insurgencies in India – out of this colonial ambivalence was borne out colonial subjectivity. In the case of penal power, although it took a liberal governmental turn in its official records, was always an emblematic institution of repression of the colonial government. Moreover, governmental power does not replace sovereign and disciplinary power, rather works simultaneously, especially noticeable in the colonial context.

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[66] *Report, 1919-20*, 31.

[67] *Report, 1919-20*, 149.

[68] *Report, 1919-20*, 151.

[69] Uma Kalpagam, "Colonial Governmentality and the Public Sphere in India," *Journal of Historical Sociology* 15.1 (2002): 35-58.

To illustrate this contradiction between the official display of the colonial prison and the experience of the colonised subject, select memoirs and biographies written by the revolutionaries like Trailokyanath Mukhopadhyay, Aurobindo Ghosh, Bhupendra Kumar Dutta, and Jogesh Chandra Chatterjee can be considered. These life writings set between the early 1900s to the 1940s mostly refute this late liberal attitude of the Empire. The archival data, governmental acts and reports show a gradual succession from the prior arbitrary, inhumane system to an undisclosed disciplinary institution to the pro-population model. But, the memoirs of the revolutionaries who had penal experiences due to their militant activism, contrarily, manifest anomalies in the masked welfare image of the colonial state. Hence, the colonial jail which aimed to construct colonial subjectivity eventually became the site of radical protest. Literary works, especially life writings could unveil this liberal image.

One of the remarkable sides of Trailokyanath Mukhopadhyay was that he was held in prison for thirty years, sometimes in jails in undivided India, Andaman, and Burma for his association with rebellious activities. His memoir, *Jailey Trish Bachar O Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India) was first published in 1965 when he was released from jail for the final time. Mukhopadhyay’s account reveals the appalling conditions of colonial jails including the method of torture. Even he went on to proclaim that when he was imprisoned for the first time in 1908 in Dhaka Central Jail, there was no such concept of reformation. Since convicts were not even considered human beings, they could be treated like wild animals. Colonial prisons in Bengal, he declared, were notorious for three things, “*fyil, gyil, dyil*” (discipline, abuse, lentils) i.e., all day long, the prisoners were instructed to stand, work as well as walk accordingly, even while their bathing, using the toilet, and eating.[70] Any slippage from these rules would be subjected to severe punishment immediately along with almost in every jail let alone the officials kept abusing the convicts for no reason. Besides, the only consumable food in jail was lentils as rice was stony and the vegetables were too bad to taste. Moreover, if any offence was detected or the prisoners were not able to accomplish their stipulated work, they would be thumped by the guards first and then again taken to further torture under the order of the jailor approved by the superintended. Trailokyanath Mukhopadhyay also mentioned in his memoir that due to penal torture, there had been numerous deaths, which were presented in the official record as natural deaths in hospitals due to ailments.[71] The separate cells of prisoners which were indicated in the 1894 Prisons Act had been referred to as false in reality in Mukhopadhyay's account. Even the political prisoners were also placed in the 'third class' category. Therefore, the 1919-20 Indian Jails Committee which manifested a liberal turn of the colonial state in Bengal, the memoir showed, was rather the result of the educated political activists' continual struggle, their pursuit for quality food, good behaviour, and respect from the authority.

Aurobindo Ghosh also known as Sri Aurobindo for his spiritual inclination spent one year in Calcutta Alipore Jail in 1908, a similar time to Trailokyanath Mukhopadhyay's first imprisonment in Narayanganj and later in Dhaka Central Jail. Aurobindo who was detained for the Alipore bomb conspiracy case in May 1908, was imprisoned till 1909, while the British Government tried to link him to a number of militant acts during a prolonged trial. After being exonerated and permitted freedom, he had written an intimate and engaging account entitled *Karakahini* in Bengali, which previously was published in a Bengali periodical named 'Suprabhat' (Good Morning). These pieces translated in English by the late Santiniketan professor Sisir Kumar Ghosh make up the present account, *Tales of Prison Life* published in 1974. Aurobindo had written on the unsanitary living conditions of Alipore Jail. He was quick to point out that the British government was still stuck to its old reformation ideas not to make administrative changes. He made sarcastic remarks about the colonial government's goal to ensure the hardship of the convicts by limiting their cell space, providing filthy utensils, water, and bathing facilities, among other things. He stated that "then to these three thousand creatures who came from God, victims of a miserable social system, that huge instrument of torture, the Alipore Jail, is lost in a vast Silence…but it should also be added that these were all part of prison administration".[72] Therefore, the improvements the prison administration vouched for in the various jail committees and policy data were not practically implemented as the intention of the liberal government in the colonial context, following Stephen Legg's idea on colonial governmentality, could be stated, was still "on the disposition of the people rather than on the processes of society, economy, and population".[73] The Colonial prison thus could never become a place which had been received affirmatively by the colonial population in general.

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[70] Trailokyanath Mukhopadhyay, *Jailey Trish Bachar O Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India) (Kolkata: Radical, 2015), 50.

[71] Mukhopadhyay, *Jailey,* 51.

It cannot be pointed out exactly in which year this scenario has started to change. But if we look into the writings of this period, it was around 1915 when the description of the penal experience changed to swing. Bhupendra Kumar Dutta in his memoir *Biplaber Padachinha* (The Footprint of Revolution), an important testimony in this context, published in 1953 has written about the hardship of prison life too. He, especially focuses on how prison produces mental and psychological agony for the colonial convicts. During his stay at the Presidency Jail around 1914-15, he mentioned that the state prisoners by then had been divided into X and Y classes – threatening and less threatening. Category X of the

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[72] Aurobindo Ghosh, *Tales of Prison Life* (Pondicherry: Sri Aurobindo Ashram, 2018), 30-35.

[73] Stephen Legg, "Governmentality, Congestion and Calculation in Colonial Delhi." *Social & Cultural Geography*, 7.5, (2006): 709–729.

European yard did not have permission to talk to others, while the Y of the 44 Degrees (special cell in the Presidency Jail) could talk albeit limitedly when they were allowed to walk outside their cell.[74] Later when he was transferred to Alipore Jail, he was surprised to see the relaxed situation among prisoners. Especially, as a state prisoner like Dutta himself was allowed to talk to each other, walk outside their yard, and even was permitted to read if they wished to. Being a part of a less threatening Y class, Dutta seems to be liking his stay at Alipore. He encouragingly expressed in his memoir that during those years, Alipore Jail became a place of learning. They could talk about philosophers like Locke and Berkley as well as learn new languages like French and so on. Although only one newspaper was allowed inside the jail, other Bengali newspapers like “Saptahik Yudyabarta” (Weekly War News), “Dainik Basumati” (Daily Basumati), and magazines like “Prabashi” (Expatriate) could be managed to smuggle inside easily.[75]

These changed punitive experiences, as witnessed in these writings, including the treatment of the convicts, and their physical and mental well-being, especially of the state prisoners were officially recommended in the 1919-20 committee, while some of its regulations had already been in place previously. Although it might appear as the colonial state’s new governmentality, at least rationalised as the welfare liberal strategy of the colonial state, it was the effect of the dual pressure of revolutionary activism and the uprising of the nationalist insurgency. The appearance of an influential public sphere in colonial Bengal as Kalpagam observed could be pertinent in this context. Since Bengal’s vibrant public sphere in the twentieth century had the power to support or pressurise the system, both the colonial state and the anti-colonial forces tried to generate public consent. In addition to colonial newspapers, journals, and magazines, a strong nationalist sentiment existed along with Gandhian non-cooperation and non-violence movements. Gandhi's mass appeal to "all individuals – journalists, peasants, Harijans, women, all-sought" became crucial "to overturn liberalism's anxieties of the colonial 'other' and reaffirmed the status of Indians as autonomous and rational agents."[76]

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[74] Bhupendra Kumar Dutta, *Biplaber Padachinha* (The Footprint of Revolution) (Kolkata: Saraswati Library, 1953), 57.

[75] Dutta, *Biplaber*, 70-72.

However, following Scott, we must recall that in the case of "colonial governmentality … power comes to be directed at the destruction and reconstruction of colonial space so as to produce not so much extractive-effects on colonial bodies as governing-effects on colonial."[77] Therefore, whenever the colonial government identifies any potential threat to their authority, it sets to recourse to its sovereign power. Similarly, in colonial Bengal, some of the state prisoners while receiving liberal treatment in prisons, the other kinds of convicts were exposed to torture. Besides, the treatment in all jails under different prison officials was also varied. Bhupendra Kumar Dutta in his memoir mentioned the mishandling of other state prisoners. For instance, in the Presidency Jail, the state prisoners had been pushed by their necks forcefully before the European warder to measure their body weight whereas the prisoners in Rajshahi Jail were harassed by the constables even in the presence of the Superintendent. Dutta recalled some of his revolutionary friends like Amar Ghosh, Annada Majumder, Arun Guha, and Jiaban Chatterjee who were made to stand long hours, beaten with a ruler with their hands and feet tied, and even forcefully made to play tennis with them while running a high temperature. When an attempt was made to lodge a complaint against the officials, "no, they couldn't beat you, there's no such law," they replied with the knock of a boot.[78]

Jogesh Chandra Chatterjee, a militant and an active member of 'Anushilan Samiti,' an underground society known for its anti-colonial activities had been imprisoned several times until being sentenced for a long period in the 1926 Kakori conspiracy case. In his memoir, *In Search of Freedom*, published in 1958, Chatterjee expressed his concern for fellow revolutionary convicts in Rajshahi Central jail. He stated with resentment that

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[76] Kalpagam, "Colonial," 53.

[77] David Scott, "Colonial Governmentality," *Social text* 43 (1995): 191-220.

[78] Dutta, *Biplaber*, 73-74.

> A half shirt and a short were their dress. They had to carry an iron ring around their necks which passed through a wooden plate hanging on their chest in which were inscribed their numbers and dates of sentence and the dates of the release. An iron saucer was the only utensil supplied to them for all purposes, for taking food, storing drinking water for washing, for taking bath, etc. Some coarse rice, dal (lentils) and vegetable were their daily food.[79]

Jogesh Chandra notably presented two different kinds of penal experiences: liberal and somewhat moderate as well as repressive and torturous. Although he had not personally experienced harsh penal treatment, he noticed the arbitrary application of power to suppress the activism in Bengal in the post-partition agitation after 1906. To curtail the militant revolutionary activities, the British government issued the 1915 Defence of India Act along with the Ingress into India Ordinance law in 1914 to restrict the movement of the rebels returning to India. In this connection, Bhupendra Kumar Dutta mentioned in his memoir that when he entered Alipore Jail, he had witnessed some of the prisoners who were mostly from Chandannagore, a provincial town in Hooghly district, convicted in the Ordinance Act being kept in a different cell and disallowed to talk to state prisoners.[80] Besides, the Defence Act had a significant impact on the nationalist activities since it allowed the government to imprison rebels without a trial. Although Britain had promised to introduce reformatory measures after the First World War, Chatterjee mentioned in his account, they brought in the Rowlatt Act trailed by the 1919 Government of India Act further to repress the militant activism. Thus, the reformation observed in the colonial prison system came into effect only after the 1920s, albeit in inconsistent measures.

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[79] Jogesh Chandra Chatterjee, *In Search of Freedom* (Calcutta: Firma K. L. Mukhopadhyay, 1958),111.

[80] Dutta, *Biplaber*, 63.

Therefore, the idealistic presentation of the colonial jail which it tries to posit officially does not stand true when we bring colonial experiences into our discourse incorporating the literary writings of this period. Bengali *Naksha* (sketch) writings like in Kedarnath *Dutta's Sachitra Gulzarnagar* (Illustrated Gulzarnagar) and dramas such as Dakshinaranjan Chattopadhyay's *Jail Darpan* (Jail Mirror) suggest that through brutal techniques applied within the prison, the colonial state was able to produce an image of fear of the jail rather than simply being a disciplinary institution. This initial collective shock brought in by the empire through its punitive structure was eventually challenged by the emergence of national sentiments in the latter half of the nineteenth century. Memoirs and life accounts of the revolutionaries such as Aurobindo Ghosh, Trailokyanath Mukhopadhyay, Jogesh Chandra Chatterjee, and Bhupendra Kumar Dutta among others, who had personal experience of the colonial prison exposed the sham of 'the rule of law.' Their accounts bear witness that the governmental turn is a gimmick for the colonial state. It has been used only in terms of exclusion. The official resolutions are hardly followed inside the prison. The prison is deployed as a tool of repression and torture, except few occasions, especially in the case of renowned state prisoners to avoid controversy. The image of the prison in colonial Bengal was never a liberal space to the common mass due to its inherent incongruities. The application of penal power in relation to colonial governmentality, thereby, frequently switches back to its sovereign power of exerting physical torture and the infliction of pain. From a place of fear, the colonial people discover the colonial prison as the site of oppression. Colonised Bengali subjects, on the other hand, can be observed to transform their identity from a compliance to a defiance. Additionally, as the revolutionary accounts suggest that the prison officials were often compelled to withhold coercive measures due to their political activism. The signification of the colonial prison in Bengal, especially in the twentieth century is thus negotiated by the conflict between the colonial state and the political prisoners. Nonetheless, it must be noted that these experiences of the colonial prison were equivocal and multilayered, often depending on the subject's class and caste identity. This class and caste dynamics thus will be able to realise the evolution of Bengali subjectivity in relation to the development of the colonial prison with further intricacies.

VI

Colonial Subjectivity and the Question of Class and Caste

Despite the introduction of the IPC, the European people in colonial India enjoyed a superior position, moderate punishment, and higher ranks in the judicial system. When T. B. Macaulay was given the charge to draft the legal codes for colonial India, he promised to bring the rule of law, order, and justice resolving the Company's existing punitive irregularities. Subsequently, there was resistance against this legal equality and jurisprudence on behalf of the European people in India since it was, for the British, similar to putting the makers into the same category extended in their creation. Therefore, the Code of Criminal Procedure, which was first implemented in 1861, ensured the superior standing of British subjects who had European origin in terms of the law. It preserved for them special advantages like the right to a trial mainly conducted by the European jurors, submission to only British justices and court officials, and lenient penalising. These carefully protected prerogatives and rights made law both a metaphorical and a real indicator of the imperial power. It lawfully enables the European subject's extra-judiciary rights that set them apart from the colonial subject while symbolic in the sense that it upholds and displays the imperial authority establishing their pre-eminence in the social order.[81] Therefore, it was rather the "rule of colonial difference," as Partha Chatterjee put it, defiled all efforts to impose modern forms of government on the colonies. Chatterjee maintained that this intrinsic distinction between colonisers and colonised people justified colonial despotism. Despite liberal British administrators' claims that colonialism annihilated differences by integrating colonised people into society and history, the colonial power would have lost its fundamental hold once the subjugated 'others' held equal power. Thus, while promising uniform institutions and principles, colonial power persisted to function in difference.[82]

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[81] Elizabeth Kolsky, "Codification and the Rule of Colonial Difference: Criminal Procedure in British India," *Law and History Review* 23.3 (Fall, 2005): 631-683.

Not only for the European subjects living in India but also for colonial subjects, the application of punitive apparatus was not equal. Class and caste often determined their degree of repression. In addition to different treatments of the colonial state, colonised people, we argue, conceived this new power of imperial carcerality in terms of the pre-existed social hierarchy. With the evolution of the prison system, colonial subjects can be observed to shift their position. Historically, the class and caste-privileged people did not object to the imprisonment system initially, only expect the British government to follow the prevalent hierarchy. On the other hand, the class and caste-oppressed subjects were often disregarded and equally mistreated by the elite and colonial forces alike. Although literary works do not provide enough references to their response to the colonial prison, they show the distinct dynamics of colonial subjectivity developed with the transformation of the colonial prison. In the initial period of the new carceral structure, prison happened to be the place of terror not only for its rigorous, excruciating model of confinement, but it culturally became a place of disgrace for the upper and middle-class people of colonial Bengal too. The IPC in the colonial setting thus brings another marker of difference for the Bengali society which is somewhat pre-determined by their class and caste consciousness. The institutionalisation of criminality and law-abiding subject produces a new dynamic to the subjectivity of the colonial population, which severely impacts the identity of the underprivileged class and caste-oppressed people.

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[82] Partha Chatterjee, *The Nation and Its Fragments: Colonial and Postcolonial Histories*, in *The Partha Chatterjee Omnibus Comprising Nationalist Thought and the Colonial World, The Nation and Its Fragments, A Possible India* (New Delhi: Oxford University Press, 1999), 16-22.

How deeply the colonial jail in nineteenth-century Bengal invaded the psycho-social status of Bengali *bhadralok*, stripped off their dignity, and even pushed towards committing suicide could be observed in Dinabandhu Mitra's *Nil Darpan or the Indigo Planting Mirror*. The play deals with the landed gentry elite in Bengal called the Basus who are caught in the indigo plantation's vicious cycle, which not only causes them financial disaster but also destroys their socio-cultural existence. It also illustrates the predicament of this family and broadly the rural Bengali peasants through references to rape, physical abuse, suicide, and insanity. But these heinous crimes also contain significant themes and an insight into the Bengali *bhadralok* class's perception of imprisonment. The drama described how Gokul Chunder Basu, the landlord of Svaropur, was falsely accused and imprisoned after refusing to submit to the extortions of the indigo planters J. J. Wood and P. P. Rose. Gopinath, also known as the *Amin* (land measurer) assisted the Britishers in their conspiracy against Goluk Chunder. His two sons, Nobin Madhab and Bindu Madhab struggled relentlessly to avoid this catastrophe along with his wife Sabitri. Nobin Madhab who was respectfully called *barobabu* was aware of the ignominy of the imprisonment and, thereby, was particularly active to preventing this misfortune. Nobin Madhab's description of his father as calm, sincere, and honest in Act 2, Scene III of *Nil Darpan or the Indigo Planting Mirror*, represents the typical *bhadralok* class in nineteenth-century Bengali society. He also added that when his father received the court order for trials, he was trembling in fear. He becomes afraid that

> If he is to go to Indrabad, he will turn to mad, and if to the jail, he will throw himself into the stream. Ah, such misfortunes that are to fall on him while I, his son, am living: My mother is not so much afraid as my father is, she does not lose hope at

> once… My dear-eyed is become, as it were, the deer in my volcano; she is become mad with fear and anxiety.[83]

This statement of Nobin Madhab suggests how humiliating prison could be for a respectable Bengali *bhadralok*. It was, in fact, irredeemable, which manifested in the act of Goluk chunder inside the prison. Bindu Madhab informed that his father did not take his hands off when he was sentenced in court, and even he refused to eat for three days in jail. Finally, despite the efforts of his sons as well as the deputy inspector's suggestion to release Goluk, he committed suicide by hanging himself in jail. Later, Gopinath felt regret for destroying "this man of great honour by a false lawsuit" particularly lamented for a Hindu "person to die with a rope round his neck, especially within a prison, (which was) very disgraceful."[84] The jail's reputation among *bhadralok* thus appeared frightful; a site that needed to be avoided at all costs particularly since "going there did not seem to depend any longer on crimes which the Bengali code of morality deemed criminal."[85]

However, as Dinabandhu Mitra indicates, the lower class people have different interactions with jail compared to the upper and middle-class Bengalis. In the drama, one low class Ryot (peasant) asserted that he was not frightened of imprisonment and maintained that he "would rather rot in the jail than any more prepare the indigo of that white man."[86] This different attitude manifests that the lower class people, unlike the upper and middle-class *bhadralok* community, were exposed to the violence of prison, and not even expected for legal justice. On the other side, other lower class characters such as Sadhucharan, were presented in support of their master, Goluk Basu. Even he was ready to accept the charge of stealing to share the pain. "I will make the confession; they will put me in prison, then I will be best able to serve my master," he adds.[87] This demonstrates both the educated elite *bhadralok* gaze of the playwright along with the ignorant attitude of the lower classes are dominated by the prevalent social hierarchical power structure.

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[83] Dinabandhu Mitra, *Nil Darpan or the Indigo Planting Mirror*, trans. Michael Madhusudan Dutt (Calcutta: Eastern Trading Company, 1861), 41.

[84] Mitra, *Nil*, 82-84.

[85] Anindita Mukhopadhyay, "Jail Darpan: The Image of the Jail in Bengali Middle-Class Literature," *Studies in History* 15.1 (1999): 109-144.

[86] Mitra, *Nil*, 40

Nonetheless, the Bengali middle-class cannot be considered as the passive and receptive subject only. They, Himani Banerjee in his article on the subjectivity of various class in nineteenth-century Bengal rightly pointed out, had "not an autonomous role obviously, but nonetheless an active one, sometimes involuntary and sometimes voluntary and spontaneous."[88] Eventually, in the nineteenth century, Bengali *bhadralok*, can be witnessed to construct their legal subjecthood as good, liberal, law-abiding subject in negation to the violence-prone lower class people. Being progressive liberals, they did not reject new punitive changes, only marked themselves beyond the periphery of criminal activity and disgraceful imprisonment. The marginalised people have been doubly subjugated by the colonial power and the class and caste hierarchy. More importantly, the prison and legal system in broad took a crucial role in forming this colonial subjecthood.

For instance, similar to Dinabandhu Mitra, Kedarnath Dutta in his *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) represents two classes in binary. The author was not only condemning the dire condition of *Faujdar* and *diwani* jails but also acutely aware of the unequal treatment of the colonised subjects. He sarcastically commented that the jail for the Englishmen was like their in-law's house and cousin's house, while it was the Harinbari jail or *hoyranbari*, meaning the house of harassment for colonial convicts.[89] The novel advances that imprisonment for a religious Hindu is shameful and even difficult to keep his caste sanctity by referring to the unfortunate condition of the penniless upper caste, Hemanga Basak, the protagonist of the novel. Contrastingly, characters like Baknapiyari,

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[87] Mitra, *Nil*, 72.

[88] Himani Bannerji, "The Mirror of Class: Class Subjectivity and Politics in 19th Century Bengal," *Economic and Political Weekly* (1989): 1041-1051.

[89] Dutta, *Sachitra*, 112.

Hara, Goklo, and Madhai who belong to lower classes and castes have been presented as evil agents, least bothered about punishment measures. Through the plight of Hemanga, the novel tries to implicate that the colonial jail and the legal system at large acted indiscriminately to the Bengali subjects, especially to the upper caste *bhadralok* society. It indirectly propounds for a different treatment for the elite class, unlike low caste and class convicts.

This bipartite representation of the Bengali population has been further extended and put as the negation of one another in Dakshinaranjan Chattopadhyay's *Jail Darpan* (Jail Mirror). The central character of the play, Sibnath abandoned his wife and fostered the social circle of a sophisticated prostitute named Biraj. Although his friends like Tarini and Gopal overtly plundered Sibnath, he brought his financial doom mainly by spending lavishly on Biraj. Then, after suffering the humiliation of the debtor's prison at the *Diwani* Jail, his life was tragically ended by suicide. Not only his social respect was tarnished by his imprisonment, Sibnath felt disgraceful when he was touched by some lowly *peyada* (constable) referring to his caste identity. These caste differences and their expectancy regarding treatment inside the jail could be further emphasised by the conversation between Nidhiram Bhattacharya and a prison constable in the play. The *Jamadar* was horrified to find an upper caste *brahmin*, especially belonging to Bhattacharya clan (even ranked higher in the Brahminical hieracrchy) in a place like prison. The guard wondered why a *brahmin* who happened to be a respectable *bhadralok* would steal as Nidhiram could have continued to worship God lifelong and kept living happily with the help of his disciples. The guard also claimed that the British officials had been more stringent to an upper caste than a lower-caste convict since the lower-caste people did not pay much respect to the authority.[90] With the aid of a local upper caste doctor, Nidhiram was finally saved from twenty floggings. The doctor highlights that this patient, who has a fragile body, has never been whipped after closely examining his physical condition. He continues that "they are brahmins, they take rice and banana, eat milk and curd, how will they bear twenty strikes?" (translated from the original) It typically manifests the casteist attitude of the prison officials like the doctor in this case, and a tendency to pursue the government to follow the existing caste hierarchy.

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[90] Chattopadhyay, *Jail*, 56-58.

These literary writings, therefore, bear the testimony that even in late nineteenth-century colonial Bengal, the application of prison power was not debated as the chief coercive apparatus of the colonial state irrespective of being critical to the authorities and their reformations. The middle-class and the upper caste Bengali being educated, modern, enlightened subjects as they had to posit themselves to be so, were still liberal to this new punitive structure. They were only eager to project their upstanding legal subjecthood. This self-construction, additionally, required the negative portrayal of the lower class people as well. "The legal and penal institutions," Anindita Mukhopadhyay argued, "opened up a public space to the bhadralok where the behavioural pattern and mannerisms of a respectable strata of indigenous society could be set out, opposed to the behavioural pattern and mannerisms of the low castes" and also the European people.[91] Thus, until the discovery of jail as a despotic colonial institution by the nationalists mainly in twentieth century, prison continued to be an imperial force to construct the moral segregation of the colonial society dividing them into the law-abiding subject and the criminal. On the other hand, the colonial society adhering to the previously existing class and caste hierarchy fosters their subjectivity in terms of the colonial prison, mainly as an antithesis to each other.

With the rise of nationalist insurgencies and burgeoning militant activism in Bengal, prison started to be used mostly as a repressive technology by the colonial state. The colonial subjects, on the contrary, realising the pseudo-liberal turn of the government, made jail as their place of protest and solidarity. Nonetheless, it is not that the class and caste privileges within the prison suddenly disappear. But, the more the activities and the stories of the harsh treatment of the revolutionaries spread in the public sphere through their accounts including memoirs, biographies, newspapers, and magazines, the more stigma around the colonial jail declines. "In the wave of revolutionary histories of the movement written by its participants, authors hoped to reinvigorate a radical anti-colonial movement that was widely seen as moribund by 1919 by the colonial government."[92] Thus, from Trailokyanath Mukhopadhyay's *Jailey Trish Bachar o Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India) to Jogesh Chandra Chatterjee's *In Search of Freedom*, the colonial jail has developed into a site of revolt as well as a place of honour form the place of disgrace and shame which we have observed in *Nil Darpan or the Indigo Planting Mirror*. Eventually the prison acquired the connotation of sacredness with the journey to prison being equated to a sort of pilgrimage to the Bengali people. With the emergence of nationalist consciousness, the colonial subjects began to question the purpose of imprisonment as well as take the locale of the prison to subvert the authority of the colonial government.

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[91] Anindita Mukhopadhyay, *Behind the Mask: The Cultural Definition of the Legal Subject in Colonial Bengal (1715-1911)* (New Delhi: Oxford University Press, 2012), 15.

This chapter thus projects a macro social view of the colonial prison in Bengal connecting the state and colonial population at large. It shows that both the evolution of prison and the penal subject in colonial Bengal are equivocal but interrelated. The colonial state at least in their official records and reformatory policies tried to posit the prison as a humane, modern institution urgently needed to consolidate the rule of law in Bengal, and more necessarily for the advancement of the civil life of the colonial people in general.

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[92] Durba Ghosh, *Gentlemanly Terrorists: Political Violence and the Colonial State in India, 1919–1947* (Cambridge: Cambridge University Press, 2017), 60.

Additionally, even during the nationalist movement in Bengal, it tried to advance the prison as a rehabilitative institution. The process implicates the governmental turn of the colonial state from being a mere disciplinary institution. The literary writings of this period, on the contrary, manifest that it was rather the apparatus of discipline, torture, and repression, legally sanctioned by the colonial government. The colonial governmentality in relation to the prison works in exclusion. Hence, this chapter goes to prove that historically, the image of the colonial prison evolves from a place of terror through social blasphemy to national honour. Similarly, the colonial subject's identity in relation to the colonial prison transforms from confirmative through liberal enlightened to rebellious, albeit there are exceptions based on class and caste.

Chapter 2

Designing Repression: Regulating Space-Time in the Colonial Prison

I

Introduction

The application of symbols by governing authorities as a means to disseminate political ideologies to a diverse society is a prevalent practice. These symbols, often employed as tools, serve as both the instrument and representation of the government in the political sphere. In other words, dominant groups employ architecture as a means to exert their power and the tangible presence of constructed structures enables them to manifest their political objectives. By evoking sentiments of nationalism or generating fear among the general populace, the objective is to uphold the government's social responsibility and welfare policies through material objects. Thus, architecture has been historically associated with the ruling class, particularly in the context of absolute power dynamics. It must be contended both as a field of study and an ideological practice of constructing buildings. Therefore, it is necessary to understand that "architecture is conditioned and 'regulated' by social context" that "serves to obfuscate both the limits to architecture's independence … and dominant political and corporate interest."[1] This is what Rosie Llewellyn-Jones has defined as "political architecture," in which she asks to consider architecture as the manifestation of "governmental or dictatorial policy."[2] Following Llewellyn-Jones, it can be argued that the design of the colonial prison and its structural evolution cannot be considered a neutral architectural development; it is rather an act of demonstrating British supremacy.

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[1] Paul Jones, "Putting Architecture in its Social Place: A Cultural Political Economy of Architecture," *Urban Studies* 46.12 (2009): 2519-2536.

[2] Rosie Llewellyn-Jones, *Empire Building: The Construction of British India, 1690–1860* (London: Hurst Publishers, 2023), 34.

In 1981, the British architectural historian, Gavin Stamp in his deliberation called "British Architecture in India 1857-1947" at the Commonwealth Section of the Society discussed the long history of architectural development, design, and its artistic influences in colonial India. The fundamental disagreement about whether to display "the political necessity and the aesthetic superiority of the Western Classicism," or to infuse "native traditions and to develop native types of architecture," Stamp mentioned, was what informed the principle of British architecture in India.[3] In this process, the walls, and interiors of both the colonisers' and the colonised's institutions became materially and metaphorically imbued with the cultural practices, desires, and fantasies of each side. The imperial buildings of British India thus irrespective of what choice of style they would prefer were not only integrally part of the colonial history but also became a critical point of entry into governmentality itself. It needs to be recalled Metcalf in this connection observed that "in the public buildings put up by the Raj it was essential always to make visible Britain's imperial position as ruler, for these structures were charged with the explicit purpose of representing empire itself."[4] Therefore, the colonial buildings including monuments, and official and punitive institutions must be debated aesthetically as well as politically.

Following Erving Goffman, prison can be considered as the 'total institution,' a place, building, and a host of rooms, where a large group of individuals in similar conditions who have been isolated from the larger society for a long duration coexist in a confined, legally organised way of life.[5] Its all-imposing character is symbolised through its physical structure that draws a rift from the outside world. Therefore, the interior spatial dynamics of the colonial prison which serves as the space of intersection for the colonial authority and the captivated colonial subject, is produced by the suspension of individual freedom as well as the locale's concrete physical layout. This design of the prison what Jacques-Francois Blondel called "architecture terrible," had been "composed of ridiculously heavy, weighty masses, … a style where the principles of art seem to be crushed under the weight of the Artist's ignorance."[6] In other words, the design of prisons has been envisioned as the union of grandeur and authority to declare its severity leaving the general public in awe. So, the building itself functions as the image of colonial dominion and its deterrent power.

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[3] Gavin Stamp, "British Architecture in India 1857-1947," *Journal of the Royal Society of Arts* 129. 5298 (1981): 357-379.

[4] Thomas R. Metcalf, *An Imperial Vision: Indian Architecture and Britain's Raj* (Berkeley: University of California Press, 1989), 2.

[5] Erving Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (London & New York: Routledge, 2017), 22.

On the other hand, to cultivate a meaningful presence within a correctional facility, seemingly insignificant items and commodities that are commonly overlooked in the outside world assume a vital role. This may be explored from the perspective of 'carceral geography' which focuses on the political dimension of architecture, tempo-spatiality, and its relationship with humans in the context of prison. To mention that the idea of 'carceral geography' is the combination of "geographical research into practices of incarceration, viewing such carceral spaces broadly as a type of institution whose distributional geographies, and geographies of internal and external social and spatial relations..."[7]

Notably, existing scholarly studies on the architecture of colonial India reveal a distinct dichotomy. One perspective considers that authors who possess a background in architecture often prioritise the material form and aesthetics of a specific building, aligning their focus with the principles of their discipline. This can be interpreted as the study of the architectural vocabulary and grammar. On the contrary, writers from outside disciplinary boundaries have primarily focused on the field of semantics, specifically exploring how colonial architecture can be understood as a type of encoded text that conveys the political dynamics of colonial modernity. Moreover, a substantial body of descriptive literature pertaining to colonial architecture emphasises its utilitarian aspects, while alternative perspectives perceive imperial structures merely as the tangible expression of political aspirations. Considering this, we will be taking a "holistic point of view" on the architecture of the colonial prison, which includes both its semiotic as well as "a form of spatial syntax, (that) materialize(s) and mediate(s) social relations and therefore power."[8]

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[6] Harold D. Kalman, "Newgate Prison," *Architectural History* 12 (1969): 50-61.

[7] Dominique Moran, "Carceral Geography and the Spatialities of Prison Visiting: Visitation, Recidivism, and Hyperincarceration," *Environment and Planning D: Society and Space* 31.1 (2013): 174-190.

The present chapter thus will broadly deal with micro-institutional aspects or material dynamics of the colonial prison. It intends to explore how the colonial government used the material conditions of the prison i.e., its architecture including general convict cells, solitary cells, and other penal spaces to produce an effective discipline and repressive technology. This materiality of jail, on the other hand, is connected with the temporal distribution of the everyday life of inmates in prison. So, how this tempo-spatial arrangement of the colonial prison produced corporeal and psychological impacts on colonial subjects will be addressed. Since prison acts like a laboratory for the colonial state to showcase and manufacture what kind of docile, subjugated, morally upright body the empire desires, this chapter contends that the officials associated with the prison administration, who also extend this imperial rationale, cannot be excluded from this critical context. Finally, the chapter will demonstrate that the prison space, even within the colonial setting, cannot be regarded solely as an autocratic space. Instead, it has a complex spatial dynamic, often fluid in nature that both limits an individual's subjectivity and generates an existential crisis, while also advancing intimacy and interpersonal bonding.

Notable sociologists and philosophers including the phenomenologists and the Marxists have conducted extensive studies of human interaction with the environment and its material circumstances. These investigations often prioritise interiority, objects, architecture, and multiple layers of social spaces with Martin Heidegger, Maurice Merleau-Ponty, Gaston Bachelard, Henri Lefebvre, Antony Giddens, Edward Soja, Michel de Certeau, David Harvey, and Yi-Fu Tuan being the prominent figures. However, the concept of the ‘spatial turn’ in the field of prison sociology was perhaps first introduced by Michel Foucault. Foucault emphasised the significance of space and the control of prisoners’ bodies within the framework of the penal surveillance mechanisms. Giorgio Agamben later expanded upon Michel Foucault’s concept by delineating the notion of exceptional space within the socio-legal domain. However, both indicate how the utilisation of both the tangible and conceptual spatial demarcations had a significant role in fortifying and consolidating the complex hierarchical framework of power relations within correctional facilities. This can be exemplified by the application of physical enclosures such as common cells and solitary confinement to isolate prisoners from the outside world. Therefore, in the context of imprisonment, establishing a direct correlation between physical space and human beings is hindered by the inherent constraint of material immobility. As Doreen Massey advances that the concept of the ‘spatial fix’ lies in its inherent emphasis on fixity and immobility. It refers to the tangible manifestations of buildings and infrastructure, which serve as the confinement for a penal body.[9] Conversely, the concept of prison must be remembered that it lacks a singular, unequivocal understanding devoid of any conflict. The dynamic nature of this space is attributed to the frequent occurrence of internal and occasionally external interactions and encounters.

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[8] Peter Scriver and Vikramaditya Prakash, "Between Materiality and Representation: Framing an Architectural Critique of Colonial South Asia," in *Colonial Modernities: Building, Dwelling and Architecture in British India and Ceylon*, ed. Peter Scriver and Vikramaditya Prakash (London & New York: Routledge, 2007), 10-11.

Nevertheless, it appears that these studies sustain a division between the prisoners’ experience of spatial and temporal dimensions. It is as if, despite prisoners having the ability to disrupt spatial control by exerting their agency and utilisation of penal spaces, their interaction with time is primarily passive. They view time as merely passing by as they fulfil their sentence, without actively engaging with it. It could be posited that starting from the mid to the late 1980s, these fields have started to change and increasingly emphasised incarceration as a temporal duration within prison facilities. This perspective has been supported by longitudinal researches that examine shifts in diverse phenomena such as the rates of imprisonment, the age of an inmate, the extent of overcrowding, and more importantly the subjective experiences of prisoners.[10] The shift has moved away from viewing time as an objective concept and instead prioritises looking at time in relation to lived experiences. Hence, this is imperative to observe the interdependence of time and space. According to Hägerstrand, the space-time analysis suggests that individuals participate in geographical space in daily activities within a limited time allocation and within specific spatial context. Time is intrinsically connected to the personal circumstances of individuals, and is experienced and understood in relation to both personal experiences and material space.[11] Robert Dodgshon's analysis of time and space made a notable contribution to this debate. He observes that while modernists prioritised the examination of temporal dynamics, postmodernists exhibit a preoccupation with the role and significance of spatial dimensions. However, it is "difficult to disentangle, hence the growing discussion (should be) of space-time and even spacetime, not space and time.[12] This chapter attempts to connect this carceral space-time discourse focusing on the imperial agenda regarding the interior development of the colonial prison in Bengal.

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[9] Doreen Massey, “The Political Place of Locality Studies,” *Environment and Planning A* 23 (1991): 267-281.

The colonial government claimed that the punitive system in India was modernised through the implementation of enclosed carcerality. However, the application of the internal material framework represents a highly oppressive and restrictive apparatus, which is part of the regulatory mechanisms. The strict schedule of intramural activities was formed rather to determine the extent to which the prisoners could be subsumed into the disciplinary mechanism. The chapter thus not only deals with the building architecture, tempo-spatial conditions, and the role of prison officials but also the experiences of such material conditions of the general convicts and the revolutionaries. In reference to the literary writings, it observes the lived experiences of the convicted colonial bodies whether their spirit was crushed under the tempo-spatial dynamics of the colonial prison or had they discovered liminal conditions. To understand this, it is imperative first to possess a comprehensive theoretical understanding of material conditions, space-time politics, and the issue of human subjectivity within the carceral setting.

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[10] Jacobs D, Helms R E, "Toward a Political Model of Incarceration: a Time-Series Examination of Multiple Explanations for Prison Admission Rates," *American Journal of Sociology* 102.2 (1996): 323–357.

[11] John Corbett, "CSISS classics—Torsten Hägerstrand: Time Geography," (2001):1-4.

[12] Robert A. Dodgshon, "Geography's Place in Time," *Geografiska Annaler: Series B, Human Geography* 90.1 (2008): 1-15.

II

Carceral Topography: Space-Time Politics

In his interview called "Space, Knowledge, and Power," Foucault maintains that the concept of space holds fundamental in various aspects of social life as well as in the application of power.[13] His study on space-power relation in an institutional, in the case of a correctional setting took a structural turn with Foucault's *Discipline and Punish*. He observed that "[T]he double foundation – juridico-economic on the one hand, technico-disciplinary on the other…in short penal imprisonment, from the beginning of the nineteenth century, covered both the deprivation of liberty and the technical transformation of individuals."[14] Prison as the modern form of *dispositif* of the government thus connects "a thoroughly heterogeneous ensemble consisting of discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic proposition."[15] Therefore, the internal spatial division that includes the limits of mobilisation, distribution patterns, organisational strategies, and categorisation methods plays a vital role producing an effective disciplinary regime inside the prison.

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[13] Michel Foucault, "Space, Knowledge, and Power," in *Power: Essential Works of Foucault, 1954-1984,* ed. James D. Fabion, trans. Robert Hurley et all. (New York: The New Press, 2001), 361.

[14] Michel Foucault, *Discipline and Punish* (New Delhi: 2020), 233.

Foucauldian discourse on the intricacies of prison power prominently features a critical analysis of his spatial concept of the panopticon, which continues to hold a central position in his intellectual framework. To mention that Jeremy Bentham devised a novel prison model in the 18th century known as the panopticon, aimed at achieving optimal control while minimising expenses. This design involved arranging the cells in a circular formation, with each inmate's cell facing a centrally located watchtower.

> This enclosed, segmented space, observed at any point, in which the individuals are inserted in a fixed place, in which the slightest movement are supervised, in which all events are recorded, in which an uninterrupted war of writing links the centre and periphery, in which power is exercised without division according to the continuous hierarchical figure, in which each individual is constantly located, examined and distributed among the living beings, the sick and the dead – all this constitutes a compact model of the disciplinary mechanism.[16]

So, the mechanism of the panopticon system was effective because of its economy of space. The invisibility of prison guards makes the application of power invisible, which unconsciously reaches into an individual's psyche, and makes surveillance more productive. The Benthamite tower of surveillance, therefore, can be considered as 'the carceral superego,' serving to regulate and constrain the incarcerated individual's pursuit of liberation.[17] Interestingly, Foucault has used "overtly spatialized" language while critiquing the disciplinary mechanism of prison, for instance, "boundary, transgression, and threshold."[18] He indicates the administrative segregation of penal space, a method employed to address severe inmate misconduct within correctional facilities, mirroring society's use of incarceration as a means to manage hazardous offenders in the broader community. The origin of this practice could be traced back to the nineteenth century, when prisoners were not only confined to separated cells but also strictly prohibited from engaging in any form of communication with their fellow inmates.[19] Essentially, it posits a spatialisation of bodies catering a notion of belonging and unbelonging, good and dangerous, sane, and insane among others.

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[15] Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977,* ed. Colin Gordon, trans. Colin Gordon et all. (New York: Pantheon Books, 1980), 194.

[16] Foucault, *Discipline*, 197.

[17] C. Fred Alford, "What Would It Matter If Everything Foucault Said about Prison Were Wrong? "Discipline and Punish" after Twenty Years," *Theory and Society* 29. 1 (2000): 125-146.

[18] Stuart Elden, *Mapping the Present: Heidegger, Foucault and the Project of a Spatial History* (London & New York: Continuum, 2001), 94.

However, it must be pointed out that this spatial segregation of prisons is not internal only; it is significantly external. Spaces and institutional sites are an integral part of governmentality that broadly connects the issues of security and population. "Governmentality is seen to be inextricably spatial, from the volume of the body to the micro-spaces of the room to the expanse of the territory."[20] In the 1978 lecture, Foucault identified the politics of space common to all forms of governmental domains including sovereignty, disciplinary, and security. Sovereignty, he argues, is practised within a specific territory, while discipline involves bodily spatialisation. In the case of territory, "the question of the spatial, juridical, administrative, and economic," all combines to "resituating the town in a space of circulation."[21] Therefore, it offers significant insight into the government of a certain polity, "namely how space is rendered subject to mathematical modelling and control, and thought politically."[22] The placing of prison, consequently, must be considered cartographically then. In other words, the designated site of the prison either in the outskirt of the city or in its centre must be contended as the representative political space facilitating diverse uses of power.

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[19] David J. Rothman, "Invention of Penitentiary," in *Incarcerating Criminals: Prisons and Jails in Social and Organizational Context*, ed. Timothy J. Flanagan et all. (Oxford: Oxford University Press, 1998), 17.

[20] Margo Huxley, "Space and Government: Governmentality and Geography," *Geography Compass* 2.5 (2008): 1635-1658.

[21] Michel Foucault, *Security, Territory, Population: Lectures at the Collège De France, 1977-78*, trans. Graham Burchell (London: Palgrave Macmillan, 2009), 13.

[22] Stuart Elden, "Rethinking Governmentality," *Political Geography* xx (2006): 1-5.

In *The Punitive Society*, Foucault shows that the penal practices that prevailed before the establishment of the modern prison system can be broadly categorised into three distinct forms: *infamy*, which entailed the imposition of a stigma or banishment upon the offender; *talion*, which involved the principle of retribution or restitution; and slavery, which encompassed the enforcement of arduous and involuntary labour upon the transgressor. Carceral imprisonment involves the substitution of all aspects of societal functioning with an impersonal, repetitive, and stringent punitive system, which was implemented not only in practice, but also in the discourse of its execution. Therefore, the transformation it offers is that within this new context of the carceral system, the various factors postulated by each previous framework are substituted by its new temporal dimension. In his analysis of historical phenomena, Foucault characterises the "wage-form" and the "prison-form" as interconnected trajectories that exhibit striking parallels. The consequence of failing to comply is the loss of a duration of personal liberty, akin to the compensation received for a period of work.[23] Foucault thus connects the materiality of carceral practice with its reconstruction of individual free time in the modern form of imprisonment.

The typical perception of time among individuals is characterised by a sequential progression. Throughout history, there have been distinct conceptualisations of the past, present, and future. The present is conceived as an independent temporal entity, though it can be contextualised concerning both the past and the future. However, when we tend to think about the past or future while being in the present, such cognitive processes have a lasting impact on the current moment. The present, therefore, becomes an extension of time rather than a moment of instant or mere a passing time. The process of memory recollection results in the continuous deferral of each present moment into subsequent temporal experiences.

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[23] Michel Foucault, *The Punitive Society: Lectures at the Collège de France, 1972-1973,* trans. Graham Burchell (London: Palgrave Macmillan, 2015), 68-71.

The perception of prison time is commonly regarded as being influenced by external factors such as judicial sentencing, prison officials, and the daily enforcement of rules by security personnel. However, scholarly studies on prison acknowledge that the experience of time in this context is subjective also may vary among individuals. It is even influenced by various factors such as the age and gender of inmates, the duration of their sentences, and any prior history of incarceration. Therefore, "the "now" of incarceration, taking the form of an extended present, in which each new moment of imprisonment is added to the past as a moment of memory, shapes prisoners' thoughts and feelings about their past and their future, and their sense of the passage of time."[24]

However, there is a fundamental relationship that exists between time and space in the context of the punitive mechanism in prison. According to Dodgshon, scholars in the field of human geography have adopted four distinct yet interconnected approaches when examining the correlation between time and space. The initial two perspectives differentiate between space and time, prioritising one over the other. This can be observed in research that either disregards the temporal dimension or neglects to provide a clear spatial framework for narrative processes, resulting in the conceptualization of either "timeless space" or "spaceless time." Some approaches conceptualise the relationship between space and time by either spatialising time, such as contrasting various locations as undergoing distinct stages of linear development, or temporalising space, such as constructing a historical narrative of a specific place. These approaches acknowledge the interdependence of space and time while recognising their distinct characteristics. Certain methodologies ultimately seek to eliminate the differentiations between space and time to the extent that they become indistinguishable from each other in analytical terms. Thus, in this study, the interconnection between space and society's perception of time and subjective time consciousness establishes the concept of space-time or timespace, which pertains to the examination of socially embedded space and time, highlighting their inherent interdependence.[25] Therefore, the prison time, must be recalled, as temporal as well as spatial since its spatial dynamics force on its temporal experience, while everything is corporeally embodied. To explain further, the significance of an inmate's experience of a prison sentence is not solely derived from the fact of their temporal confinement, but rather from their physical presence within the carceral environment. This material presence plays a crucial role in shaping their perception of time, including their understanding of the past, present, and future.

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[24] Dominique Moran, "Doing time" in Carceral Space: Timespace and Carceral Geography," *Geografiska Annaler: Series B, Human Geography* 94.4 (2012): 305-316.

This carceral tempo-spatial distribution has been deployed strictly to produce a repressive regime in prison undoubtedly. Nonetheless, some recent empirical studies raise question on such efficacy of prison technologies in producing absolute control. In the introductory section of Jennifer Turner's *Prison Boundary: Between Society and Carceral Space* (2016), the author presents an illustrative depiction of a prison van, which is utilised for the transportation of essential provisions to the correctional facility. This familiar site of the prison, Turner mentions, could signify corporeal as well as metaphorical significance. According to her, the material manifestation of the prison van serves as the "physical and symbolic connections that make up the contested, fluid border between being either 'inside' or 'outside' prison and general society."[26] What she tries to locate here is the liminality of carceral space. This carceral liminality could be located not only in its connection to the external world, but also in internal dynamics. Monika Fludernik's idea on liminality in her article, "Carceral Topography: Spatiality, Liminality and Corporality in the Literary Prison" will be pertinent in this context. She argues that liminality refers to a certain borderline that negotiates as well as transgresses both the interior and exterior, which involve "the application of a spatial container metaphor to the threshold which is then read as an interface, a temporary home, a site of transition and conversion."[27]

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[25] Dodgshon, "Geography," 11-12.
[26] Jennifer Turner, *Prison Boundary: Between Society and Carceral Space* (London: Palgrave Macmillan, 2016), 2.

Therefore, to understand carceral liminality, we need to focus on the spatial dynamics of interpersonal relationships as well as the daily interactions and mental constructs of prisoners rather than only focusing on the transfer of vertical power within a centralised system of prison. It is the 'horizontal' reciprocity among prisoners, that fissures the 'vertical' mechanisms of control. The inmates through their physical association encompassing both tactile and non-tactile interactions could violate the disciplinary control, and produce a sense of agency.[28] On the other hand, it must be mentioned that power control has a notable impact on the dynamics of prisoner relationships too. In practical terms, it presents a challenge to separate and analyse the impacts of the disciplinary system from the actions and choices made by prisoners. Besides, Moran argues that emotion and affect must be incorporated into this discourse since it offers a valuable framework for theory and approach for investigating the transformative nature of the liminality within carceral space. It provides valuable understanding into the perceptions of inmates, visitors, and prison staff regarding the effect of these spaces, their emotional responses within and towards them, and notably, the dynamics of penal power.[29] Baer's ethnographic research on prisons extends this examination of visual imprints in various areas within the prison, including "wings, corridors, education units, indoor and outdoor recreational spaces, and outdoor gardens."[30] His investigation highlights how inmates in the prison environment can convert the carceral space into a more personalised and individualised space through these liminal spaces. Teresa Dirsuweit has made a noteworthy contribution in this field of space, social relations, and identity in prison through her research on African women prisoners. Her work specifically focuses on resistance and transgression within the restrictive spatial environment. The discourse revolves around a specific facet of sexual identity, exploring its role within the context of incarceration. It also shows the existence of multiple regulatory systems within the prison facility, in addition to the officially sanctioned system administered by the prison authorities.[31] In the Indian context, Atreyee Sen presents a similar observation in her article concerning Naxalite women prisoners. Sen delves into how the Naxal women collaborated with the regular inmates within correctional facilities to establish informal strategies for survival and to evade high surveillance. These strategies included the utilisation of laughter and loud music to divert the attention of prison authorities. Their alternative performances within prison helps them to transgress the boundary of class, caste, and religious identities. Rather than relying solely on radical politics for which they were known in the outside world, these women achieved this resistance through communal living, assisting their fellow inmates in times of physical and mental distress, and engaging in the sharing of common survival strategies. In this confined space, their everyday activities resulted in the re-politicisation of the routine activities within the correctional facility.[32]

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[27] Monika Fludernik, "Carceral Topography: Spatiality, Liminality and Corporality in the Literary Prison," *Textual Practice* 13:1 (1999): 43-77.

[28] David Sibley and Bettina Van Hoven, "The Contamination of Personal Space: Boundary Construction in a Prison Environment," *Area* 41.2 (2009): 198-206.

[29] Moran, "Carceral," 184.

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[30] Leonard D. Baer, "Visual Imprints on the Prison Landscape: A Study on the Decorations in Prison Cells," *Tijdschrift Voor Economische en Sociale Geografie* 96.2 (2005): 209-217.

[31] Teresa Dirsuweit, "Carceral Spaces in South Africa: A Case Study of Institutional Power, Sexuality and Transgression in a Women's Prison," *Geoforum* 30.1 (1999): 71-83.

[32] Atreyee Sen, "Slaps, Beatings, Laughter, *Adda,* Puppet Show: Naxal Women Prisoners in Calcutta and the Art of Happiness in Captivity," in *Arts and Aesthetics in a Globalizing World*, ed. Raminder Kaur and Parul Dave-Mukherjee (London: Bloomsbury, 2014), 122.

Thus, this chapter in contention to this broad paradigm of space-time and its liminality examines the colonial prison in Bengal. Although this tempo-spatiality of the colonial prison has transformed over the years including the improvement of its architectural design and the modification of the intramural schedule, the fundamental rationale has always been controlling and repression. However, as theoretically observed, this disciplinary mechanism is not one-dimensional and absolute; the colonised subjects through their activity and solidarity inside the prison can reveal the lacuna of the colonial authorities' sacrosanct power.

III

Architecture of Exhaustion: *Inside* the Colonial Prison in Bengal

III (a) Prison Building and Convict Cell

In 1797, succeeding the elimination of corporal punishment, such as public executions, pillory, and impalement in colonial India, the Company implemented carceral imprisonment, which may or may not involve laborious tasks. However, there remained a substantial lack of development in the field of prison architecture. "Makeshifts had to be resorted to and "any building in the vicinity of the court of justice, which could conveniently be hired or appropriated for the purpose," was adopted to the new *regime*" (emphasise in the original).[33] In certain locations, the conversion of temporary structures into permanent correctional facilities was undertaken, while in other instances, the construction of whole new penitentiaries was pursued at a considerable financial cost. Two notable examples that could be highlighted are the Decca House of Correction and Midnapore Jail, which was once known as the Mahratta Fort.[34]

Alipore Jail as per the record of the 1838 PDC, was established in December 1810, which incurred a cost of 1,00,397 rupees. Additionally, an associated hospital was constructed in 1811, amounting to 27,599 rupees. However, according to the 1838 report, the flawed design and construction of the jail hindered the implementation of effective discipline among its inmates. The sleeping quarters consisted of twelve wards, lacking any physical partitions between prisoners and the outer enclosure, resulting in the prisoners being close to one another from midday till bedtime. During this period, inmates could engage in the procurement of sustenance from a nearby marketplace, undertake meal preparation according to their personal preferences, and also indulge in recreational activities. The absence of internal divisions within the prison provided a significant risk while conducting inspections, since it enabled the whole population of inmates to rapidly congregate at any one spot. The deficient structure of Alipore Jail adequately explains for the glaring lack of control and the notably minimal productivity exhibited by the prisoners. Hence, notwithstanding the abysmal conditions of the prison, the responsibility for this egregious atrocity lies primarily with the facility itself particularly the structure of its building along with the officials who have been given the charge of overseeing the prisoners.[35]

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[33] John Mulvany, "Bengal Jail in Early Years," *The Calcutta Review* (Calcutta: Calcutta General Publishing,1916), 296.

[34] Mulvany, "Jail," 297.

Before the establishment of the PDC, James Hutchinson had previously conducted an extensive study in 1835 regarding the deteriorating state of Indian prisons. In Chapter III of his report, Hutchinson provided explicit recommendations on the architectural aspects of jail buildings, cells, and designs. It was advised for prisons to be strategically located in elevated areas that were free of moisture and accessible, avoiding lowlands, marshes, jungles, or similar environments. This type of arrangement facilitates the maintenance of cleanliness, preventing the accumulation of filth and the outbreak of diseases. The structure as he maintained should possess ample space to accommodate a substantial number of prisoners, while also incorporating an efficient water supply system. Given that Indian prisons are typically enclosed by substantial perimeter walls, it is imperative to establish a well-designed space between these walls and the prison structure to ensure efficient ventilation. The correctional hospital, on the other hand, was directed to have a minimum room size of 1600 cubic feet, with individual beds measuring 6 feet by 6 feet to uphold proper cleanliness standards for all occupants.[36] In response to the critique of the Hutchinson report, the British government was driven to form the PDC under the guidance of Macaulay in 1838. The committee duly recognised the majority of Hutchinson's assertions, and advocated for the implementation of reforms.[37] The PDC suggested that the construction of high-dividing barriers to forming multiple divisions within the prison would be required unless there would be either insufficient allocation of resources for enhancing security or financial constraints. Limiting the number of convicts in a yard to no more than fifty would also reduce the fewer requirements for guards to oversee the area. The prisoners, as recommended, were directed to be subjected to strict confinement, which included the prohibition of external communication.[38] The primary objective of the committee thus was to undertake a comprehensive restructuring of the architectural design, with a particular focus on the construction of 'District Houses of Correction' and centralised penitentiaries. The purpose of these modifications was to enable the implementation of solitary confinement and labour-intensive punishments, such as the application of the 'tread-wheel' method.[39]

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[35] *Report of the Committee on Prison Discipline* (Calcutta: Baptist Mission Press, 1838), 62.

Although the report encompassed a substantial array of recommendations pertaining to the enhancement of India's prison infrastructure, regrettably, no efforts were made to execute these suggestions in that period. The reconsideration of these recommendations by the British authority in Bengal did not occur until the 1850s and the implementation of these proposals did not commence until the 1860s and 1870s. In his report on the prisons of the Bengal Presidency of 1857-58, Mouat provided a concise overview of the recommendations and their subsequent outcomes. According to his report, an extension of a porch was constructed in the guard room of Alipore Jail hospital, accompanied by the installation of seven more grated doors. Furthermore, an imposing iron gate was constructed at the entrance.[40] Nevertheless, these construction facilities remained inaccessible in other central prisons like Jessore, Rajshahi, and Decca. For example, as previously instructed, a recently established prison garden was inaugurated; however, the condition of the drainage system and work shed in Decca Jail remained substandard.[41]

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[36] James Hutchinson, *Observations on the General and Medical Management of Indian Jails: and on the Treatment of Some of the Principal Diseases which Infest Them*, (Calcutta: Bengal Military Orphan Press, 1845), 22-24.

[37] Sumanta Banerjee, *The Wicked City: Crime and Punishment in Colonial Calcutta* (New Delhi: Orient Blackswan, 2009), 559.

[38] *Report 1838*, 63-64.

[39] John Mulvany, "Two Notable Prison Administrators in Bengal," *The Calcutta Review* (Calcutta: Calcutta General Publishing, 1916), 75.

Therefore, the concern regarding the utilisation of prison space throughout the mid-nineteenth century is exemplified by the collective alterations. The structured system of spatialising the human body, the colonial governance assumed, would provide a solution to enhancing the comprehensibility of prisons and their control. The authorities made an official declaration stating that the pre-existing social structure, specifically the caste system observed in the Company-operated prisons, was no longer deemed acceptable. For, it was imperative to design prisons in a manner that organised prisoners based on a systematic assessment of the gravity of their offences, thereby adhering to a reasonable approach towards spatial allocation. Likewise, in the 1864 Indian Jail Committee report, the allocation of convicts was mentioned, would be limited to a maximum of 500 in the first class district jail and 300 in the second class district jails. "the minimum floor space allotted to each prisoner should be nine feet by six (9x6=54 square feet). This, calculating the height of the ward to be never less than 12 feet, will give each prisoner a minimum cubic space of 648 feet (9x6x12=648 cubic feet)."[42] The 1865 design of Alipore Jail, thus as documented in Mouat's annual administrative report, serves as a significant illustration of efforts made to streamline the allocation of prison space.[43]

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[40] Fred J. Moat, "Report of the Jails of the Lower Provinces of the Bengal Presidency for 1857-58," (Calcutta: Alipore Jail Press, 1858), 49.
[41] Mouat, "Report," 32.

Following the report of 1864, two significant developments took place, namely the Calcutta jail conference in 1877 and the implementation of the Prisons Act in 1894. However, it was not until the Indian Jail Committee in 1919-20 that a pivotal historical shift occurred. The Chapter XIX of the 1919-20 report offered a comprehensive exposition of the jail design, encompassing a full plan and new underlying ideas. It was recommended that the prison must be situated on the periphery of the town or city, ideally at a distance of one to two miles away to maintain its isolation from the broader community. During the year 1889, prison administrators such as Lethbridge and Drs. Walker expressed their opinion regarding the allocation of space for inmates, suggesting a minimum of 50 square yards per individual. However, the committee's recommendation was to increase this allocation to at least 75 square yards. In the context of a central jail, it was recommended that the internal area, exclusive of the external wall, should encompass a minimum of 23.25 acres. However, for optimal functionality and security, the total size, inclusive of the perimeter wall, should ideally be around 30 acres. The report added that the primary access point of the jail must necessitate an array of protective measures, including both an inner and exterior gate. Conversely, it became imperative that the design of the prison must incorporate a cellular structure to mitigate the transmission of communicable diseases. Thus, the suitability of the cellular system previously implemented in Madras was acknowledged in Bengal; nonetheless, it was directed to refrain from the consecutive construction of prison cells. It was also advised that every jail should be equipped with a designated isolation unit to accommodate new prisoners for quarantine purposes.[44]

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[42] *Report of the Indian Jail Committee* (Calcutta: Bengal Printing Company Limited, 1864), 13.

[43] Mira Rai Waits, "Imperial Vision, Colonial Prisons: British Jails in Bengal, 1823-73," *Journal of the Society of Architectural Historians* 77.2 (2018): 146–167.

These successive reformative policies of the colonial government and their approach to penal space can be analysed from two perspectives: the emergence of penology as a scientific discipline focusing on structural efficacy in the first place, and the evolution towards a modern, liberal form of incarceration that encompasses the colonial body and their consciousness. In contrast, it might be claimed that the theory and application, outlined previously, did not always align in the colonial setting. Observantly, when any internal disruption occurs in prison, or there is an abrupt surge in the militant nationalism outside, the penal space tends to manifest violence and turns into a despotic site for retribution. This is usually not mentioned in the official administrative records. The literary texts of this period thus hold the key to demonstrating the perspective of the colonial subjects and their experiences within this structured penal spatiality.

While there is less information available regarding the interior penal space during the initial period of the colonial prison in Bengal, two literary works, notably *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) and *Jail Darpan* (Jail Mirror), offer an accessible overview of this. In the novel, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar), Hemanga Basak, the central character encounters a situation where he is wrongfully incarcerated, witnessing the deplorable state of the prison's living quarters. According to the novelist's depiction, a significant portion of the prison cells exhibit dampness, mustiness, and inadequate dimensions that render them unsuitable for prisoners to inhabit overnight. During the monsoon season, the cells become saturated with water, resembling a miniature body of a pond. The cells at the *Faujdar* jail in Bengal have been deemed shoddy in terms of their stuffed space, even worse compared to facilities such as cow sheds, stables, or even stair rooms. Two prisoners have been forcibly placed within this confined space containing a worn and stinky blanket.[45] The novel deals with the period between 1950 and 1970 when the prison architecture in colonial Bengal, especially the buildings and cells for convicts, underwent a progressive transformation for disciplinary purposes. Nevertheless, this description indicates that only carceral imprisonment was implemented in Bengal, while there was still a lack of adequate housing and living conditions for prisoners.

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[44] *Report of the Indian Jails Committee 1919-20* (Simla: Government Central Press, 1920), 264-267.

Dakshinaranjan Chattopadhyay's *Jail Darpan* (Jail Mirror) which similarly deals with the same period, provides a comprehensive testimony of prison conditions including the jail hospital and its function. There is a reference to the jail hospital adjunct to the Rajshahi Jail in Act III of the play. It could be recalled that during Mouat's visit to Rajshahi Jail in 1857, the overall state of the facility was deemed 'satisfactory,' though he identified certain deficiencies that were attributed to the Darogah's lack of effectiveness.[46] The Mouat report also indicated the appointment of a civil surgeon to address the underlying factors contributing to the high mortality rate and serious illnesses within the prison. However, the portrayal of a Bengali physician's actions in the play depicted a contrasting account of this. The doctor expressed dissatisfaction with the instruction of whippings he had to permit under the order of the magistrate more than he intended since he knew that such physical punishment might prove harmful to individuals with lower physical statutes, even often resulting in fatal consequences. Upon contemplation, the physician observed that during the colonial era, the prison transformed into a site of brutal torture rather than a centre for rehabilitation. He mentioned that each year, a significant number of inmates succumbed to fatal outcomes as a result of harsh and aggressive punishments like treadmills. Besides, the hospitals were not well equipped with adequate medicines.[47] Thus, the establishment of prison hospitals, although purportedly intended as medical facilities to monitor the health and mortality rates of inmates, ultimately served as an additional means of inflicting brutality for the colonial state.

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[45] Kedarnath Dutta, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965), 109.
[46] Mouat, "Report," 21.
[47] Dakshinaranjan Chattopadhyay, *Jail Darpan* (Jail Mirror) (Kolkata, 1875), 51-54.

From the nineteenth century to the early twentieth century, this spatial segregation within the prison intensified to suppress the rapid emergence of the revolutionary movement in Bengal. In addition to law, sedition charges, and police control on the outside, prison cells, communal yards, and a strict timetable within the prison were further designed to dominate as well as prevent any communication among political prisoners. As mentioned in Bhupendra Kumar Dutta's memoir, *Biplaber Padachinha* (Footprints of Revolution), during his incarceration in Presidency Jail circa 1914, he initially remained unaware of the presence of nine additional cells occupied by fellow convicts close to his own. The arrangement was made so effectively that even for the initial hours, he thought that he was the sole detainee.[48] During the 1920s, Bhupendra Kumar noted that the Presidency Jail was predominantly occupied by revolutionaries, which resulted in a situation where even the bathrooms were subjected to a high level of supervision. It became usual for each prisoner to greet the jail Superintendent, Major Tomson, by folding their hands in a salute upon his entrance into the wards. When Dutta denied being submissive, his cells were intentionally lit up throughout the whole of the night to disrupt his sleep. During his imprisonment in Presidency Jail, Bhupendra Kumar also mentioned a distinct type of confinement known as the 'anticell.' The structure measures around seven feet in length and five feet in breadth, with an iron gate lacking any roof. A wooden door is situated at the entrance, which opens and shuts as each political prisoner passes through. 'Anticells' were effectively protected by their outside high walls which restricted airflow and increased the humid conditions within the cell.

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[48] Bhupendra Kumar Dutta, *Biplaber Padachinha* (Footprints of Revolution) (Kolkata: Saraswati Library, 1953), 40.

Furthermore, due to the absence of alternative toilet facilities, prisoners were compelled to utilise the little toilet space provided within their confined cells. This resulted in an unsanitary state within the cell.[49] Thus, with the rise of the militant revolution, the internal spatial division of the colonial prison changed, becoming more stringent, and at times extra-judicial.

The architecture and the design of the colonial prison including the arrangement of separate cells, restricted amenities areas, and designated areas for leisure, prison yards, and even hospitals, therefore, was employed as a ruling technique for the colonial state to establish its authority and maintain suppression, especially because of its inherent nature of depriving individuals from their liberty. When someone is given a jail sentence, their life is fundamentally altered. They lose almost all of their freedom, such as the ability to live a private life, determine their healthcare, choice of food, and political rights, among other things. It is based largely on physical immobilisation, but it is also based on temporal immobilisation in terms of having a constrained range of movement. Moreover, the colonial prison always had a political dimension to this dynamic in which its architecture plays a significant part. Consequently, colonial prisons in Bengal encompass both a tangible architectural entity and a time-bound form of retribution for the colonised subjects. The internal movements were continuously monitored by the prison guards. Hence, the spatial enclosure within the prison performed a twofold function: internally, it facilitated the segregation of convicts from one another as well as assisted to differentiate and isolate the prisoners in terms of their category. Secondly, it also serves to sequester inmates from the external environment to produce psychological repression.[50] This technique enables the colonial state to produce fear and docility as well as continue coercion for the imprisoned subjects, especially the political prisoners.

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[49] Dutta, *Biplaber*, 44.

[50] Christophe Minckea and Anne Lemonne, Mincke, “Prison and (im) Mobility. What about Foucault?” *Mobilities* 9.4 (2014): 528-549.

III (b) Solitary Confinement: 44 Degrees

The most effective spatial segregation for the British government was solitary confinement which was usually utilised to put the revolutionaries into extreme mental crisis within prison. One of the remarkable descriptions of solitary confinement is provided by Aurobindo Ghosh in his memoir, *Tales of Prison Life*. He stated that

> My solitary cell was nine feet long and five feet in width; it had no windows, in front stood strong iron bars; this cage was my appointed abode. Outside was a small courtyard, with stony grounds, a high brick wall with a small wooden door. On top of that door, at eye level, there was a small hole or opening… There were six contiguous rooms like that, in prison parlance these were known as the 'six decrees.' 'Decrees' stood for rooms for special punishment – those who are condemned to solitary confinement…[51]

Aurobindo additionally observed that even the application of the rule in solitary confinement varies according to the severity of the sentence. For instance, Hemchandra Das Kanungo, who was considered a major threat to the British authority, has had his courtyard door indefinitely closed, thereby restricting his communication with the external world in addition to the strict supervision of the prison guards. Following two major principles of solitary confinement encompassing the deprivation of human interaction and exposure to the exterior world, two tar-coating baskets were provided to Aurobindo within his cell to keep everything inside. It can be noted that several improvements about the rehabilitation of convicts including disapproving the extensive use of solitary confinement have been proposed in the 1919-20 jail committee report, but there has been a lack of substantial implementation before and even after the committee recommendation. The primary aim of implementing solitary confinement was instead to mitigate the fervour for revolution among the political prisoners. In *Tales of Prison Life,* Aurobindo has observed how gradually an individual mind’s ability for logical thinking erodes within the solitary cell. He was unable to generate any coherent cognitive thought within the profound stillness of prison, which exacerbated his psychological distress. The absence of any discernible features within the cell, characterised by its vacant walls and devoid of any sign of life, instilled a profound sense of despair within him. He came to realise that, “the state of mind in which prisoners condemned to solitary cells move towards insanity, and turned me (an individual) wholly against the inhuman cruelty of the Western prison administration …”[52]

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[51] Aurobindo Ghosh, *Tales of Prison Life* (Pondicherry: Sri Aurobindo Ashram, 2018), 13.

Hemchandra Kanungo recounts an analogous experience of solitary imprisonment in his memoir, *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal). The similar spatial distinction of the solitary confinement provided by Aurobindo could be observed in the description of Hemchandra too. Since there were 44 consecutive solitary cells in Alipore Jail later known as Presidency Jail, it was called 44 Degrees or Decrees. Kanungo added that the entire design of these cells resembled a cage situated in a zoo, and it was infamous among convicts for its barbarity.[53] This scenario started changing a little after the 1920s both in penal policies and its praxis, which could be witnessed in Jogesh Chandra Chatterjee’s description of 44 cells of Presidency Jail *In Search of Freedom*. He mentioned that in the post-1920s the prisoners were kept unlocked during the daytime for a limited period. However, a new technique of torture had been developed by putting the new prisoners often in the small room of the C.I.D. for official investigation within the prison. Jogesh Chandra observed that the experience took a novel form of psychological torment. The compartments were of a small size in which each convict was put in a separate chamber and they were instructed to remain seated for an extended period. Each compartment was equipped with a little table and two miniature seats. The prolonged duration of sitting in such particular circumstances posed a significant cognitive burden for the prisoners and impacted on their psyche.[54]

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[52] Ghosh, *Tales*, 43.

[53] Kanungo, *Banglai*, 334.

These descriptions imply that the practice of solitary confinement in colonial prisons in Bengal involves the coexistence of two contrasting elements: the intense confinement behind prison walls and the rigorous monitoring conducted by prison authorities. The concept of 44 Degrees is characterised by its distinctive spatial dynamics, which exert psychological strain on the prisoners, prompting them to question their identity and even existence. For the prisoners, this posits a phenomenological crisis which is also politically motivated.

In his seminal work "Building, Dwelling, Thinking," Heidegger shows that the act of residing within a particular space is intricately connected to human existence, corollary to the ontological state of being in the world. How an individual inhabits on the Earth is intrinsically linked to the sense of his/her self.[55] Therefore, the personal experiences of the prisoner can be interpreted as an expansion of their cognitive processes and perception of the self. In a correctional setting, the seclusion of inmates within small cells, particularly in solitary confinement, engenders a void in their subjective experiences. Lisa Guenther's phenomenological understanding extends that the prisoners' lack of tangible connections and their confinement to a low level of human engagement undermine their ontological structure and hinder forming any subjectivity, contrasting with the unrestricted daily activities experienced by individuals outside of the prison.[56] The technique thus represents an egregious manifestation of psychological torture employed by the colonial prison in Bengal upon the militant nationalists. The concept of the isolated space can be considered a manifestation of spatial exhaustion, which can be compared to Bachelard's notion of the primal human fear associated with cellar. In his *Poetics of Space*, Gaston Bachelard explores the significance of different domestic places, such as attics, cellars, drawers, and closets, and their inherent connections to human beings phenomenologically. He explains that in contrast to the attic, a cellar serves as the initial manifestation of darkness within a house, putting individuals in a predefined, unfamiliar, and apprehensive state akin to our subconscious.[57] The experience of solitary confinement similarly induces a psychological fear of isolation like the primordial fear of cellar, wherein the prisoners are compelled to confront their consciousness and grapple to find the meaning of their existence. The solitary space turns their subjectivity upside down and drives towards madness. Aurobindo Ghosh's experience of solitary confinement in Alipore Jail manifests this extreme form of torture. Therefore, the topography of the colonial prison was developed by the colonial government to suppress the rise of radical movements in Bengal, rather than being driven by a desire for reformation and rehabilitation of the convicts.

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[54] Jogesh Chandra Chatterjee, *In Search of Freedom* (Calcutta: Firma K. L. Mukhopadhyay, 1958), 263.

[55] David Farrell Krell, *Martin Heidegger: Basic Writings: From Being and Time (1927) to the Task of Thinking (1964)* (London: Routledge, 1993), 351.

[56] Lisa Guenther, *Solitary Confinement: Social Death and Its Afterlives* (Minnesota: University of Minnesota Press, 2013), XV.

IV

Temporal Suspension and the Function of Prison Personnel

Jail sentences are the legal means of taking away the time of a convicted subject for a particular period. Within prison, it takes a different dimension, since imprisonment not only deprives free time and liberty but also imposes institutional constraints and multitudes of regulations. The idea of time becomes a complex phenomenon in jails because it serves as a problem rather than opulence enjoyed freely on the outside. This arises from the fact that it is assigned as a form of punishment to the convict. Consequently, in contrast to the external society where time is regarded as a valuable resource, prisoners, particularly those serving extended sentences, perceive time as an oppressive power that must be adhered to rather than utilised.[58] In the case of the colonial prison in Bengal, in addition to the spatial structurisation, a strict prison routine was initiated to design the inmate's morning to bedtime. The colonial prison administration could be observed to apply this temporal regulation not merely as a disciplinary tool but also as a method of persecution. Along with the historical instances, literary works present the utilisation of such techniques and their dehumanising effect on colonial bodies.

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[57] Gaston Bachelard, *Poetics of Space* (Boston: Beacon Press, 1994), 18.

One of the prominent militant revolutionaries in Bengal, Hemchandra Kanungo in his memoir, *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal), vividly recounts his initial realisation of prison's brutal discipline. In Alipore Jail, he, with fellow detainees, was directed to rise at 5 a.m. in the morning, even in the winter. They were ordered to be in the posture of attention before the cell gate as it was mandatory to salute the jail warder as per the established protocol. Subsequently, within five minutes, prisoners had to engage in the task of tidying their respective cells, procuring a single bucket of water from the well for cleansing dishes as well as catering to their personal hygiene needs. The schedule was so strictly adhered to that any deviation would result in condemnation and reprimand. During the evening hours, it was typical for prisoners to undergo a cell change while being inspected by the guards. All forms of communication, whether verbal or expressed through physical gestures, were closely monitored by the authorities. This indicates the temporal distribution within which the colonial body must operate, wherein the actions and limitations of the subject are set by the governing power. The objectives that were unattainable in the exterior realm are systematically executed within the confines of the prison's overarching temporal framework.

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[58] Stanley Cohen & Laurie Taylor, *Psychological Survival: The Experience of Long Term Imprisonment* (Middlesex: Penguin Books, 1972), 87.

It is not only in the life writings of the revolutionaries but also in fiction written in twentieth-century Bengal have presented such narratives of mental exhaustion experienced due to long periods of imprisonment. Three of Gopal Haldar's novels including *Ekada* (Once Upon a Time), *Anyadin* (The Other Day), and *Aar Ekdin* (Yet Another Day) were written during his incarceration. Haldar was an eminent Bengali writer, literary theorist, essayist, and political activist. His novels present India's battle for freedom including the inception of the communist uprising in Independent India, the experience of the colonial jail is recorded only in *Anyadin* (The Other Day) though. The novel was composed in 1948 while the author was incarcerated in Presidency Jail and subsequently released in 1950. It explored the period from 1932 to 1938, during which Haladar was held as a political prisoner. It is notable that contrarily, the literary works of the nineteenth century, Haldar deliberately refrains from depicting the violent aspects of the jail experience, instead emphasising its contemplative dimension.

After being imprisoned for a long time in charge of anti-government activities, Amit, the main protagonist of *Anyadin* (The Other Day) starts doubting his identity. He asked to himself, "How Amit will deceive himself? By dreaming? By waiting and hoping? Are you only fooling yourself by relying solely on these two words? (translated from the original)"[59] Amit experienced a profound sense of distress upon being subjected to the harrowing conditions of solitary cells, which are quite similar to Aurobindo Ghosh. He realises that the state of death may perhaps offer a greater sense of tranquillity, compassion, and control in comparison to his present existence. Amit silently witnesses the rotation of guard duties at each successive time interval. He also could perceive the auditory presence of distant bells, otherwise, there were no variations as the day passed. The acquisition of writing materials such as pens, paper, and books, on the other hand, appears to be an unattainable prospect in jail. During these moments of profound desolation within the isolated cell, he found solace in the contemplation of a spider and its arduous existence. Alternatively, he only perceives obscurity within this boundless continuum of time within the prison.[60] Thus, the captives' sense of self seems to have been depleted throughout their incarceration, reducing them to mere spectres assimilated into temporal suspension. It appears that the imprisoned subjects have been compelled to vacate their identity and cease to exist due to the overwhelming influence of the colonial authority. Due to their purposeless and discontented existence in prison, prisoners are compelled to seek meaning in alternative sources, often in pointless things, which can be observed in Amit's case. Thus, following Michael Hardt, the issue of temporality in the colonial prison can be interpreted that

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[59] Gopal Haldar, *Anyadin* (The Other Day) (Kolkata: Bengal Publishers' Private Limited, 1957), 70.

> Punishment equals time. Its logic is simply obvious from within our modern society. Through the prison, power is invested directly into time as a series of disciplines, regimentations, orderings … it is all equally wasted. The time is empty because of the repetitiveness of the prison schedule and routine. Time stretches out and collapses in a kind of optical illusion.[61]

Notably, to keep surveillance within the prison including the spatial segregation and enforcing strict time schedules, prison authorities such as the superintendent, warder, and guard serve a vital role. Generally, the application of 'legitimate' power enforced by the authorities is deemed essential in upholding prison discipline, but their attitude and behaviour toward the prisoners can impact greatly the prison environment. In colonial Bengal, there was a substantial instance of illicit use of power and extra-legal activity by the prison bureaucrats observed. Significantly, the officials used to encompass individuals from both British and Indian origins. Nonetheless, the use of coercion was consistent in the majority of cases. In designing repression, with its architectural and temporal logic, prison personnel remain as the invisible part of the punitive system of the colonial state. They acted like the agents by whom the colonial state inflicted its sovereign power. “They embody the ‘the power to punish’” which makes the entire process more violent and menacing.[62]

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[60] Haldar, *Anyadin*, 71.
[61] Michael Hardt, "Prison Time," *Yale French Studies* 91 (1997): 64-79.

Such instances of the misuse of power by the prison administration in the early years of the colonial prison could be observed in Dakshinaranjan Chattopadhyay’s *Jail Darpan* (Jail Mirror). In Act III, Scene 1 of the drama, the case of two inmates, Paran and Gopal could be a specimen of jail abuse when they were physically manhandled by the jail magistrate upon their transfer to Jessore jail. Gopal, an elderly individual, was pleading for respite due to extreme fatigue during the task of treadmill. As the scene shows due to excessive perspiration, Gopal’s feet were visibly trembling, but the magistrate took pleasure only in mocking. He was reluctant to provide any form of leniency since he only prioritised the impact of punishment. He emphatically states that “I will not let you go easily. When I will see that you have down on the ground and blood is coming out of your mouth, I will spare you then” (translated from the original).[63]

However, it was claimed in the 1864 Indian Jail Committee that the primary objective of the prison discipline would be “to make imprisonment a really deterrent punishment.”[64] Thus, a superintendent who had medical knowledge preferably a practitioner along with a civil surgeon was recommended for the central and district jails. Nonetheless, physical brutality was always rampant in colonial jails. It rather sored high during the nationalist insurgency. The experience shared by Jogesh Chandra Chatterjee in his memoir, *In Search of Freedom* during his stay in Presidency Jail circa 1910 stands as evidence of this. He mentioned that Lieutenant Colonel Thomson who held the position of the Superintendent of Presidency Jail, had no sense of empathy for fellow human beings. He received sadistic satisfaction and enjoyment from executing acts of violence upon both regular and political prisoners. They were not even considered as human beings.[65]

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[62] Alison Liebling, “Prison Officers, Policing and the Use of Discretion,” *Theoretical Criminology* 4.3 (2000): 333-357.

[63] Chattopadhyay, *Jail*, 48.

[64] *Jail Committee*, 26.

Thus, it can be realised that the structure of the repressive mechanism of the colonial prison in Bengal as evident in literary writings is closely linked to each other: material, temporal, and official. It forms a triad of control and power to dominate the colonial subject corporeally and psychologically within the prison. This changed a little even if some amendments were initiated officially. However, this coercion of the colonial prison has its liminal vents too. It would be a limited investigation of the intricate dynamics of the colonial prison if it fails to acknowledge the prisoners' internal activities including forming personal intimacy, groups, and solidarity within the prison. This may be understood from the broad perspective of liminality, the notion of personal space, and the collective defiance of the prisoners against this tempo-spatial design of the colonial prison.

V

Intimate Space: The Issue of Liminality

These accounts of penal experience in colonial Bengal may suggest the typical idea of despotic prison power which is facilitated by the inflexible schedule and limited spatial mobilisation. The setting itself seems to be working as an autocratic space that only exerts its absolute power on its subjects. Nonetheless, it must be pointed out that power is constructive, which can generate resistance equally from other directions.[66] Although the regulated spaces of the prison cell, corridor, and outside yard along with its structured timetable, undoubtedly diminish subjective choices, it unintentionally offers some escape routes as well. The inmates can be observed to learn to use the rigid space and quickly adapt to the limited material conditions of the prison. This raises a prospect of in-betweenness or the issue of liminality, espousing a dialogue between the inmate and the carceral space-time.

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[65] Chatterjee, *In Search*, 89.

[66] Michel Foucault, "The Subject and Power," *Critical Inquiry* 8.4 (1982): 777-795.

The term, ‘liminal’ is originated from the Latin word ‘limen’ denoting a certain border or threshold which has found extensive usage across diverse social and cultural disciplines. Cultural geographers have employed the term liminal to describe spatial concepts that include areas characterised by their intermediary nature. These spaces serve as the sites where transition occurs literally or metaphorically involving a transgression of spatial and/or temporal limits. The concept of liminal thus refers to the state where social norms and standards are temporarily set aside due to an individual’s detachment from both their previous and current social contexts. This notion was initially brought into the field of anthropology by Van Gennep in his work, *The Rites of Passage* (1909) which was translated into English in 1960. The idea was employed to delineate the process of transitioning an individual from the stage of adolescence to maturity. Later, Victor Turner expanded upon this concept of liminality by characterising it as inherently ambiguous. This condition evades the established system of categorisation that typically assigns conditions and positions within complex cultural domains. Liminality exists in a state that is situated ‘between’ and ‘betwixt,’ which are designated and organised by legal frameworks, societal norms, customary practices, conventional standards, and even ceremonial rituals. Liminality, therefore, can be “regarded as analogous to … undoing, dissolution, decomposition (which) are accompanied by processes of growth, transformation, and the reformulation of old elements in new patterns.”[67]

The penal environment similarly even in the colonial setting exhibits various levels of material and imaginative transgressions. While it is unlikely to revolutionise the disciplinary process completely, still it has the potential to introduce a distinct signification that can violate the power dynamics. For example, the presence of an inscription on the wall has the potential to alter the perception of a confined space within a correctional facility, imbuing it with distinct connotations for incarcerated individuals, personnel, and external spectators. Undoubtedly, objects in our daily environment possess a multitude of interpretations that extend beyond their apparent explanations. In the colonial jail, the state of liminality not only disrupts the political authority of the prison system but also posits defiance against the state machinery of the colonial government. The establishment of study groups, the publication of periodicals, the clandestine circulation of newspapers, and the act of bribing guards prevalent among the inmates, particularly the political prisoners indicate a liminal condition that existed within colonial prisons in Bengal.

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[67] Victor Turner, *The Forest of Symbols: Aspects of Ndembu Ritual* (Ithaca and London: Cornell University Press, 1967), 99.

With the substantive number of political prisoners who were mostly educated, middle-class Bengali people, the British government was forced to provide facilities more than basic human needs during their imprisonment in the twentieth century. Notably, the life writings of the revolutionaries present two different aspects of the colonial prison: coercive and subversive. For instance, in Jogesh Chandra Chatterjee's *In Search of Freedom*, there is an elaborative description of the Durga puja celebration in Rajshahi Jail. According to his narration, to comply with the prevailing demand, the Jailor successfully convinced the Superintendent to formally request approval from the headquarters for Durga puja. During that period, Sir Hugh Stephenson, the Chief Secretary of Bengal, provided a monetary award accompanied by a stipulation for the enactment of appropriate security steps. The pandal designated for the religious ceremony was erected within the confines of the outer boundary, preceding the primary entrance of the prison. During the afternoon, all prisoners including the state convicts gathered in the enclosure. Additionally, a film screening was organised in that evening. Until midnight, all the prisoners were granted permission to congregate outdoors and to partake in the spectacle, which was also attended by the Superintendent himself. It is noteworthy that Jogesh Chandra mentioned in this connection that the celebration did not have any religious purpose. This was intended to bring some changes in their monotonous prison life and its rigorous discipline.[68] Moreover, *Amrita Bazar Patrika* was surreptitiously circulated daily to be informed about the ongoing news of the nationalist movement, despite the official prohibition on any newspaper within the prison. The accomplishment was mostly achieved by engaging in bribery with the minor custodial officer, who was enticed with a range of commodities such as sugar, soap, cloth, oil etcetera.[69] Additionally, a monthly handwritten publication titled in Bengali, *Bhanga Kula* meaning 'Broken Cleaner' was initiated within the jail by Jogesh Chandra with the help of other revolutionaries. An identical effort was undertaken by him at Berhampore Jail, whereby Netaji Subhash Chandra Bose contributed an article discussing Poland's independence. Jogesh Chandra also assumed the responsibility to organise a competitive badminton match in jail between the detainees and the prisoners in state custody.

Thus, in addition to testimonies of humiliation, verbal assault, and physical violence executed by the prison officials, instances of leniency and consideration on their part can also be observed. In the 1920s when any communication among state prisoners within jail was officially prohibited, the Superintendent of Alipore central jail, John Mulvany, as informed by Bhupendra Kumar Dutta in his *Biplaber Padachinha* (Footprints of Revolution) allowed them to talk to one another. They had received guidance only to be cautious in refraining from speaking in the presence of him or any outsider. Mr. Mulvany instructed that the state convicts should be housed in the European cell rather than the Magisterial cell. Except for three hours throughout the day and the entirety of the night, prisoners were granted permission to read on the open veranda. Moreover, they could walk freely on the street outside their yard too.[70] While it is not usually the case that these acts of compassion occur spontaneously, there are instances where the administration is compelled to take action, either due to external pressures or the influential presence of a political prisoner.

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[68] Chatterjee, *In Search*, 118.
[69] Chatterjee, *In Search*, 98-99.
[70] Dutta, *Biplaber*, 66.

Remarkably, most Bengali political prisoners, both male and female, were educated, thereby fostering an atmosphere conducive to intellectual growth and knowledge acquisition even inside the jail. Their long erudite discussions alleviate the monotony of imprisonment, while also creating a liminal state that challenges the full control exerted by the colonial authority. Bina Das, who was sentenced to a nine-year imprisonment for her active role in the shooting incident targeting Stanley Jackson, the Governor, and Chancellor of Calcutta University, at the yearly convocation in 1932, disclosed her engagement in study circles while imprisoned. In her memoir originally written in Bengali as *Srinkhal Jhankar* published in 1948 and later translated as *Bina Das: A Memoir*, she reflects on the inclusion of various recreational activities such as games, contests, artistic and theatrical performances, as well as debates and exchanges during her stay in Midnapore Hijli Jail. She mentioned that they almost altered the jail into a minuscule version of Santiniketan, which was typically known for cultural activities. With all other female prisoners, she arranged several Bengali cultural events such as *Barsha Mangal, Rabindra Jayanti, and Bijoya Sammilan*.[71] Kamala Dasgupta, another prominent female revolutionary, closely affiliated with Kamla Das, recounted an identical experience in her memoir, *Rakter Akshare* (Written in Blood), which was released in 1954. During her period of incarceration from 1932 to 1938 subsequently, in Presidency Jail and Hijli Jail, she observed that the prisoners collectively devised strategies to actively participate in cultural endeavours. According to Kamala, the group of women revolutionaries took part in a range of activities, including studying, playing indoor games, and dramatic performances, as a means of relieving the tedious and draining environment of the prison.[72] Jogesh Chandra and Hemchandra also shared similar stories of studying, singing, and debating like Bina and Kamala.

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[71] Bina Das, *Bina Das: A Memoir* (New Delhi: Zubaan, 2010), 52

These transgressive acts consciously or unconsciously within the prison can be considered as a symbol of protest against the oppressive colonial penal order. It not only relieves the pain of jail experience but also indicates certain power, force, and agency of the imprisoned colonial subjects. This personal or collective initiation of events, free movement in corridors, yards, and even minor instances of corruption diffuse the autocratic power transmission and the circuit of space and time regulation of the colonial prison. It rather produces a sense of solidarity that can subvert the absolute power hierarchy of the colonial state. This is arguably similar to Certeau's idea of 'tactics.' Contrary to 'strategy,' which suggests the institutional, regimental, calculative application of power over subjects, 'tactic' involves a fragmented, sometimes involuntary approach towards power. 'Tactic' can be characterised as the purview of the Other or the non-powerful which always remains in the state of adjustment and reassessment.[73] In the case of the colonial prison, this can be put forward that the tempo-spatial control belongs to the British authority analogous to 'strategy,' while the prisoners adapt survival mechanisms to endure the imperious condition of prison, and even subvert it through their tactics.

Therefore, the topography of the colonial prison in Bengal with its incisive architectural dimension and stringent internal schedule can be designated as the stratified, repressive space of power-play between the British authority and the captivated colonial subjects. Despite the prison administration undertaking several reformatory policies and adopting recommendations proposed by the jail committees to develop the prison as a liberal yet disciplinary institution, it principally works as the state machinery to conduct, control, and subdue the colonial population, especially to suppress the nationalist uprising in Bengal. The spatial and temporal division within the colonial jail which is officially posited as the modern model of segregation among prisoners is thus strategically directed to manufacture submissive colonial bodies. It suggests two oppositional poles of the penal structure: the prison officials, architectural setting, and the techno-disciplinary system on the one hand and the colonial subjects on the other. Nonetheless, the presence of inter-personal intimacy, material, and imaginative transgression as evident in the literary writings of this period defy the absolute ordering of time and space of the colonial prison in Bengal. The horizontal spatial access and some distinct temporal occasions even in the colonial setting precipitate limited autonomy for the prisoner. Additionally, their act of courage and collective demand transgress the regimentation of the penal authority and at times subvert the colonial power from the inside.

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[72] Kamala Das, *Rakter Akshare* (Written in Blood) (Kolkata: Radical Impression, 1954), 65.
[73] Michel de Certeau, *The Practice of Everyday Life* (Berkeley: University of California Press, 1984), XIX.

Chapter 3

The Laboratory of Violence: Convict Body, Torture, and Penal Power

I

Introduction

On September 19, 1937, one of the leading newspapers in Bengal, *Jugantar Patrika* reported that there were many barbaric practices still celebrated within the prison boundary in colonial India, with one such being the grinding of the prison millstone. Those who had to go through this cruel practice were forced to cry out in agony. Accounts of extreme inhumanity towards fellow human beings, as well as the infliction of severe and torturous punishment onto individuals who are seeking to make amends for their transgressions, appear to be rare in history. The newspaper report also stated that by that time, the Assam government had declared that the convicts in their prisons would be spared from this labour-intensive task of grinding the millstone. This practice, notably, had been consistently maintained not only in most jails in Bengal but also throughout India. There must be a mass protest to abolish this regressive measure from every part of the country just like the Assam government.[1]

On a different note, Amalendu Dasgupta in his memoir, *Detenue* (1965) referring to those who have been detained in custody without trial, set in the 1930s Bengal, reflects on the sheer painful condition of the prisoners. He notices that so many people have been spending their days together in jail. Days are usually filled with stories, laughter, and chit-chat. Some of them are deeply engaged in study. Time is fleeting for them just like the river water flows through the stone. If observed from the outside, there may not appear to be any difference in the lives of the people living outside. But, if someone among them is examined closely, one can understand the difference, and see how torture including physical and mental has left so deep chasm in their existence. They will realise how much pain and insult one has to endure to call their motherland their own. To him, this prison seemed to be a mere sham. He could only see a man praying by his heart to see this world free.[2]

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[1] Jugantar Patrika, (19, September, 1937), Vol 1, EAP262/1/2/1, Jugantar Patrika (1937-1980) (EAP262-1-2), Endangered Archive Programme, British Library, UK. https://eap.bl.uk/collection/EAP262-1-2

In the first reference of the newspaper report, there is a call for a nationwide protest against the rampant torture instances in jails in the name of hard labour, while the second one reveals in a contemplative manner how that torture painfully impacts the body and individual identity. This is what this chapter intends to explore broadly: torture and its various methods practised in the colonial prison in Bengal, and the experience of the colonial subject coming to terms with this juridico-institutional deployment of pain. Notably, the development of the colonial prison in India has been officially presented by the British government as the evolution of the humanitarian punitive technique. However, the embodied experience of violence, coercion, and pain of the colonial subjects shows that the application of "colonial corporeality" through the prison has been an inherent part of the colonial governmentality.[3] This also indicates the contingency of the reformative measures. Moreover, the emergence of taxonomic categorisation, racial difference, and the antagonism between criminals and the state, though paradoxical in this colonial context, in nineteenth-century Bengal rationalised the violence taking place in the colonial prison. It discloses the 'rule of law' and its alterity. This chapter emphasises this very dialectic between colonial rule and its exceptions, or in other words, the government-sanctioned violence and the colonial experience behind the prison.

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[2] Amalendu Dasgupta, *Detenue* (Kolkata: Saraswati Press, 1965), 68-70.

[3] Anupama Rao and Steven Pierce, "Discipline and the Other Body: Humanitarianism, Violence, and the Colonial Exception," in *Discipline and the Other Body: Correction, Corporeality, Colonialism,* ed. Steven Pierce and Anupama Rao (Durham and London: Duke University Press, 2006), 5.

To understand the dynamics of the body and society, Judith Butler's idea on the body can be introduced. She argues that body must be posited prior to sign, which simultaneously makes it preceding to its own act as well as the very effect of this signification. "It is productive, constitutive, one might even argue performative, in as much as this signifying act delimits and contours the body that it then claims to find prior to any and all signification."[4] This does not suggest that the notion of the body is completely restrained to its semantic understanding, but itself a matter prior to its effect, that signifies beyond the process of signification. Therefore, the body cannot be considered a fixed entity, rather is fraught with socio-political entailment. The body is historically subjected to various subjugation methods, while that subjection reveals the prior conception of the body as well as the signification of the subjection in the process. Torture of the colonial body within the prison thus manifests not only the prior conception of the racial and criminalised body of the colonial other but also the governmental process to constitute an ideal, submissive political body that produces greater significance for the people in general. This contention between the institutional inscription of bodily violence and the history of suffering, pain, and torture informs about the colonial subjectivity that necessitates the importance of the convict body in the discourse of colonial imprisonment as well as reveals the objective of the corporeal governmental technologies.

It is remarkably difficult to substantiate torture. There lacks a definitive consensus between torture, forceful intimidation, and manipulation, and additionally, whether the long process of questioning, any sort of physiological and sensory deprivation, and even seclusion will also be identified as a method of torture is an issue of discussion. Torture including physical and psychological can be stated, "involves degrees of pain and fear," often inexplicable and traumatic.[5] In the case of the modern historiography of state perhaps this begins with the abolition of torture on moral grounds. Historically, in early nineteenth-century Europe, torture was eliminated from the criminal procedure under the influence of Enlightenment criticism. This landmark resolution linked to the narrative of progress and modernity was key to producing a progressive image of Europe, that marked a juncture with its feudal past. This powerful image of modern Europe concerning state formation and subsequent abolition of the spectacle of torture was also followed in their colonies.[6] The abolition of the ceremonial practice of torture publicly not only put forward the concept of modernity in the colonial setting but also valorises 'the rule of law.'

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[4] Judith Butler, *Bodies that Matter: On the Discursive Limits of Sex* (London & New York: Routledge, 1993), 30.

In 1860 IPC had no proper mention of torture, rather mentioned "hurt" caused by bodily assault. In section 330 of the IPC, it is further clarified that

> Whoever voluntarily causes hurt, for the purpose of extorting from the sufferer or from any person interested in the sufferer, any confession or any information which may lead to the detection of an offence or misconduct, or for the purpose of constraining the sufferer or any person interested in the sufferer to restore or to cause the restoration of any property or valuable security or to satisfy any claim or demand, or to give information which may lead to the restoration of any property or valuable security, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine… A, a police officer, tortures Z in order to induce Z to confess that he committed a crime. A is guilty of an offence under this section.[7]

Thus, despite having provisions of penalties against voluntary hurting anyone including police personnel, there were no such regulations against torture, and they did not make torture legally criminalised in colonial India. The right to torture, nonetheless, was an essential part of the colonial governmentality and widely deployed for disciplining the colonial subjects. Foucault has argued that this shift to the carceral system has never eliminated torture from the modern state, only made it hidden and invisible from the public view. This secretive application of torture of the modern state, Talal Asad demonstrates, arises from the fact that any infliction of corporeal pain on the prisoner in order to extract information or any other reason is deemed uncivilised as it is prohibited by the law.[8] Therefore, the modern state continued to employ torture only in its parallel denial of it. In other words, the practice of torture on the colonised convict body will be possible only through the exception of the codified law.

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[5] David Sussman, "What's Wrong with Torture," *Philosophy & Public Affairs* 33.1 (2005): 1- 33.

[6] Douglas M. Peers, PEERS, D M. Torture, "The Police and the Colonial State in Madras Presidency, 1816-1855," *Criminal Justice History* 12 (1991): 29-56.

[7] Dinesh Chandra Roy, *The Penal Code (As Modified Up-to-Date)* Second Edition (Calcutta: The Calcutta Phototype Co., 1933), 608.

Historically, with the rise of the carceral system in colonial India, it became necessary for authorities to keep detailed records of the convicts whether they had been transported to penal colonies, made to work in prison gangs on the open streets, or imprisoned in the prison house. Prison tattooing or what was called *godna*, a corporeal method to inscribe the convict's identity, nature of crime, and period of sentencing on their foreheads was in practice till early nineteenth century in British India. Later, prison clerks were given the charge to note the physical appearance of prisoners including their height, physical fitness, mark on their body, details of their crime, and even their caste. Although prison tattooing was abolished in 1849, this new method of bodily identification was strengthened further with the application of photographing (Bertillonage system) and finally with the fingerprinting technique. These methods what Clara Anderson called the system of the "textualization of the Indian criminal body" suggested that the body was the chief locus for the colonial governance "to construct broader social groupings, both in relation to penal hierarchies and in the making of sociological categories of criminal 'types.'"[9] Earlier, some of the barbaric corporeal punishments existed in colonial India such as hanging for petty thieves till 1808, openly flogging for the women offender till 1817, and pillory until 1837, were abolished. Subsequently, punishments like impalement in 1790 and mutilation in 1793 were replaced by imprisonment with or without hard labour. Public hanging was replaced with "gibbeting in chains," while flogging for both males and females and exilement were retained.[10] This shows that with the introduction of the IPC in 1860, bodily punishment, especially the public display of torture in colonial India was visibly decreased, and became more subtle, internal, and psychological. Besides, it is also undeniable that the colonial government incepted these modern punitive measures in colonial India, at least as per records.

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[8] Talal Asad, "On Torture, or Cruel, Inhuman, and Degrading Treatment," in *Social Suffering*, ed. Arthur Kleinman, Veena Das, and Margaret Lock (Berkeley: University of California Press, 1998), 285-308.
[9] Clara Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford: Berg, 2004), 2-4.

However, the literary writings of this period, especially the life writings of the revolutionaries showcase an extraordinary amount of bodily violence inflicted on the colonial subjects within the prison, which itself posits a methodological concern. Since it was officially the celebration of the triumph of colonial law, we must begin with the question of law to observe if law is inherently violent or particularly the colonial law was violent. Following Walter Benjamin who brought the question of violence (*Gewalt*) in the context of law (*Recht*) can be advanced that it is violence rather than law that constitutes the foundation of politics. He contends that the purpose of the state to hold its absolute grip over violence is that if violence goes beyond the periphery of law, law itself will become redundant as it does not comply with the ends it seeks by existing outside of it. This is what he called 'law-making' violence, which is under judiciary control of the state. Besides, the state approves violence, what Benjamin termed as 'law-preserving' violence to maintain the legal system it initiates to ensure its continual command. He argues that these both forms of violence have been utilised to maintain the authority of the state with some exceptions which are also justified and validated by the state.[11] Thus, the introduction of law in a civilised, liberal state which proclaims to preserve discipline and order itself begins with violence and thrives on the application of it. Additionally, when the state justifies its suspension of law and the compulsion of the execution of violence, it poses a political problem i.e., the problem of manipulation and the issue of exception. This is especially pertinent in the colonial context as the state impunity and exceptionality were the constant ploys applied by the colonial government. Thus, the network of law, violence, and its exception leads to the unequal dynamic of the colonial power. Following Foucault's model of power, it can be observed that in colonial Bengal, the British government tried to demonstrate a transition from the sovereign power through disciplinary power to biopower but the transformation was never successive. The official abolition of torture, the rule of the minimum application of physical punishment within the prison, and simultaneous contradiction to both, therefore, need to be understood from this perspective of power and its exception.

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[10] John Mulvany, "Bengal Jail in Early Years," *The Calcutta Review* (Calcutta: Calcutta General Publishing, 1916), 295-96.

[11] Walter Benjamin, "Critique of Violence," in *Walter Benjamin Selected Writings Volume 1, 1913-1926,* ed. Marcus Bullock and Michael W. Jennings (Cambridge: The Belknap Press of Harvard University Press, 1996), 241-43.

II

Right to Torture: Biopower, Sovereign Power, and the Colonial Exception

While it is to be observed that Foucault has not developed any proper and detailed theory of sovereign power, it always comes in his discourse on power as a point of reference. In *Discipline and Punish*, the sovereign power has been presented contrarily to disciplinary power. Later in *History of Sexuality*, he fundamentally argues on the interplay and underlying contradiction between sovereign power and biopower. According to Foucault, sovereign power is historically associated with the exercise of violence which bestows a right to kill. It has a characteristic entitlement, observed as ancient as in the Roman law, to assign an absolute order over life and death. The king or the father in the Roman family who has been sustaining lives is granted to take the lives of his children and slaves rightfully. This unconditional power is later intervened by two clauses: exposing the life of the subjects as a state defense mechanism against an external threat and secondly, as a direct punitive measure against a transgressor of law. Nonetheless, the sovereign power in modern historical times remains with an inherent asymmetry since the life-preserving condition of the sovereignty is contingent upon the execution or abstention from the act of killing its subjects. The sovereign power thus functions only in elimination or through reduction. This form of juridical power could subtract wealth, and government service, impose tax, limit labour and bodily movement, and ultimately take life.[12]

By the seventeenth century, the character and the application of power has undergone a significant transformation in the West. Foucault maintains that the violent sovereign power which was previously reliant on its deductive reasoning became supplanted by the biopower. It exerts positive an impact on life instead and is directed to enhance, supervise, and increase, albeit subjected to a meticulous structure of control and regulations.[13] This all-encompassing power to diminish is shifted towards the production of life with a new political rationality closely monitored by the modern government. The notion of biopower thus appears as the force of augmentation of life rather than annihilation. This reverses the sovereign power's absolute ordering of death and normalises biological, mental, and social control in the process. Biopower, therefore, not entirely replacing the sovereign power of killing subjects, focuses on the multiplicity of life and thereby aims to regulate the population.

However, Giorgio Agamben finds this genealogy of Foucauldian power logically problematic. He argues that the idea of biopower is inseparable from the sovereign and juridical/institutional power. It is rather "the inclusion of bare life in the political realm (that) constitutes the original-if concealed-nucleus of sovereign power" in the modern time.[14] For Agamben, the modern state conceives its subject as a biological entity which reveals the corelation between the sovereign power and the condition of bare life. In other words, the establishment of sovereign power in the present time is achieved through the production of a politically-charged technology based on the excluded, bare form of life. In Aristotle, he finds this distinction that human beings gradually enter from their simplistic animal life (*zen*) to 'good' political life (*bios*), which Agamben has conceptualised subsequently as bare life or *zoe* and political life or *bios*. In this manner, it is the sovereign authority that determines which subjects will be acknowledged as part of a political community while relegating others only as the reproductive biological body. Thus, the identification of bare life is produced through the ban or the relation of exception. This exception, nonetheless, cannot be considered freed from the sovereign and juridical life, as the law which encompasses everything keeps it bound through its abandonment. The suspension of life, therefore, does not produce disorder and maintains order instead enabling a distinctive space between chaos and normalcy. This space is what Agamben has termed as the 'state of exception.'

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[12] Michel Foucault, *History of Sexuality Volume 1: An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), 135-36.

[13] Foucault, *History,* 137.

[14] Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Sandford: Stanford University Press, 1995), 6.

Notably, this idea of 'exception' is inspired by Carl Schmitt's idea of sovereignty. As Schmitt defines that the sovereign is "he who decides on the exception" is what essentially informed the idea of Agamben's bare life.[15] His concept of sovereignty is fundamentally charged by two facets: the state of exception is a particular political time when the sovereign can suspend its juridical power, especially during a state emergency, and secondly, the sovereign can decide who should be included in the political community and more importantly, who should not. Consequently, the presence of the state of exception in political rationality can be argued, necessitates the existence of some form of workable normal legal structure in the first place. Moreover, if it is to determine whether it is an exception or a general political condition, the sovereign must reside outside the structure. Thus, according to Schmitt, the sovereign which decides the condition of inclusion or exclusion is a component of the legal framework not as an inherent part but depends on its totality.[16]

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[15] Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Cambridge: The MIT Press, 1985), 5.

Thus, similar to Schimitt's idea of sovereign, the idea of bare life, Agamben advances, is also excluded from the political domain in terms of its exceptional condition but connected through its exceptionality. This reveals an integral relation between bare life and sovereignty, or in other words biopower and sovereign power. Agamben conceptualises this condition of bare life and its state of exception through the image of *homo sacer* found in Roman law. According to him, the concept of *homo sacer* refers to an individual who is removed from the protection of law as well as banned from every religious and political sphere. He, consequently, can neither engage in rituals or customs of the society nor perform any valid legal activity. He is thus left to the condition of bare life devoid of any right, that he can be killed without being considered as a homicide. He can survive only by continuous deception or living in exile. Therefore, "he is pure *zoe*, but his *zoe* is as such caught in the sovereign ban… In this sense, no life, as exiles and bandits know well, is more "political" than his."[17] However, Agamben does not indicate that modern society has been still maintaining its sacrificial tendencies which are loaded with exceptionality. Instead, he argues that our general reality which keeps suspending fundamental legal rights becomes an extended form of the state of exception. The political reality is itself a state of exception. Thus, biopower through its continual manufacture of bare life retains its sovereign power in the modern jurisprudence within the realm of the sanctioned law. Put differently, political life (*bios*) is itself the bare life (*zoe*).

However, there is a fundamental shortcoming located by Mika Ojakangas in his article, "Impossible Dialogue on Bio-power: Agamben and Foucault" in Agamben's understanding of modern biopower concerning bare life. He has pointed out that Agamben views biopower only by means of deduction in terms of its power of annihilation, which equates it to sovereignty. Instead, the Foucauldian concept of biopower is not the "antithesis of sovereign power" since it refers to the notion of life.[18] These forms of life including the virtual ones with all kinds of variance, must be realised, are not independent and isolated. The general difference in life lies only in its intensity and degree while every concept of life is connected through the network of power in the modern era of biopolitics. To Foucault, life does not remain delimited anymore in the archaic distinction like in the Aristotelian sense or the taxonomic categorisation; life with the turn of the nineteenth century becomes "synthetic," biological.[19]

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[16] Schmitt, *Political*, 6-15.
[17] Agamben, *Homo*, 183-4.

> Moreover, life as the object and the subject of bio-power – given that life is everywhere, it becomes everywhere – is in no way bare, but is as the synthetic notion of life implies, the multiplicity of the forms of life, from the nutritive life to the intellectual life, from the biological levels of life to the political existence of man.[20]

Ojakangas further explains that curiously Agamben did not include Foucault's idea of 'norm' in his investigation of biopower. Foucault has already mentioned that the modern period is characterised by legal regression. However, it does not indicate that the law has been suspended fully or there is a complete absence of justice. It rather suggests that the law's functional element works as a part of a greater mechanism of biopower to govern and control the progress of life in general. Therefore, the law functions considering these governmental norms. While law in relation to life, for Agamben, is externally operated, which is itself paradoxical since the condition of exclusion is the extended form of inclusion, to Foucault, law is internal. "In the case of the norm, these exceptions are not, however, taken out (*ex-capere*), but taken in (*in-capere*)."[21] Thus, biopower in modern society is the form of government that attempts to ensure the production of wealth, the supply of subsistence for the population, and the multiplicity of life in general which, nonetheless, includes "not of imposing law on men, but of disposing things" to achieve these ends.[22]

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[18] Mika Ojakangas, "Impossible Dialogue on Bio-power: Agamben and Foucault," *History of the Human Sciences* 25.1 (2012): 1-14.
[19] Michel Foucault, *Order of Things: An Archaeology of Human Sciences* (London & New York: Routledge, 2005), 293.
[20] Ojakangas, "Impossible," 13.

Biopolitics, therefore, refers to the problem of the governmental practice with provisions arranged for the 'population' including medical care, living expectancy, fertility rate, and ethnicity issues, among others.[23] More importantly, biopower does not utilise law as its chief instrument, but rather as a 'tactic' which can be managed or regulated readily. Biopower in this way transcends political power but it is tied to an administration that makes use of depoliticised violence. This, Johana Oksala contends, must not be understood that the modern era of biopolitics is non-violent. Instead, its violent form is manipulative and secretive making it difficult to pinpoint. Foucault also recognises that "the biological conception of politics has made killing possible on an unprecedented scale. Biopower is thus clearly capable of utilising violence, but only under very specific conditions and restricted by defined limits."[24] In contention to this, Agamben rightly questions if biopower is concerned with the general improvement of life, how does it permit killing observed in extensive numbers in the modern world? Foucault in his *Society Must be Defend* probably has already resolved this paradoxical condition of biopower by referring to the mass killings of the Nazi Germany as an instance of 'biological racism.' The group of people was detected not as the potential threat to a nation or as a defensive measure (referring to Schmitt's sovereignty) but as the biologically lesser subject who must be killed to make the race in general healthier. In the framework of the biopolitical system, therefore, the act of killing is deemed permissible if it attempts to eradicate biological threats for the development of the state rather than achieving triumph over the political opponents. "Biological racism (thus) provided a pseudo-scientific discourse that was compatible with biopower, and through which biopower could be transformed into sovereign power." [25] This heterogeneous existence and simultaneous application of biopower and sovereign power is what Deana Heath has recognised as the "irrevocable tension" of the modern state.[26]

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[21] Ojakangas, "Impossible," 15-16.

[22] Michel Foucault, *The Punitive Society: Lectures at the Collège de France, 1972-1973,* trans. Graham Burchell, (London: Palgrave Macmillan, 2015), 95.

[23] Michel Foucault, *Birth of Biopolitics: Lectures at the Collège de France 1978-79,* trans. Graham Burchell, (London: Palgrave Macmillan, 2008), 317.

[24] Johana Oksala, "Violence and the Biopolitics of Modernity," *Foucault Studies* 10 (2010): 23-43.

Earlier, we have argued that the colonial state of British India, considered from the perspective of written codified law, entered into its modern disciplinary condition with the introduction of the IPC in 1860. It becomes governmental gradually with the inception of the health care system, census system, and suchlike at least in terms of its official record. On the other hand, rehabilitative rather than punitive measures, segregation of the criminal, and evolution of medical facilities to improve the imprisoned conditions of the convict can also be considered as a part of the application of biopower in the evolution of the colonial prison. Additionally, the intention of the overall development of the colonial population, as the British claimed, also suggested the development of a biopolitical society. Yet, throughout history, the manipulation of the judiciary, physical and psychological torture within prison, humiliation, and misuse of medical care – extra-legal activities were rampant either to produce docile colonial subjects or to suppress the nationalist insurgency. This proves the co-existence of the biopower and sovereign power in the colonial setting. However, the application of biopolitical power more as a technique of eliminating biological threats (racial killing) without ceasing to have political ends does not stand entirely logical but not untenable in the colonial setting of India. This rather indicates the notion of colonial governmentality which is distinct from Foucault’s idea of governmentality, especially in the application of violence, visceral, and its general tendency to produce spectacle. It leads to acknowledging the presence of sovereign power more in the Schmittian/Agambenian sense. Since the colonial state held the prisoners, especially those who were engaged with the anti-colonial resurgence as a potential threat to the sovereignty, they were systematically reduced to bare life so that they could be subjected to coercion and torture. Thus, in the colonial context, biopower is inherently associated with sovereign power, especially with the production of legal and punitive exceptions. Following this theoretical paradigm, this chapter observes the impact of penal torture on the colonised convict body and their psyche as located in the literary writings.

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[25] Oksala, "Violence." 39.

[26] Deana Heath, "The Tortured Body: The Irrevocable Tension between Sovereign and Biopower in Colonial Indian Technologies of Rule," in *South Asian Governmentalities: Michel Foucault and the Question of Postcolonial Orderings*, ed. Stephen Legg and Deana Heath (Cambridge: Cambridge University Press, 2004), 230.

III

Convict Body as the Site of Control: Corporeal and Mental Torture

III (a) Corporeal Torture

There is an existing substantial scholarship available on the application of corporeal torture during the Company’s rule in the form of military penalties, police brutality, and juvenile discipline but its deployment in the penal context is still less explored. Notably, even inside the administrative periphery of the prison which is a part of the larger legal and judicial system, the method of bodily violence that happened to be a technique of traditional sovereignty was still intact. The introduction of the IPC did not ensure a complete departure from this, rather retaining the “residual modes of sovereignty, remaining dependent on various exemplary and spectacular acts of violence.”[27] Taylor Sherman argues that humiliation and physical violence like whipping were common penal methods in colonial India as it was believed that jail was not a safe place to be in. It might expose a new offender to the jail’s deplorable condition as well as it could cost the offender’s family economically.

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[27] Alastair Mcclure, “Archaic sovereignty and Colonial Law: The Reintroduction of Corporal Punishment in Colonial India, 1864–1909,” *Modern Asian Studies* 54. 5 (2020): 1-36.

Contrarily, whipping is a quick, easy solution for petty criminals, which in turn, bestows power to the authority to mitigate the crime rapidly without getting into the court procedurals.[28] However, Sherman was specifically talking about custodial torture but a similar corporeal technique also existed even after sentencing them in jail. Historically, whipping or flogging as a punitive method had not been mentioned in the IPC. It was later reintroduced in 1864. The Jail Committee Report of 1864 advocated that the Superintendent of prison must be given direct power to inflict punishment to maintain discipline for stubborn and violent convicts. According to the committee, there could be three types of punishment allowed in prisons including purposeless labour like toiling on a crank, solitary confinement for not more than 72 hours, and flogging. Besides, a register was kept to maintain the records of all these punishments applied to the prisoners, which the officials must directly convey to the Inspector-General.[29] In addition to this provision of direct punishment, literary works of this period show other methods of torture which were not acknowledged in the official record. Literature thus serves as a kind of testimony of extra-juridical practices of the colonial state performed within the prison.

For example, Kedarnath Dutta’s *Sachitra Gulzarnagar* ((Illustrated Gulzarnagar), one of the earliest Bengali writings in the sketch tradition, presents jail brutality through the story of Hemanga Basak’s imprisonment. The description includes the method of gruesome torture within the colonial prison. As the novel is set in the1860s, a period which is characterised by the inadequate penal infrastructure, space, and necessary medical facilities, the depiction of prison torture became more deplorable. Dutta described the inhuman conditions of an unnamed *Faujdar* jail located in the city of Calcutta, where the convicts were not even provided with bare minimal life care. They were subjected to endless suffering, Dutta stated, as the prisoners were instructed to smash the pile of stones relentlessly under the strict supervision of the officials. Abuse, canning as well as extreme scarcity of food were added. Besides, a strict regulation was in place requiring convicts to diligently engage in the labour of the stone-breaking process. Any deviation from this duty, including any sort of rest, negligence, or inattention, would be met with severe consequences. Regardless of numerous pleas, appeals, tears, or even desperate attempts to hold onto the legs of the prison guard, the prisoner would not be exempted from facing penalties. The central character in the novel, Hemanga is shown as a spectre-like figure who has been tirelessly wielding stones with his hammer for a prolonged period. He was bleeding and suffering from body pain; he had a visible scar of a wound and was extremely thirsty, yet not spared from the humiliation of the guards. He had been hunted down by the officials like the hunter dogs. Dutta rhetorically states that Hemanga was so ruthlessly tortured that even the stones became dampened by his tears.[30] These descriptions of bodily violence are commonplace in the literary works of this period. As per the historical records, the colonial prison administration was only extracting hard labour from the prisoners. Nonetheless, the practice of labour was arbitrary and was a means of torturing the colonial body instead. It not only raises the issue of treating the body of the racial other which can be violated and subjected to severity but also demonstrates the application of the sovereign power in the penal context that may not involve death every time.

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[28] Taylor C Sherman, *State Violence and Punishment in India* (London & New York: Routledge, 2010), 27.

[29] *The Report of the Jail Committee* (Calcutta: Bengal Printing Company Limited,1864), 30.

Perhaps, it was Dakshinaranjan Chattopadhyay’s *Jail Darpan* (Jail Mirror) more than any other text that explored the colonial jail system in the initial years from its core. In Act II, Scene 3 of this drama, set in the Alipore *Faujdar* jail, three convicts, Gopal, Tarini, and Madhu were dragged into the cell by the jail Darogah. He quickly gave a reminder that it was a government jail where the prisoners had to engage in grinding the millstone or breaking stones until resulting in bleeding. Later, Tarini was observed suffering from a high fever and felt extremely thirsty. So, he could not help himself but start drinking water from the pitcher against the jail order. The inspector promptly seized the glass of water from his grasp to throw it and started flogging him. In another instance, Tarini informed Madhu that there was nothing more terrible than grinding and treadmilling in jail. He informed about a prisoner who was made to bleed while working on a treadmill, which eventually caused bodily deterioration and gangrene of his legs.[31] Tarini and Gopal themselves experienced this extreme form of corporeal torture when they were transferred to the Jessore jail. They both had been directed to grind the prison millstone under the instruction of the Magistrate until they fell on the ground and bleeding. Gopal persistently implored for water and respite till he ultimately succumbed, experiencing haemorrhaging from his mouth, and died.[32]

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[30] Kedarnath Dutta, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965), 109-10.

Charu Chandra Chakraborty also provides a scathing account of this spectacle around the arrangement and the execution of whipping in prison in his *Louha Kapat* (The Iron Gate), 'dwitio parba' (Second Volume), he described that there had been great enthusiasm for this punishment. A strange machine called 'whipping triangle' in penal language was arranged under the neem tree which was at the centre of all prison cells. That machine was a nine-foot triangle frame made of wood and iron with two iron rings on the top and two shackles at the bottom. It resembled more of a blackboard stand. In addition, a large bowl full of chemicals was also kept and besides that, there were two canes, three feet long and half inch in width. Chakraborty further stated that a convict named Madhusudan then was tied to the whipping machine in a prostrate position with his hands and legs fastened with screws. His waist was also strapped with a leather belt keeping only his shoulder and head free. Then, the torture started on his naked body. Madhusudan began to scream like a ferocious animal in agony. His flesh was deeply sliced and blood quickly emerged on his skin. This excruciating torture continued until Madhusudan lost consciousness.[33]

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[31] Dakshinaranjan Chattopadhyay, *Jail Darpan* (Jail Mirror) (Kolkata, 1875), 36-43.

[32] Chattopadhyay, *Jail*, 50.

These instances of corporeal violence on the prisoner can be considered from the broad perspective of racial logic, colonial attitude towards violence, and the sham of the narrative of modernity. Although the IPC was initiated as well as the carceral imprisonment as a form of punishment was introduced, the colonial state could not but conceive the indigenous population as the racial Other or the oriental Other who were yet to be regarded as civilised. The collective relegation of the colonial Indian society, especially on the moral ground, they believe, can be rectified with the utilisation of proper punishment even if it is physically painful. This is evident in the scandalous report of the Madras torture commission in 1855. The following statement of Principal Sudder Ameen could be taken as a point of reference. He stated that

> Without intending to defend the practice (of physical torture) I would observe that …They had become so habituated to a time-honoured usage that they could not conceive that any system would effectually answer, and so accustomed to ill-treatment before paying the Government dues, that they seemed to consider a milder system as a characteristic of a want of vigour in the administration.[34]

A similar rationale can be identified in the case of the reintroduction of whipping in prison. On the other hand, due to the experience of the rebellious attitude of the colonised people in the 1857 Mutiny, the British authority posited themselves as the strong government that was "capable of smashing any 'sedition' or disloyalty, combined with an acceptance of Indians."[35] This was also manifested in the attitude of the jail officials. In *Jail Darpan* (Jail Mirror), when Gopal was trembling from his excessive work on the treadmill asking for some water, the jail magistrate snapped at him, "Shut up, you swine! You must be stroked hard else you will not be made disciplined (translated from the original).”[36] It is impossible to deny the racial bigotry in his tone but a tendency to discipline the colonial subject through the infliction of pain cannot also be ignored. It indicates the biopolitics that goes beyond racial determination. Therefore, this penal technique of reordering the colonial body which still cannot be considered a modern political subject manifests the biopolitical power of the colonial government which functions in terms of exclusive violence. Besides, reducing the colonial subjects to bare biological bodies within the penal space also justifies the utilisation of physical pain on them. Thus, colonial prisons become the legitimate British institution of repression and violence.

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[33] Charu Chandra Chakraborty, *Louha Kapat* (The Iron Gate) Dwitio Parba (Second Volume) (Kolkata: Bengal Publishers Private Limited, 1954), 135-37.

[34] *Report of the Commission for the Investigation of Alleged Cases of Torture at Madras* (The House of Commons, 1855), 70.

[35] Mira Rai Waits, "Imperial Vision, Colonial Prisons: British Jails in Bengal, 1823-73," *Journal of the Society of Architectural Historians* 77.2 (2018), 146–167.

Secondly, following Foucault, it can be maintained even in mid-nineteenth-century colonial Bengal when the juridico-disciplinary order took place, it had not replaced the feudal-sovereign power entirely. The existence of torture often in the guise of hard labour indicates the state’s right to kill or infliction of pain on its subject’s body. It is nothing short of a public spectacle as the purpose in reaching this phenomenon of torture into the wider colonial psyche was always there. The magistrate in *Jail Darpan* (Jail Mirror) echoes this when he remarks that the Bengalis will not learn obedience unless they are subjected to physical torture. The main objective of prison, therefore, is to provide punishment; the authority must not bother about death or related matters. They are only obliged to perform their duty.[37]

In the post-1860s, the colonial prison in Bengal had rapidly gone through some reformative changes. The 1864 jail committee had raised issues like high mortality rate, overcrowding, and poor provisions of the jail administration, which were immediately addressed with the employment of a civil surgeon in 1865. The third jail committee was appointed in 1877 to review the general condition of prisons, though it did not bring any significant change. In 1888, the fourth jail reform committee advocated for introducing new methods of categorising the prisoners and segregation within the cell accordingly. These recommendations were further backed by the 1892 All India Committee on Jail Administration. These penal reformations were finally made into the legislation in The Prison Act of 1894. This act, for the first time, not only brought uniformity in the treatment of prisoners including convicts and under-trails but also emphasised the curtailment of bodily punishment like whipping, provisions for less cellular imprisonment, and the improvement of the prison diet.[38] Later, the Indian Jails Committee in 1919-20 undertook a comprehensive examination of the matter of corporeal punishment, recognising it as a pressing concern. Its Chapter X, "Prison Discipline," acknowledged that there was a recognisable agitation among the Indian population over the utilisation of corporeal punishment in the prison. After a thorough consideration and consultation with various prison officers of different provinces unanimously, the committee recommended that complete elimination of it is impossible. "But we (the committee) feel very strongly that its use should be restricted within the narrowest possible limits and that it should be reserved for offences of special gravity, as is the case in England."[39] In fact, this form of punishment, the report claimed, had already been lowered resulting from 13301 cases in 1875 to 293 per year. These instructions subsequently were passed to all the provinces with immediate effect. Thus, under rules number 205, 258, and 416 of the 'Bengal Jail Code, Rules for the Superintendence and Management of Jails and Subsidiary Jails in Bengal,' 1920 it was directed that "no officer shall on any pretext strike a prisoner except in self-defence or in the repression of a disturbance … or when a whipping is formally ordered by the

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[36] Chattopadhyay, *Jail* 49.
[37] Chattopadhyay, *Jail*, 50.

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[38] Sudipto Roy, "Jail Reforms in India: A Review," *Kriminologija i socijalna integracija* 11 (2003): 33-40.

[39] *Report of the Indian Jails Committee 1919-20* (Simla: Government Central Press, 1920), 133.

Superintendent."[40] According to this instruction, only against any attempt of a violent breakout, internal riot, and assault on the other prisoners or the jail officials, the jailer and his associates could take certain decisions strictly adhered by these rules.

What is important here to observe is the development of the general condition of the colonial prison as well as the improvement of the care facility. This includes the minimum application of physical punishment, decreasing of hard labour, and the arrangement of a jail physician, medical staff, and hospital's general condition. Even if it became necessary sometimes to resort to whipping, it was made provision that "in order to prevent undue laceration of the skin, a piece of thin cotton cloth, soaked in some antiseptic solution, shall be spread over the buttocks of the prisoner during the infliction of the punishment."[41] As argued previously that the biopower encompasses every sphere of life and more importantly, focuses on the positive production of life in general, effect of such turn in colonial Bengal can also be witnessed. The colonial prison in Bengal which had been a site of terror, especially known for its severe physical torture, by the twentieth century started to be projected as a pro-people colonial institution. The legislation of reducing the corporeal punishment on the colonial convict body while keeping them under the regulation of the physician for monitoring them to be fit for doing prison labour is what can be considered as the biopolitical practice within the colonial penal setting. Thus, the prison for the British government does not remain only as a tool for disposing criminal others or an institution to produce submissive bodies through the disciplinary infliction of pain, it simultaneously becomes a laboratory of reformation, rehabilitation, and care.

However, the colonial state is marked by paradox. On one hand, the inclination towards the production of a multiplicity of lives outside as well as offering care for the colonial convict represents the move towards the simultaneous application of governmental power and biopower in the later history of the colonial prison in Bengal. Contrarily, it must be recalled that the colonial government did not conceive the colonial people as free citizens and political subjects rather it was much invested in the consolidation of the empire which required the repression of the nationalist insurgencies and close supervision of the entire population. This suggests the exceptions of the colonial governmentality and its continual practice of violence in prisons. The embodied experiences of the revolutionaries present this lacuna more broadly.

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[40] *The Bengal Jail Code, Rules for the Superintendence and Management of Jails and Subsidiary Jails in Bengal, Volume 1 (Parts I and II)* (Alipore: Bengal Government Press, 1937), 39.

[41] *Report 1919-20*, 134.

Bhupendra Kumar Dutta presents a graphic description of custodial torture in his memoir *Biplaber Padachinha* (The Footprint of Revolution). Around 1916 when he was first captured, he experienced some of the most violent forms of torture under the command of Charles Tegart and his fellow Bengali officers. He mentioned that thrashing, fisting, kicking, dragging by hair, striking forcefully on the back with a stick – all these were very usual acts in jail. Individuals were coerced into performing a range of brutal tasks that were seemingly impossible to accomplish. These tasks included a person who had been deprived of food and drink or an individual suffering from high fever to dragging from one corner to the other of the tennis court for an extended period, pulling men's genitals with thread, crushing them with rods, attempting to shove cane into anus, and even pouring human excretion on face, and then left them without the access of water for several days. Prison happened to be the stage of conducting all sorts of sadistic practices, and it often continued from day in and out until a prisoner passed out.[42]

A similar kind of description can be located in the memoir Jogesh Chandra Chatterjee, *In Search of Freedom*. His account shows two different kinds of penal experiences including lenient and temperate on the one hand and severe and tormenting on the other. He encountered several discretionary methods applied by the colonial prison administration to subdue the Bengali revolutionary activism in the post-partition era. While imprisoned in Rajshahi Central jail, he observed how his comrades from various clandestine militant groups, such as Prafulla Roy from Anushilan Samiti, who was first held in Dacca Jail and later transferred to Rajshahi Jail, Naren Banerjee originally from Banaras who was facing charges in the Banaras Conspiracy Case, and others were subjected to cruelty within the prison. Chatterjee noted that all the state prisoners who were under trial were only allowed to dress in a garment that covered half of their body along with shorts. It was ordered that they had to wear iron rings around their shoulders which traversed a piece of wooden hung upon their breasts. The plate disrespectfully displayed the dates of their conviction as well as the release time. In addition to this, only a modest diet that included unrefined rice, dal, and vegetables was provided.[43] Jogesh Chandra lamented over the fact that it was a tragedy to see "so many intimate associates of our were passing their lives in misery. It was painful to all of us. But there was no remedy."[44]

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[42] Bhupendra Kumar Dutta, *Biplaber Padachinha* (Footprints of Revolution) (Kolkata: Saraswati Library, 1953), 3.

Notably, the 1919-20 report mentioned that this form of punishment connected with handcuffs and fetters was against the principles of punishment and recommended abolishing or using it minimally.[45] However, the experience of Jogesh Chandra showed its utilisation on prisoners still existed around this period. These penal practices were nothing short of bodily violence or corporeal torture. The life writings of the political prisoners persistently remind us that the colonial state still relied on its sovereign power more than anything. Strikingly, the 1910s, 20s, and 30s were characterised by the radical activism in Bengal. To subdue this insurgency, the British government "expanded an infrastructure of emergency and security laws as well as detention sites to house suspected political dissidents."[46] Subsequent regressive laws such as the 1908 Indian Criminal Law Amendment Act and the Defence of India Act of 1915 were also applied to mark the militant activism as a 'terrorist' group positing them as a potential danger to the government's security. The British government in the 1930s and the 1940s India presumed that the coercive enforcement of law and imprisonment for an indefinite period without proper legal trial would discourage the militant activists from their violent movement.[47] As a result, against the political prisoners, as Ujjwal Kumar Singh observed, penal and precautionary laws had been passed in addition to arbitrary sedition charges, undertrial or without trial incarceration, detention, prosecution with harrowing torture and suchlike.[48] Thus, the identification of a particular group of the colonial subjects as the 'terrorist' or threat enabled the colonial state to make them unprotected (bare) and justified their exclusionary treatment in prisons. Consequently, the infliction of cruelty within the prison, even that may drive them on the verge of death, demonstrates the reintroduction of the sovereign power. It was presented as the necessary exigency to support the colonial exceptionalism that is comparable to Agamben's concept of exception.

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[43] Jogesh Chandra Chatterjee, *In Search of Freedom* (Calcutta: Firma K. L. Mukhopadhyay, 1958), 111-12.
[44] Chatterjee, *In Search*, 112.
[45] *Report 1919-20*, 135.

III (b) Psychological Torture and the Question of Humiliation

It is undeniable that the extreme form of jail brutality decreased after the 1920s in colonial Bengal with new jail codes and manuals in place in addition to the revolutionary movements gradually declining to mass non-violent protest. But it was shifted to a different pattern, more subtle, and tended to be psychologically coercive. These methods of torture typically missing in the history of the colonial prison including solitary confinement, institutionalised forms of harassment, and humiliation, mostly orchestrated by the jail authority, and often coupled with corporeal violence. These indirect forms of torture that can be observed in literary writings usually leave a deep-rooted invisible scar on the psyche of the prisoner. It does not claim that humiliation was not there in the formative years of prisons in Bengal, the method became more institutionalised, particularly for the political prisoners. Since the revolutionaries already created an awareness of the cruelty of the colonial prison among the colonised people, the jail administration started to design this new form of psychological repression.

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[46] Durba Ghosh, *Gentlemanly Terrorist: Political Violence and the Colonial State in India, 1919-1947* (Cambridge: Cambridge University Press, 2017), 3.

[47] Suruchi Thapar-Björkert, "Gender, Nationalism and the Colonial Jail: A Study of Women Activists in Uttar Pradesh," *Women's History Review* 7. 4 (1998): 583-615.

[48] Ujjwal Kumar Singh, *Political Prisoners in India* (New Delhi: Oxford University Press, 2001), 24.

Solitary confinement was the ready solution for the prison administration in colonial Bengal to immediately punish the unruly prisoners. It is the absolute form of isolation devoid of any human interaction, only permissible to any access under the discretion of the jail authority. This is an extremely punitive method of segregation even for the internal community of prisoners. However, in addition to this social perspective, Raymond H. Theonig contends that solitary confinement more importantly involves sensory deprivation that includes the feeling of an absence of anything, even daily objects so that there is no stimulation of human senses.[49] Therefore, if any act of torture requires an actor and receiver, solitary confinement seems to be a misfit in that category. But it is probably the most violent form of torture since the lack of sensory stimuli can turn a subject against his own ontological condition. Besides, this penal technique is applied by the jail administration and methodically makes themselves absent from the locale. So, the actor or the perpetrator is present only in his absence but coercion remains at its extreme.

The 1919-20 jails committee advocated that the practice of solitary confinement should be eliminated because "cellular imprisonment supplies all that is necessary."[50]

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[49] R H Thoenig II, "Solitary Confinement - Punishment Within the Letter of the Law of Psychological Torture?" *Wisconsin Law Review* 1 (1972), 223-237.

[50] "Report 1919-20," 136.

However, it could be seen to apply arbitrarily. In the previous chapter, it has already been discussed how that limited spatial condition devoid of human interactions can produce an existential crisis with references to Aurobindo Ghosh and Hemchandra Kanungo's cases. Aurobindo expressed in his memoir that the forceful solitude which was "bound to law, subservient to the whim of others" made him momentarily driven towards insanity.[51] Thus, it can be stated that this technique of absolute isolation was specially designed to mitigate the militant activism in Bengal, which was nothing but another form of torture.

Jogesh Chandra who was subsequently imprisoned in the Presidency Jail in 1916, 1917, and 1918 encountered a distinct kind of torture technique. Several prisoners, he observed, had often been called to the Criminal Investigation Department (C.I.D) office for the routine official inquiry. Chatterjee mentioned "that was new type of mental torture. They had small chambers. We were taken individually to separate chambers and were forced to sit for hours. Each chamber had two small chairs and a small table. To sit for hours in this condition was a terrible strain on the mind."[52] Thus, the British government in addition to the corporeal punishment resorted to employing psychological coercion whenever they felt required.

Notably, mental torture is associated with shame and humiliation. In the first chapter, we have shown that the colonial prison in Bengal was a place of shame and public disgrace, which gradually transformed into a place of national honour with the middle-class discovery of jail as the site of protest. What can be observed, contrarily, is the exertion of humiliation as a penal method on the part of the prison administration. This must not be confused with the shame of colonial subjects since there is a fundamental difference between these two notions. Humiliation entails a form of subjectification denying an individual's inherent dignity and ego, thereby casting them in a state of powerlessness and vulnerability. "Humiliation (thus) involves being put into a lowly, debased, and powerless position by someone who has, at that moment, a greater power than oneself," while shame refers to self-reflection i.e., the subject's own realisation of previously committed work followed by guilt, which may or may not require others' perspective.[53] Recognising that humiliation is relational and shame is personal, it must also be realised that the process of torture tends to install shame in the victim's mind through humiliation. Remarkably, the colonial prison not only utilises this technique of humiliation but also gives it almost a routine institutionalised form, which must be discussed in this context of psychological torture.

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[51] Aurobindo Ghosh, *Tales of Prison Life* (Pondicherry: Sri Aurobindo Ashram, 2018), 42.

[52] Chatterjee, *In Search*, 263

Humiliation in prison begins with the physically defenceless condition of the prisoner. Since prison is tempo-spatially dislocated from the outside, the inmates have to survive under the discretion of prison personnel. It already leaves them in no position to refuse, negate, and resist. Their vulnerable physical condition further exposes them to psychological helplessness, which eventually forces them to comply with the abusive condition. The objective of any form of humiliation in prison thus is to diminish the prisoner's sense of dignity and self-esteem.[54] This deliberate perversion of human dignity, Sussman extends, is the most extreme form of torture that turns the victim against their own agency.[55] Besides, it is also another form of dehumanisation. Prison inmates are strategically stripped of their human value so that the act of humiliation is not even considered torture.[56] However, while Sussman primarily emphasises on the embodied understanding of torture and humiliation, David Luben in his article, "Torture, Power, and Law: A Communicative

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[53] Joshua M. Price, *Prison and Social Death* (New Brunswick, New Jersey, and London: Rutgers University Press, 2015), 41.

[54] Meike Vorbrüggen, MD, Hans U. Baer, "Humiliation: The Lasting Effect of Torture," *Military Medicine,* 172.2 (2007): 29–33.

[55] Sussman, "What's Wrong," 19.

[56] David Luben, "Treatment of Prisoners and Torture," in *The Cambridge Handbook of Human Dignity*, ed. Marcus Duwell et all (Cambridge: Cambridge University Press, 2014), 448-49.

Conception of Torture" shifts the focus from the victim to the torturer. He explains that the torturer communicates with the victim through the application of pain and suffering with the specific aim of domination and making him believe in it. "What completes the *making true* is the *taking as true*" (emphasis in original).[57] Therefore, in view of this, in the context of the colonial prison, we must focus on the experience of humiliation of the prisoners as well as on the penal authorities to fully comprehend the impact of the psychological torture.

For instance, when Tarini, an elderly Brahmin fellow was convicted for stealing and imprisoned in the Alipore *Faujdar* jail in Dakshinaranjan Chattopadhyay's *Jail Darpan* (Jail Mirror), he quickly understood that the social esteem and caste privileges he had previously experienced outside would no longer be bestowed upon him. But he could not apprehend that the minimum human respect would be taken away. Upon their arrival at the jail, he was asked promptly to take off his clothes. When Tarini asked the reason, he was rather ridiculed by the officers. The jail Darogah expressed his irritation stating that jail is not a place for amusement and that one could enjoy staying there with all luxuries. He added, "this is not your in-law house that you will roam freely with all dressed up…put on the loincloth, you scoundrel" (translated from the original).[58] When all prisoners including Tarini, Gopal, and Madhu were forcefully attired in loincloths, the Darogah enjoyed mocking them and compared them to cowherds who came for pasturing. On another occasion in the play, the jail guard thinks that the treadmilling as a punishment with all the prisoners on it will be a sight of amusement. It will appear even more beautiful to them when the cows thresh the crops indicating the prisoners starting spinning on the treadmill. He mocked that this would have been so much fun to spin these inmates by the tail if only had they a cow-like tail.[59]

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[57] David Luben, "Torture, Power, and Law: A Communicative Conception of Torture," *Georgetown Law* (2015): 55.

[58] Chattopadhyay, *Jail,* 35-36.

[59] Chattopadhyay, *Jail,* 47.

The scene demonstrates that verbal abuse, humiliation in addition to corporeal torture were the daily routine of the prison discipline in colonial Bengal. Provided the hierarchical character of the relationship between the government and the colonial subject as well as the reinforcement of this power dynamic inside the penal context more stringently, the concept of humiliation is not usually deemed worthy of investigation. Similar to torture, the institutional application of humiliation, consequently, has never been acknowledged in official prison committee reports or jail codes. However, as *Jail Darpan* (Jail Mirror) shows the convicts are understood mostly in animalistic terms and thereby, humiliation can never be a matter of debate. It manifests dehumanisation which is deeply associated with biological racism. Thus, holding the prisoners more like a cow does not make authorities perceive that it is an act of violation of human dignity. Instead, the sense of racial superiority in the colonial context legitimises any act of torture, let alone humiliation.

These early instances of humiliation, historically, vary its degree in the case of revolutionaries. For them, it was not always directly abusive and threatening. Bhupendra Kumar Dutta recounted one such encounter of humiliation in his *Biplaber Padachinha* (Footprints of Revolution). During his imprisonment in Alipore Jail, Home Member of the Indian Government, Sir William Vincent visited the jail along with the Additional Secretary-cum-Superintendent of the Government of Bengal, Sir John Mulvany. Vincent was mockingly asking if he was "arrested somewhere near the Esplanade! You tried to kill the men who arrested you!" and burst into laughter.[60] He did not also forget to remind him that Dutta tried to commit suicide. Significantly, the sense of humiliation for a militant activist is different from an ordinary prisoner. Being charged with revolutionary idealism and a strong urge to sacrifice oneself for the nation, any corporeal punishment or even the sentence of hanging may be perceived as less humiliating for a revolutionary. But a reminder of a failed attempt to kill the British officer and then being captured by the same man is a matter of graver insult for him as it indicates his shortcomings as a revolutionary. It also questions the credibility of the militant activism in Bengal. Moreover, conditions as Dutta informed in his memoir were more severe in other jails including Presidency, Berhampore, Faridpur, Hooghly, and Rajshahi than in Alipore. According to him, in addition to strict isolation enforced by solitary confinement, there was further

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[60] Dutta, *Biplaber*, 68.

> Disrespect. I heard that the state prisoners were dragged by their neck to the European warder for measuring weight in the Presidency Jail. The constable in the Rajshahi Jail threatened the state prisoner even during the presence of the superintendent, 'I will teach you a lesson of sophistication'…due to this extreme mistreatment, people like professor Mani Sheth, professor Jyotish Ghosh and many more lost their sanity. (translated from the original).[61]

On an important note, on humiliation, Gopal Guru in his article, "Rejection of Rejection: Foregrounding Self-respect" observes that human beings choose to live in double negation. Firstly, it involves a discontinuation from the raw nature like survival conditions by adding logical, cultural, and aesthetical dimensions to life, which is lacking in the animal world, and secondly, further distinction from fellow human beings by extending moral and ethical standards. Thus, human beings' meaningful existence lies in the double rejection of both nature and culture. It is recognition that makes someone culturally superior or inferior. However, this "desire for recognition or elevation logically assumes corresponding reduction, rejection, cancellation, and annihilation of certain human being."[62] Notably, the colonial subjects who violated the British law and order, especially the revolutionaries who led the radical anti-colonial movement in Bengal, the colonial state realised, needed to be humbled since they directly challenged the very rationale of the colonial authority. The colonial prison thus becomes that place for the government, where the recognition of a revolutionary, known as someone who has always been prepared to sacrifice their life can be denied through the act of humiliation. Therefore, the rejection of the social dignity the revolutionary usually receives in the outside world is an attempt of the colonial government to posit themselves as racially superior. The penal space only facilitates this condition. Besides, since the issue of corporeal torture was a heated matter of debate in the public mind then, the authority opted to humiliate them mentally.

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[61] Dutta, *Biplaber*, 73.

[62] Gopal Guru, "Rejection of Rejection: Foregrounding Self-respect," in *Humiliation: Claims and Context*, ed. Gopal Guru (Oxford: Oxford University Press, 2011), 209-10.

Therefore, it can be submitted that the colonial prison in Bengal, especially in the case of deployment of torture shows the gradual shift of the imperial state's application of the sovereign power through disciplinary power to biopower. However, the power dynamics has not replaced one another, rather worked simultaneously. Biopower which is co-related to governmentality, or the issue of population, especially in terms of its life-sustaining force is coupled with its power of disposition. The care services for the subjects work conditionally in the colonial setting. The colonial prison in Bengal thus functions as the site of exception just like the Agambenian 'camp,' where the political subject can be reduced to a bare, unprotected body. This production of extra-juridical bodies, notably, was extended through the 'biological racism' for controlling and repressing the politically dissent including the disobedient individual and the militant revolutionary. Besides, the sovereign power has always been the predominant force of the colonial governmentality, which only alters its right to killing to a degree and recourse to torture within the prison including abuse and humiliation. Thus, "the techniques of power that attempt to individualize, divide and discipline bodies, feed back into and justify the conditions of possibility for the exceptional logic in the articulation of emergency powers—a logic of supplementarity par excellence."[63]

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[63] Halit Mustafa Tagma, "Biopower as a *Supplement* to Sovereign Power: Prison Camps, War, and the production of Excluded Bodies," in *International Relations and the State of Exception*, ed. Shampa Biswas and Sheila Nair (London and New York: Routledge, 2010), 180.

IV

Necropower vis-à-vis the Jail Physician

As located in literary works of this period, it is the jail physician who has been given the charge by the prison authority to determine to what extent a convict can be tortured as well as what medical facility should be given after certain corporeal punishment. So, any discourse on torture within colonial prisons must consider the function of the jail physician. It also questions the provisions of medical care, the establishment of hospitals within the prison periphery, and the availability of medical staff. It suggests that these provisions are not only concerned with the case of disease, care, and mortality rate of the convicts. The jail physician was systematically employed to consider the pathological aspect of a colonial body assessing its capacity to withstand physical pain. Since death due to torture in prison would have produced a scandal for both the jail administration and the colonial state's liberal mask, the jail physician was required to limit the degree of violence. Thus, the doctor appears to be the agent of necropower of the colonial prison. He seems to be an integral part of the colonial necropolitical regime.

Previously argued that colonial governmentality is characterised by exceptions, as it officially shows its transition to life caring machinery, but practically relies more on the sovereign power. Thus, under the veil of a biopolitical government, the colonial state methodically attempts to reduce the colonial convict body to the position of bare life stripping off their political identity. If the sovereign power demonstrates its presence through the application of the right to kill and the biopower through its prism of colonial racism protects or suspends certain people or groups, the power of death enters in the discourse, what Achile Mbembe calls necropolitics. The degree of torture at the expense of death, all under the supervision of the jail physician, therefore, not only refers to the limit of biopower in the colonial context but also foregrounds the necropower of the colonial prison. It is thus the colonial prison administration with the pathological discretion of the jail doctor instructs under what pragmatic condition who can be killed, tortured, or allowed to live or relief, or exposed to death.[64]

To explain the idea of necropolitics broadly, Mbembe himself asked us to explore the formation of terror in colonies beyond the European imagination. He extended that "colonies are zones in which war and disorder, internal and external figures of the political, stand side by side or alternate with each other."[65] In other words, colonies are the site of exceptions where the juridico-legal power can be suspended under the rhetoric of law and order which is itself unjust and discriminatory. Thus, even within the institutional setting of the prison, the colonial state produces exceptional bodies that have been measured in relation to the power to death. This is what can be considered as necropower of the colonial prison. A few literary illustrations will help understanding this context broadly.

For instance, in Act III, Scene 2 of *Jail Darpan* (Jail Mirror) which takes place in a dispensary situated inside the Jessore jail, two convicts, Gopal and Tarini are brought in by the jail guards for their treatment. Earlier, both of them were forcefully subjected to the spinning session of a treadmill for long hours until they had vomited blood. The physician seemed to be perplexed to decide what medicine he should apply, especially observing the critical state of Gopal. Subsequently, Gopal succumbed to death in the presence of the doctor with further hematemesis. Notably, the Indian Jail Committee in 1864, a similar period this play was set, recommended that "new convicts should not be set to hard labour, till pronounced by the Medical Officer capable of undergoing it…(he) should be empowered to indicate in the case of a prisoner, physically weak or deceased, what class of labor might, with safety, be expected from him."[66] However, the physician in the play went on to contemplate that these occurrences persisted due to the whimsical decision of the jail magistrate, especially their attitude regarding the corporeal torture. Occasionally, he was forced to recommend more whipping which became impossible for the physically weaker convicts to endure. Besides, the advice of the physician was mostly ignored by the jail authority. He stated in reference to Gopal's case that he did not have a history of consumption (tuberculosis) unless he would have passed away much earlier. This indicates that the deployment of hard labour in most cases reaches the limit of extreme torture. So, torture in the colonial prison is indirectly associated with the power over death. Physical torture was enacted to such an extent that a convict's body could be reduced to the condition of death. As appeared in the play, the arrangement of medical facilities was also insufficient for the emergency condition of the convicts. The jail doctor could only give some opium and ice to alleviate the suffering of the dying Gopal. The colonial prison in nineteenth-century Bengal thus reduces the pathological body of a colonial convict, making it legally irrelevant so that it can be tortured to death. The ignorance of the jail physician's opinion albeit keeping them involved in the process manifests the necropower of the colonial prison administration that can let the convicts push towards death systematically.[67]

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[64] Achile J Mbembe and Libby Meintjes, "Necropolitics," *Public culture* 15.1 (2003): 11-40.
[65] Mbembe, "Necropolitics," 23-24.
[66] *The Report of the Jail Committee* (Calcutta: Bengal Printing Company Limited,1864), 18.

However, this despotism gradually began to transform with the emergence of the anti-colonial movement in Bengal in the early twentieth century. The more power given to the jail physician in later jail regulations helped to curtail this arbitrary decision-making of the jail authority. Aurobindo Ghosh in his memoir, *Tales of Prison Life* recounts his encounter with two jail physicians who assisted him to withstand the cruelty of the British prison system. He had especially spoken highly of an assistant Bengali doctor named Baidyanath Chatterji, who happened to be "a personification of the charity and philanthropy that form the essence of Hinduism," while the superior in rank, Irish-born Doctor Daly who

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[67] Jenkins et all, "Nursing in Deathworlds: Necropolitics of the Life, Dying and Death of an Unhoused Person in the United States Healthcare Industrial Complex," *Nursing Philosophy* (2023): e12458.

"inherited many of the qualities of that liberal and sentimental race."[68] Aurobindo added that during his imprisonment between 1908-1909 in Alipore Jail, he had seen Doctor Daly taking care of the prisoners with profound compassion but was also aware of trickery and phoney pretension of them. While Doctor Daly had some reservations, Baidyanath Chatterji had genuine sympathy for the ailing persons whether they were ordinary convicts or revolutionaries. Baidyanath also had profound love for the motherland that did not appear in his work ethic though. However, his excessively sympathetic nature was not deemed positive by the prison administration. Ghosh informed that after the assassination of Narendra Gossain who became the British witness and later was killed by Satyendranath Bose and Kanailal Dutta in Alipore Jail, Baidyanath was dismissed wrongfully.[69] So, the generous nature of a Bengali physician was not received affirmatively by the colonial authority, which further exposed the true nature of the care facility.

It must also be remembered that this treatment could vary according to the social stature of the revolutionary. For example, Trailokyanath Mukhopadhyay mentioned in *Jailey Trish Bachar o Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India) that despite developing symptoms of asthma, he was deprived of medicine and proper nutrition and also subjected to strenuous labour. Besides, the inspector general of Alipore Jail did not pay any heed to his complaint.[70] So, Trailokyanath Mukhopadhyay's experience in 1914 in the same prison where Aurobindo Ghosh was imprisoned presents the arbitrary attitude of the prison officials, especially their double standard.

Later, Gopal Haldar in his autobiographical fiction, *Onnyadin* (The Other Day) depicted the utilisation of the jail physician at the Midnapore Jail in the 1930s through the account of his protagonist, Amit. He mentioned about the continuation of such deliberate ignorance of the administration even if that could take their life away. While Aurobindo Ghosh's experience is characterised by leniency, Amit witnesses a contradiction, more difficult than Trailokyanath Mukhopadhyay. Amit also talked about a young fellow named Barin Nandy who gained recognition for 'challenging' the almighty British empire. It was ordered to make him obedient first through putting on a millstone, then hard labour in the prison and factory, and finally by flogging. Under the direction of IMS Major Patel, five stripes of flogging were allocated for him. Examining his body, the jail physician also approved the corporeal punishment.[71] This application of the whipping machine called 'tiktiki' in Bengali, the spectacle of the naked tortured body within the prison and the excessive blood loss resembles the description of Madhusudan's case in *Louha Kapat* (The Iron Gate).

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[68] Ghosh, *Tales*, 35-37.
[69] Ghosh, *Tales*, 38-39.
[70] Trailokyanath Mukhopadhyay, *Jailey Trish Bachar o Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India) (Kolkata: Radical, 2015), 87.

Historically, the report of the Indian Jails Committee 1919-20 advocated for the minimal application of physical punishment even for major offences within jail. However, the existence of punishment like flogging that mostly turns out to be another form of torture, as produced in the literary works, manifests the continuous deployment of the penal necropower. Over time it becomes more systematic and scientific. Drawing on Mbembe's idea of necropolitics, it can be argued that the colonial prison in Bengal functions as the laboratory of the colonial government by which it can assert its absolute authority over the lives of the subjects. It can suspend particular bodies at their will from the general body politic and allows the infliction of physical pain, bodily harm, and even death. Thus, the jail physician and the medical care system instead of looking after the sick bodies become the conduit of the exercise of the necropower.

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[71] Gopal Haldar, *Anyadin* (The Other Day) (Kolkata: Bengal Publishers' Private Limited, 1957), 110-12.

Therefore, considering the literary writings, this chapter demonstrates that the right to torture which is deemed as part of the archaic sovereignty has been the fundamental technology of rule the colonial state used in abundance within the prison. This, on the other hand, does not suggest that the colonial prison has not evolved into a disciplinary and later a governmental political institution. The development of penal regulations, the amendment of penal codes, and disciplinary measures as per the recommendation of various jail committees instead manifest the application of biopower in the penal setting. This is observed in their general tendency towards the maximisation of life by supervising health and prohibiting corporeal punishment for the prisoners, yet simultaneously subjecting them to the authority's despotism and arbitrariness influenced by the racial ideology. The colonial prison in Bengal thus even under juridical discretion thrives as the state of exception. Torture becomes a daily routine in prisons often under the guise of hard labour and other psychological coercions including abuse and humiliation. It consciously abandons to recognise the identity of the nationalist as the political subject at times to valorise the corporeal torture. This even promotes death which signifies the necropower of the colonial prison. Therefore, in conjunction with the internal tempo-spatial dynamics of the colonial prison in Bengal, as elucidated in the previous chapter, the utilisation of torture demonstrates that it serves as the terrible, enclosed laboratory that perpetuates embodied violence through its state-sanctioned platform.

Chapter 4

Who is Afraid of Jail? Resistance and the Incarcerated Subject in Colonial Prisons in Bengal

I
Introduction

> Break those iron gates in prison,
> demolish the blood-stained stone alters
> of shackle worship!
> O youthful Shiva,
> blow your horn of cataclysm!
> Let the flag of destruction rise
> amidst the rubble
> of prison walls of the East!!
> Play the music of the festival of Shiva!
> Who's the Master? Who's the King?
> Who's it that punishes the truth of freedom?[1]

The poem, "Songs of Destruction: Those Iron Gates of Freedom," originally written in Bengali as "Bhangar gaan" by the Rebel poet, Kazi Nazrul Islam sparked a violent response among the militant revolutionaries in the 1920s Bengal. Nazrul's poems are typically characterised by the rebellious urge for liberation, intermixing of Muslim and Hindu myths, and spiritual entities expressed in conversational language often combined with Sanskritic Bengali. This poem, notably, not only called for the harmonious coexistence between Hindu-Muslims in the freedom movement but also implanted an apparent challenge to the colonial government. It eventually led him to imprisonment in 1922-23, while his literary works were charged as seditious. Remarkably, his "Songs of Destruction" without being delimited to its metaphorical meaning, could be considered a direct call to charge down the colonial prison which happened to be the chief apparatus of repression then. It asked for a fierce approach from the militants to blaze down the iron fetters of the prison walls to seize independence from the British. This indicates that the militant activism in Bengal in the 1920s and the 30s considered the colonial prison as a part of their defiance and a site of showing resistance. The terrible fearful image of the prison was gradually overpowered with rage and violent protest, which translated within the prison house, albeit manifested in different forms. So far in the previous chapters, we have discussed that the colonial state utilised the prison system as a machinery of coercion and suppression under the liberal mask of the rule of law and also valorised extra-legal activities. The colonial prison, furthermore, had its internal techniques, temporal and spatial determination, and unique methods of torture, which were maintained by the distinct power dynamics of the prison officials. However, the colonial prison could not be implemented and made functional as steadily as it might appear. It was contested, resisted, violated as well as subverted. This chapter, taking references to the literary writings, thus will emphasise on these internal acts of resistance and the deliberate or unconscious performances of subversion within the prison.

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[1] Kazi Nazrul Islam, "Songs of Destruction: Those Iron Gates of Freedom," in *The Oxford Anthology of Bengali Literature Volume 1, 1861-1941*, ed. Kalpana Bardhan (New Delhi: Oxford, 2010), 49.

Prisons are the sites of power hierarchy, inequality, and domination. This structure includes prisoners, jail officials, and their co-relation, which is not linear and static but rather marked by a constant negation and conflict of power. It produces an eternal dichotomy of the inside and the outside, powerful and powerless, interaction and isolation and thereby, a constant interplay between control and liberation. Notably, spatial theorists including Dominique Moran, Michel De Certeau, Monika Fludernik, Jennifer Turner, Leonard D. Baer, and others emphasise slippages and the liminal conditions within the prison space despite acknowledging the prisoner’s perspectives like identity crisis, mental trauma, solitary agony, and routine brutality. On the other hand, issues like the eradication of autonomy, the suspension of subjective desire, and the limitation of an individual agency have also been prefigured prominently in the criminological and penological perspectives. However, it does not imply that counter narratives are absent in their accounts.

Thus, it is a matter of discussion whether it is possible to resist the penal power while remaining within the confines or this dynamic has further intricacies. Sociologist Antony Giddens, contradicting the resistance discourse on prison, does not consider the autonomy of individuals who are held “confined and controlled” in the system of “the dialectic of control” as they no longer remain “an agent.”[2] Yet, he clarifies that as power remains inherent in the action of every social actor, the dialectic of control acts as the defence of the weak that can turn themselves against the powerful. Therefore, Giddens, similarly to Foucault observes potential resistance in any power dynamic but not in the context of prison or prison-like conditions. However, sociologists like Gresham M. Skyes in his seminal book on a maximum-security prison, *The Society of Captives* (2007) show the contradictory side of this. He contends that the apparent unparalleled power position of the prison officials in their legitimate monopoly application of force on the prisoner’s body, constant surveillance, and even their absolute power of inflicting casual punishment or granting a reward is “not truly infinite.”[3] In the case of the maximum-security prison like New Jersy State Prison which is generally considered “the ultimate weapon for the control of the criminal and his (their) deviant actions,” the officials mostly fail to maintain the order.[4] The prisoners, instead, possess considerable power through their shared collective solidarity. In *Defence of the Weak* (2012), Mathieson extends the ideas of Skyes on the existence of an inmate’s interpersonal relationship that promotes solidarity as well as suggests a deviance from the institutional set of conduct. He further extends that the prisoners are not even required to be collective to have an effect on the system. Through small acts like holding the officials accountable for deviating from the established institutional regulation or charging for overlooking the broader moral principles, the incarcerated subject can exert a substantial degree of power over the custodians. This is what Mathieson termed as "censoriousness" that "seems to be a functional alternative to peer solidarity."[5] Thus he recognises the defence or resistance of the 'weak' in the context of prison on the one hand and suggests prisoners' overtly acceptance of the authority within the penal space on the other.

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[2] Antony Giddens, *Profiles and Critiques in Social Theory* (London: The Macmillan Press Ltd, 1982), 39.

[3] Gresham M. Skyes, *The Society of Captives: A Study of a Maximum Security Prison* (Princeton: Princeton University Press, 2007), 40-42

[4] Skyes, *The Society*, 42.

Therefore, the notion of resistance in the case of prison brings issues like power, control, and agency. But it would be useful to establish a workable definition of resistance in the first place. Although the scholarship on the concept of resistance is quite productive and contextual, it can be broadly defined as "not a quality of an actor or a state of being, but involves some active behavior, whether verbal, cognitive, or physical" which entail "a sense of *opposition*" including ""counter," "contradict," "social change," "reject," "challenge," "opposition," "subversive," and "damage and/or disrupt""[6] (emphasis in the original). It thus refers to societal relations characterised by an inequal power politics among different social actors. According to Foucault, power itself is embedded in social relations, and it is through the exercise of power, that everything including object, reality, and truth is produced. Therefore, if power determines the relation between superordinate and subordinate, the notion of resistance arises, which can challenge the power equation.[7] Therefore, the concept of power remains ambiguous regarding the case of resistance. Moreover, it is disruptive, contentious, and variable, while it can be also collective, static, and even formative, which is, especially visible in the case of the prison.[8]

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[5] Thomas Mathieson, *The Defences of the Weak: A Sociological Study of a Norwegian Correctional Institution* (London: Tavistock Publications, 1965), 13-24.
[6] Jocelyn A. Hollander and Rachel L. Einwohner, "Conceptualizing Resistance," *Sociological forum* 19 (2004): 533-554.
[7] Magnus Hörnqvist, *Risk, Power and the State: After Foucault* (New York: Routledge, 2010), 2-6.
[8] Tammi Arford, "Prisons as Sites of Power/Resistance," in *The Sage Handbook of Resistance*, ed. David Courpasson and Steven Vallas (London: Sage, 2016), 226.

This oppositional power relation, therefore, puts forward the notion of subject and agency. Notably, "agency arising from a rational, pre-discursive, internally coherent, acting subject" itself can emerge as resistance or as a response to oppression. The subject, therefore, can be considered as enfranchised entity as it is in contradiction with domination. Thus, the politics of resistance discloses the position of the powerful and the subjugated, and how that power reversal can bring changes. Nonetheless, it must be noted whether subjectivity can be determined by hegemonical structures or there is a possibility of self-consciousness to be existed independently.[9] This holds, particular significance in the penal context since the space is determined by control, surveillance, and uneven power hierarchy. Remarkably, even in the autocratic, dehumanising tempo-spatial conditions of the prison, one cannot deny the transformative capacity of the subjective 'tactics' of the inmates. As Yvonne Jewkes views that the public manifestation of self, what can be identified as social identity can be institutionalised but "the 'self' might best be conceptualized as the emotional 'core' that we carry from context to context."[10] In the carceral space thus these small nodes of disagreement, the individual act of dissent, and collective solidarity demonstrate the agency of the prisoner, which in turn re-enfranchises them.

Historically, the evolution of the prison system in India must not be considered as the temporal upgradation, but rather as the colonial intervention that evolved with the need and temperament of the colonial government. According to David Arnold, the Indian penal history can be broadly categorised into three periods. From 1790 to the 1850s, he mentioned, the application of prison was extensive and formed the foundation of the colonial government. In the second phase between 1850 to the 1890s, the institution became more systematic with the introduction of new disciplines and the construction of central jails.

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[9] Rebecca Raby, "What is resistance?" *Journal of Youth Studies* 8.2 (2005): 151-171.

[10] Yvonne Jewkes, "On Carceral Space and Agency," in *Carceral Spaces Mobility and Agency in Imprisonment and Migrant Detention*, ed. Dominique Moran, Nick Gill and Deirdre Conlon (Farnham: Ashgate Publishing Limited, 2013), 129.

Besides, with the decrease in transportation, more emphasis was given on the intramural labour of the inmates as well as on the improvement of the prison management. Finally, the third phase from 1890 to the closure of the Second World War in 1945, the colonial prison could be identified by the tension over the inability to curb down the activities of the criminal tribes as well as militant nationalist movement.[11] Notably, in every phase it was charged with resistance from colonised subjects. In the early nineteenth century, prisons became the sites of resistance and the place of negotiation with the Company and their inconsistent judiciary system. "Jails were often the target of local campaigns against colonial interference into cultural practices, for they were places of unprecedented intervention into the Indian body politic."[12] For instance, in 1840, when the British government as part of their penal reform policy replaced the monetary allowance to buy their own livelihood with the common messing system, it was violently protested. In most jails in Bihar including Gaya, Chapra, Tirhut, and Champaran, the new dietary system was resisted as the prisoners were afraid that it might violate their caste sanctity. It "provoked a 'serious disturbance' in 1842 among the seven hundred inmates" in Bihar, who "threatened to erupt into 'popular outbreak.'"[13] Additionally, the emergence of political prisoner during the nationalist insurgency brought a new wave in resistance to the colonial prison. Their strategies often included hunger strikes in jail that compelled the administration to change the dietary provision, improve clothing facility, make newspapers and journals available, allow outside visitors as well as permit to observe political and religious occasions.[14]

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[11] David Arnold, "India: The Contested Prison," in *Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America*, ed. Frank Dikötter and Ian Brown (Ithaca and New York: Cornell University Press, 2007), 147-48.

[12] Clare Anderson, *The Indian Uprising of 1857-8: Prisons, Prisoners, and Rebellion* (London: Anthem Press, 2007), 14

[13] Anand A. Yang, "Discipling 'Natives': Prisons and Prisoners in Early Nineteenth Century India," *South Asia: Journal of South Asian Studies* 10.2 (1987): 33.

[14] David Arnold, "India: the Prisoners' Revolt," IIAS Newsletter, 2005: 6.

Thus, the colonial prison in Bengal shows the continual sign of resistance in overt forms like jailbreaks, riots, hunger strikes, and internal protests among others to consciously negate as well as subvert the political authority. However, one must also consider trivial acts of defiance, which might not be explosive by nature but enough to express the inmates' resistive subjectivity in that despotic regime. Historically, neither in every jail nor under every jail's superintendent even during radical militant activism, colonial prisons in Bengal were the sites of extreme coercion. Often it took indirect, psychological, subtle forms of repression, especially after the 1919-20 jail report and the implementation of its several recommendations. The report also emphasised the reformatory measures including 'remission' and granting 'reward' that had a notable impact on the behaviour of the prisoners. In the Chapter XI of the report, it was recommended to allow remission for a longer period to all prisoners like in European jails, mainly decided by clerks under the direction of jailor and superintendent "to promote good conduct and to encourage habits of industry."[15] Previously, in the Chapter XXXII of the 1888-89 Jail Committee, it was advocated that five percent of the production of each jail in all provinces would be granted to the Inspector-General of jails to "provide gratitudes for well-conducted and deserving prisoners."[16] The colonial government, therefore, was observed to promote the idea of rehabilitation among the colonial population. The chief objective was to engage the prisoners in a similar set of conducts that the authority or the government desired them to perform. The governmental transition expected the colonial subjects to take accountability for their actions as well as accept the terms of confinement. The intention was to show indirectly that the government was functioning fair to the colonised population.

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[15] "Report of the Indian Jails Committee 1919-20," (Simla: Government Central Press, 1920), 142.
[16] "Report 1919-20," 145.

Thus, a question still remains besides the open acts of resistance and subversive performances, can colonial jails in Bengal offer any further scope of exercising agency, especially when behaviour and attitude of the colonised subjects are somewhat determined by the governmental power? Hence, rather than simply valorising resistance of the colonial-convict subjects within the prison, this chapter intends to look into some new issues of limitations and dilemma embedded in the idea of resistance itself.

II

Incarcerated subject, Resistance, and Counter-Conducts

Despite the emphasis that power is always coexisted with resistance, Michel Foucault is hardly considered as the theorist of resistance. Curiously, subjects that seemingly stand against the authority including insane, criminal, convict, homosexual, and suchlike occupy his discourse predominantly. Yet, Foucault remains largely the thinker of power and knowledge. This is perhaps because Foucauldian subjects and the spaces they act upon have been studied about technologies by which their disobedience can be neutralised. Resistance thus becomes a problem to the power dynamics in the successive development of the sovereign, disciplinary, and bio-power to the governmentality discourse. This Foucauldian approach, therefore, stands in opposition to the Marxist and the Feminist perspectives as they are invested in identifying the dominant societal forms in terms of class or gender relation and subsequent resistance against that oppression. However, when Foucault in his later lectures focused on the pastoral power and the governmental power that is the conduct of the conduct of the population, he started emphasising the counter-conducts of the subjects. Even in his final Collège de France lectures, he explored further ideas on the self-formation and its ethical dimension.[17] So, Foucault, unlike traditional approaches tried to explore resistance. This is what we intend to explore broadly in this section to realise the context of incarcerated subjects and their indirect forms of resistance in jail.

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[17] Stephen Legg, "Subjects of Truth: Resisting Governmentality in Foucault's 1980s," *Environment and Planning D: Society and Space* 37.1 (2019): 1-19.

Governmentality, William Walters cautions, should not be conceptualised as the fixed set of theoretical ideas that are simply applicable to a few empirical conditions. He, instead, insists on the notion of governmentality as epistemologically elastic, disapproving of the notion of theoretical purity. He connected it to three kinds of genealogies: "genealogy as descent," "genealogy as re-serialization and counter-memory," and "genealogy as the retrieval of forgotten struggles and subjugated knowledges."[18] This posits the subject position and its agency in a fluid trajectory and so is the power relation. Besides, it also keeps the contradiction between power and resistance evolving. However, it cannot be ignored that there is always a difference between an ethical self and a political self. In other words, the "practices of the self from practices of government" may be shifting but serve as tools that not only keep pursuing "political, social and economic goals but also means of resistance to other forms of government."[19] So, any form of the governmental power is inherently fraught with counter-conducts or resistance.

In the 1977-78 *Security, Territory, Population* lecture, Foucault mentioned the 'revolt of conduct' which is different from political revolts or economic revolts exercised by the sovereign authority. He further added that when in the eighteenth century the pastoral power was replaced by the governmental power that expected its subject to take accountability for their conduct, a new revolt of conduct emerged what he called "counter-conduct."[20] Foucault first used the word 'revolt' purposefully and then rejected it because it was "both too precise and too strong to designate much more diffuse and subdued forms of resistance."[21] According to him, perhaps there is only one word, 'dissidence' that comes closer to fully realise "these forms of resistance that concern, set their sights on, and have as their objective and adversary a power that assumes the task of conducting men in their life and daily existence."[22] However, he prefers the word 'counter-conduct' over the previous terms "in the sense of struggle against the processes implemented for conducting others."[23] He further pinpointed this idea in his *Politics of Truth* clarifying that

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[18] William Walters, *Governmentality: Critical Encounters* (London and New York: Routledge, 2012), 110-12.

[19] Mitchell M Dean, *Governmentality: Power and Rule in Modern Society* (London: Sage, 2010), 35-36.

[20] Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-78,* trans. Graham Burchell (London: Palgrave Macmillan, 2009), 196-98.

> The will not to be governed is always the will not to be governed thusly, like that, by these people, at this price… I was not referring to something that would be a fundamental anarchism, that would be like an originary freedom, absolutely and wholeheartedly resistant to any governmentalization… would we not then find that it is supported by something akin to the historical practice of revolt, the non-acceptance of a real government, on one hand, or, on the other, the individual experience of the refusal of governmentality?[24]

Thus, the forms of counter-conduct refer to those unidentifiable, subjugated acts that are not usually considered in the context of resistance but are significant in the case of ethics and "the collective performance, critique and reflection upon subjectivities."[25] This becomes crucial in the case of the colonial prison as this apparatus is itself repugnant to resistance and autonomy.

In two of his final lectures called *The Government of Self and Others* delivered in 1982-83 and *The Courage of Truth* delivered in 1983-84, Foucault talked about the formation of ethical self concerning truth. Notably, here, the self is neither thought of as to its exterior others (politics) nor in terms of binary of master/slave, or coloniser/colonised, but as a provisional, contingent subject. Thus, Foucauldian ethics is more concerned with the 'care of the self.' As he stated in "The Ethics of the Concern of the Self as a Practice of

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[21] Foucault, *Security*, 200.
[22] Foucault, *Security*, 200.
[23] Foucault, *Security*, 201.
[24] Michel Foucault, *Politics of Truth*, ed. Sylvere Lotringer, trans. Lysa Hochroth & Catherine Porter (Cambridge: the MIT press, 2007), 75.
[25] Carl Death, "Counter-conducts as a Mode of Resistance: Ways of "Not Being Like That" in South Africa," *Global Society* 30.2 (2016): 201-217.

Freedom," it is not that he does not believe in liberation but as every form of relation is somewhat determined by power, he is rather concerned with the "practices of freedom over processes of liberation."[26] Therefore, it becomes necessary to explore the issue of the care of self regarding ethical possibility. In *The Government of Self and Others* (2010), consequently, he correlates this issue to the concept of *parrēsia* which typically in Greek is referred to as "say everything," but as he mentions that it must be taken more as "free-spokenness (frannc-parler), free speech, etcetera," at times as "a virtue," "a duty," and "a technique."[27] Parrhesia is thus neither empirical nor semantic or discursive. In fact, it is not concerned with the nature of truth itself. More importantly, when truth is told, the teller rather puts himself at "risk (from shame and ostracisation, to exile and death) to intervene in a particular period and place."[28] This puts the self in an ethical project that not only constructs a radical subjectivity but also resistance to political others.

Thus, resistance in Foucauldian terms is an intricate, multi-layered idea, especially in a governmental power domain. However, it must be recalled that governmentality rather existed in the form of the colonial governmentality in Bengal, which was always loaded with exceptionality. Therefore, during the uprising of the nationalist movement in twentieth-century Bengal, direct challenges to seize the prison or the instances of resistance through hunger strikes in jails are also abundant. We can witness these direct cases of resistance in the life narratives of the revolutionaries of this period. This chapter thus along the confrontational modes of resistance focuses on the neglected acts of counter-conducts such as the formation of groups within jail, the act of sharing personal stories, celebration of festivals, initiation of magazines, and suchlike. Finally, it locates the ethical resistance of the revolutionaries or 'parrhesia' which subverts the colonial governmentality.

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[26] Michel Foucault, "The Ethics of the Concern of the Self as a Practice of Freedom," in *Ethics: Subjectivity and Truth*, ed. Paul Rainbow, trans. Robert Hurley and Others (New York: The New Press, 1997), 282-83.

[27] Michel Foucault, *The Government of Self and Others Lectures at the Collège de France, 1982-83*, trans. Graham Burchell (London: Palgrave Macmillan, 2010), 43.

[28] Legg, "Subject," 3.

III

Jailbreak and Escape: Confrontational Resistance

According to Hobbesian philosophy, the authority of the sovereign lies in its exercise of granting punishment. The punitive measure needs to be taken against the law-breaker as an act of self-preservation of the sovereign. Every subject within the law thus has to give authorisation to the sovereign power to rule them, to govern them, but with one condition that the individual also possesses the equal right to resist.[29] Provided that the outburst of resistance may vary from subject to subject, at times dependent on the specific time and place. Subsequently, James Scott in his seminal essay on 'everyday resistance' has distinguished the idea of resistance in two categories: direct, conscious, and confrontational, and quiet, banal, and tactical. Although each sect intends for the same "redistribution of control over property," their approach may be different; the first one seeks to "*de facto* gains," while the second type "aims at formal, *de jure*—recognition of those gains."[30] Confrontational way of resistance, therefore, includes direct revolt, riot, vandalisation, seizing, political movement, revolutionary activity, and suchlike.

Douglas Haynes and Gyan Prakash in their work on resistance and everyday social interactions observe that in the case of South Asia, especially in India despite having a long history of colonial atrocity does not have great records of "large scale, violent revolutions or rebellions" perhaps due to the fact that Mahatma Gandhi led independence movement characterised by "non-violent resistance."[31] However, the Mutiny in 1857 shows a different perspective of the Indian history. Through the instances of violent jailbreak, riot, and direct revolt within the colonial prison what we are calling confrontational resistance here, the colonial subject puts forth an outward challenge to the British sovereign power.

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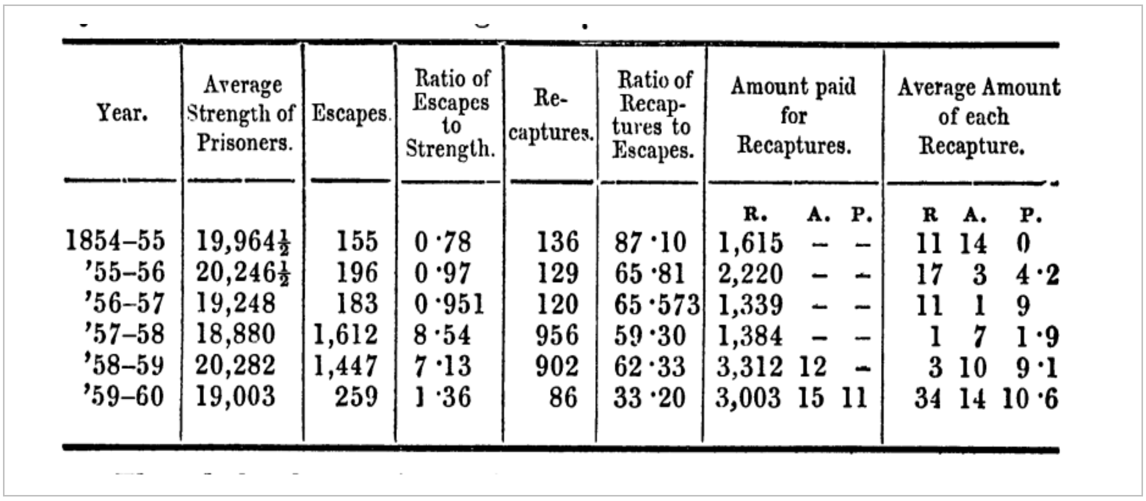
[29] Alice Ristroph, "Respect and Resistance in Punishment Theory," *California Law Review* 97.2 (2009): 601-632.

[30] James C Scott, "Everyday Forms of Resistance," in *Everyday Forms of Peasant Resistance*, ed. Forrest D. Colburn (New York: Routledge, 2016), 34.

[31] Douglas Haynes and Gyan Prakash, "Introduction: The Entanglement of Power and Resistance," in *Contesting Power Resistance and Everyday Social Relations in South Asia*, ed. Douglas Haynes and Gyan Prakash (California: University of California Press, 1992), 4-5.

Historically, a massive number of jailbreaking across the country during the Mutiny created panic in the British government. For example, in November 1857, the Superintendent of Alipore Jail expressed a concern over the insufficient number of prison guards. Anticipating a potential outbreak, he asked the higher authority for the requirement of a minimum hundred British soldiers.[32] This was triggered by the militant Mutiny which expanded into later civil unrest. Mouat's 1862 report suggested that the increased number of jailbreaking incidents happened due to the Mutineers of the Bengal army as well as "the inefficiency and corruption of the prison guards, and in part to the utter insecurity of many of the prisons themselves."[33] The following table was provided by Mouat on the large number of prison escapes and recaptures that happened in the lower provinces of Bengal between 1854-1860.[34]



Year.	Average Strength of Prisoners.	Escapes.	Ratio of Escapes to Strength.	Re-captures.	Ratio of Recap-tures to Escapes.	Amount paid for Recaptures.			Average Amount of each Recapture.		
						R.	A.	P.	R	A.	P.
1854–55	19,964½	155	0·78	136	87·10	1,615	–	–	11	14	0
'55–56	20,246½	196	0·97	129	65·81	2,220	–	–	17	3	4·2
'56–57	19,248	183	0·951	120	65·573	1,339	–	–	11	1	9
'57–58	18,880	1,612	8·54	956	59·30	1,384	–	–	1	7	1·9
'58–59	20,282	1,447	7·13	902	62·33	3,312	12	–	3	10	9·1
'59–60	19,003	259	1·36	86	33·20	3,003	15	11	34	14	10·6

Table 4
The number of prison escapes and recaptures, 1854-60 as per Mouat's report of 1862

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[32] Anderson, *The Indian,* 67.
[33] Fredrick J. Mouat, "On Prison Statistics and Discipline in lower Bengal," *Journal of the Statistical Society of London* 25.2 (1862): 175-218.
[34] Mouat, "On Prison," 215.

The mutineers and the rebellions mainly targeted prisons not only for seizing labour or provision of the Britishers but also considered it as "one of the principal instruments of colonial rule and the multiple cultural and religious transgressions that implied," which needed to be demolished.[35] Some of the early literary works also witness to such accounts of jailbreak and prison escape. Although it is not clearly indicated in those texts whether such incidents were caused by the Mutiny effect, there is enough unrest and hostility manifested in the narratives against the colonial government. Remarkably, it was only in these initial years of the colonial prison's history, that such direct acts of defiance could be witnessed because, in the post-Mutiny period, the entire penal system had been transformed into more rigorous and controlled technology. Nonetheless, the tendency to resist the penal power with direct confrontation had always been implicit in the colonial character. Literary writings must be recalled, not always represent, or provide testimony of this tension. It also insinuates, and often instigates the colonial population to revolt against the prevailing government. Thus, the existence of the confrontational resistance within the prison as produced in the literary works can be viewed in both ways.

In the post-1857 era, the Bengali theatre took a revolutionary turn not only through its experimentation with Sanskrit drama but also through inventing a tradition that was acutely conscious of the social and political conditions. A nationalistic fervour was added to the Bengali stage until it was banned in the 1876 'Dramatic Performances Act.' For instance, a typical nineteenth-century Bengali drama where the episode of Mahanta-Elokeshi was quite commonly included as a ploy to reveal how the colonial rule disrupted the ideal social fabric of Bengal. It occasionally used farcical elements to depict weakening social morality and economic problems as consequences of colonial modernity.[36] Upendranath Das was one of the major dramatists in this tradition, who started endorsing powerful anti-colonial sentiments in his dramas such as *Sarat Sarojini* (Sarat Sarojini), *Surendra-Binodini Natok* (Drama Surendra-Bindodini), *Gajadananda O Yuvaraj*, (Gajananda and the Prince), and *The Police of Pig and Sheep*. His *Surendra-Binodini Natok* (Drama Surendra-Bindodini) which apparently had a social context was in fact a downright political drama. It presented themes like the discriminatory colonial legal system, racial prejudices, and also the biased attitude of the British magistrate through the story of Surendra and Birajmohini. The drama also gives a thorough account of a jail riot which produced a significant political impact then. Act V of *Surendra-Binodini Natok* (Drama Surendra-Bindodini) opens in Hooghly jail where the rebellious prisoners attempt to break the prison gate forcefully. It is manifested in one of the prisoners in the drama when he urges everyone that

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[35] Anderson, *The Indian*, 2.

[36] Mimasha Pandit, *Performing Nationhood: The Emotional Roots of Swadeshi Nationhood in Bengal, 1905–12* (Oxford: Oxford University Press, 2019), XVI-XVII.

> This tyranny of the English cannot be endured anymore. We will break the shackles or we die. It is not possible to drag these shackles any longer. Whoever wherever you are, brother – whoever has been tortured by these Englishmen – come, come fast. It is not a job for a man or two to break this prison's walls, to break the foreign iron shackles. Come, come along, everyone – whoever is here, run fast. Be it a Hindu or Muslim, be it Bengali or others – old or young – if you have one drop of blood of this land – come, come fast. If we do not strive together, it will never be achieved.[37] (translated from the original)

Subsequently, to control this jail riot and prevent escapes, two prison guards equipped with arms initiated an attack on the prisoners. However, their efforts proved fatal as they succumbed to death immediately. The jail officer Mackrendal fired bullets at the prisoners resulting in the immediate death of some of them while others managed to escape. Soon Mackrendal was also attacked by the frenetic convicts and forcefully strangled by a prisoner named Paran. The scene ends with the convicts engaging in frantic laughing while expressing their anguish about the abolition of the British prison system.

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[37] Upendranath Das, *Surendra-Binodini Natok* (Drama Surendra-Bindodini) (Kolkata: G. P. Roy And Company, 1880), 46-47.

There is another narrative of jailbreaking found in the early literary works like *Sachitra Gulzarnagar* (Illustrated Gulzarnagar). As earlier mentioned, the colonial prison was not a properly secured place with genuine buildings and trained personnel, hence jail escaping was not a difficult task to execute. It could be seen in the novel that two guards who were on duty overseeing the inner cell were engaged in gossiping late at night. Then the other guards posted at the outer gate started shouting about a potential jail escape. Soon all the officials including guards, physicians, and even the jailor started to search everywhere in the lantern light and discovered that six prisoners successfully breached the window of the cell as well as the perimeter wall. The officer being agitated started to physically assault the guards. Kedarnath Dutta made a noteworthy revelation in the text that a real-life occurrence of jailbreaking had happened in colonial Bengal, which subsequently led to a court proceeding.[38] This anecdote was a fictional representation of this incident. It demonstrates that the early implementation of the carceral imprisonment in Bengal was not accepted fully by the colonial subjects and was resisted by violent means. The incarcerated subjects with their direct confrontations like organised riots and jailbreaking thus challenged the sovereign power of the colonial authority. The terror the British government desired to instil, on several occasions, became a mockery of the system itself.

Moreover, literature in this period also functioned as the catalyst of anti-colonial sentiments. For instance, *Surendra-Binodini Natok* (Drama Surendra-Bindodini) could be seen to stimulate the colonial population to shatter the entire prison system in colonial Bengal. In fact, due to such a presentation, any stage performance of this drama was immediately prohibited by the government. This conflict finally reached its culmination with the emergence of *Swadeshi* movement alongside the application of internal repressive measures of the colonial government in response. It was proved difficult to escape or execute jailbreak later in the twentieth century. In fact, it was also not the intention of the political prisoners. Instead, they engaged in other forms of subversive resistance like hunger strikes within jails. Further emphasis will be placed on these forms in the next sections.

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[38] Kedarnath Dutta, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965), 113-114.

IV
Hunger Strikes in Colonial Jails

> Central Jail
> Lahore
> 24.6.29
> WE, BHAGAT SINGH AND B.K. DUTT, WERE SENTENCED to life imprisonment in the Assembly Bomb Case, Delhi the 19th April 1929. As long as we were under trial prisoners in Delhi Jail, we were accorded a very good treatment from that jail to the Mianwali and Lahore Central Jails respectively, we wrote an application to the higher authorities asking for better diet and a few other facilities, and refused to take the jail diet.[39] (reproduced in the original)

Bhagat Singh wrote this letter in 1929 to the jail superintendent before embarking on hunger strike along with Batukeshwar Dutt in Lahore Central Jail. He asked for better provision of food, no forced labour or any work below his dignity, daily supply of newspapers, proper clothing, and standard maintenance of hygiene in the toilet. Until they would be identified as the ‘political prisoners,’ as equal to the special category European prisoners, he refused to take food and even water for an indefinite period. Later in this strike, fourteen other political prisoners joined; among them, Jatindra (Jatin) Nath Das finally succumbed to death after 64 days of self-starvation.[40]

Kevin Grant in his work, *Last Weapons: Hunger Strikes and Fast in the British Empire, 1890-1948* (2019) maintains that there is a general tendency among historians to emphasise on Gandhi’s celebrated fast than acknowledging the widespread accounts of hunger striking and its effectiveness in the Indian nationalist history. However, even Gandhi who had always encouraged to practice *ahimsa* (non-violence) discarding radical armed movements upon a moral standpoint was also willing to take advantage of the revolutionaries' sacrifices. Historically, it was after the death of Jatindra Nath Das in October 1929 due to this hunger strike that, Indian nationalist movement led by the INC took a distinct turn and called for *Purna Swaraj* in 1930.[41] With the public agitation emerged during the *Swadeshi* movement against the Bengal partition, the British government started to arrest, suppress, and imprison the militants. In the early twentieth century, many of these prisoners initiated hunger strikes in jails in response. It was difficult back then to know about these incidents except through rumour or official inquiry because it was generally subdued by the jail authority. Corporeal punishment was also applied to suppress what they called a routine mutiny. However, soon this became a strong weapon for the revolutionaries to demonstrate their protest. Remarkably, in the 1920s and the 1930s, Indian prisoners who were imprisoned by the colonial state in charge of rebellion against the government resorted to using the tactic of hunger striking within the prison to secure their release, quicken their process of parole etcetera.[42] Therefore, hunger strikes in colonial jails are not only significant to understand the bodily resistance of the colonial subjects against the penal power but also to realise the dynamics of the Indian nationalist history that are often recognised only in terms of non-violence protest. In the case of colonial jails in Bengal, hunger strikes were mainly conducted by the revolutionaries as a political weapon against the colonial force, which often caused the administration to withdraw coercive rules or make suitable provisions for the prisoners.

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[39] Bhagat Singh, *The Selected Works of Bhagat Singh* (Ontario: Big Red Oak, 2009), 37.

[40] Neeti Nair, “Bhagat Singh as ‘Satyagrahi’: The Limits to Non-violence in Late Colonial India,” *Modern Asian Studies* 43.3 (2009): 649-681.

The phenomenon of hunger strikes appears paradoxical. Even though a hunger strike is fundamentally a prolonged denial of consumption of food which seems to be a non-violent protest, it is a violent act in itself. For, instead of attacking the opponent directly, the blow is conceived by the subject onto his/her-self, which produces an indirect impact on the opponent. It undermines the whole dynamic of protest. Historically, such actions have been taken by the rebellions in their most desperate conditions that often lead to death.[43] However, hunger strike which takes a pathological body and its viscerality at stake is mainly directed towards a political and empirical outcome. Unsurprisingly, the notion of hunger strike has been debated from the biological, ethical, psychological, political, and other perspectives.

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[41] Kevin Grant, *Last Weapons: Hunger Strikes And Fasts in The British Empire, 1890–1948* (California: University of California Press, 2019), 102.

[42] Nayan Shah, *Refusal to Eat: A Century of Prison Hunger Strikes* (California: University of California Press, 2022), 110-112.

In the context of colonial India, there are several instances of hunger strikes and fasting like Gandhi's public fasting. So, it is important to establish a clear distinction between fast and hunger strikes as both entail the deliberate abstention of food consumption. Fast, sometimes bears a religious connotation that might not be extended to death, while hunger strike, chiefly politically charged, can stretch to fatality.[44] Thus, regarding hunger strike in a colonial setting, the question of self-sacrifice for the nation is always already infused with. Thus, it connects the private corporeal body and the public colonial society. It is dialogic in that sense, in which the performative body makes communication about injustice and despotism with the larger colonial society.[45] So, self-sacrifice even through the voluntary annihilation for the body aims to the reconstruction of order; thereby, it is contradictorily "a refusal to death."[46] Thus, hunger strike in the context of colonial Bengal is the act of expressing autonomy of the incarcerated subject against the rigid colonial prison discipline, while subverting the colonial state's sovereign power of sanctioning death. The entire process, on the other hand, must be realised, is an embodied performance. Allen Feldman rightly pinpoints that

> [T]he historicized and historicizing body is a pluralized site of torsion and contestation. But it is not a passive site. Exteriority folds the body, but agency, as a self-reflexive framing of force, subjectivates exteriority and refolds the body. It is

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[43] Amanda Machin, "Hunger Power: The Embodied Protest of the Political Hunger Strike," *Interface: A Journal on Social Movements* 8.1 (2016): 157-180.

[44] Anand Teltumbde, "Fast, Hunger and Hunger Strikes," *Economic and Political Weekly* 46.26-27 (2011): 10-11.

[45] Karin M. Fierke, *Political Self-Sacrifice: Agency, Body and Emotion in International Relations* (Cambridge: Cambridge University Press, 2012), 37.

[46] Terry Eagleton, *Radical Sacrifice* (London: Yale University Press, 2018), 4.

> not only a matter of what history does to the body but what subjects do with what history has done to the body.[47]

Notably, consuming food is not just a means of maintaining a prisoner's physical fitness and health while incarcerated; it may also be claimed that food keeps a body functional enabling it to carry out all of the punishing orders that have been issued by the authority. So, the body which has been the medium on which pain and oppression can be inflicted becomes the weapon to the prisoners to convey their resistance. It must be recalled that whenever any act of violent repression occurs in prison, "the prisoner also bifurcates and objectifies the body as an instrument of (resistive) violence."[48] The body is one of the limited resources the prisoners can access in jail. The physical body is given to an individual, but it is also an entity that can be reconfigured according to the objectives. Hunger strike thus the embodied form of resistance becomes the final resolution for the prisoners in the colonial prison.[49]

One of the early records of the hunger strike found in colonial Bengal was initiated by Bhupendra Kumar Dutt in 1917 in Alipore Jail. Bhupendra Kumar who became the leading figure in the Bengal revolutionary movement after the death of Bagha Jatin, was arrested in 1917. Against the whimsical detention of the mass number of militants without trial in addition to the corporeal and mental torture within the prison, he along with other political prisoners across Bengal started hunger strike in jail. He was soon transferred to Bilaspur Jail, yet he continued the strike for 78 days, making it the longest period of hunger strike in history.[50]

It was mentioned in the memoir, *Biplaber Padachinha* (The Footprint of Revolution) how while in imprisonment in Alipore Jail, Bhupendra Kumar and the other political prisoners planned to go on hunger strike just before the arrival of Edwin Montagu[51] in Bengal. Through the conveyance of information to the militants imprisoned in various jails using their relatives, they initiated hunger strikes collectively in a single day so that even the huge number of solitary confinements would not be adequate to control them.[52] It was determined that "this will be our (their) demand, there cannot be detention without trial – even if put into detention, there should be respect from all square to all kinds of prisoners who were detained" (translated from the original).[53] On November 29, 1917, total 42 letters were despatched via Biren Chatterjee to local and national leaders as well as other political prisoners informing about their resolution. Receiving the final confirmation, Bhupendra Kumar informed, they started a hunger strike the very next day. Soon it was recognised by the prison officials including the Additional Secretary, Stephenson, Inspector General of Prisons, Buchanan, and Superintendent Mulvany. They made a formal request to accept food but the hunger strike quickly spread all over the jail. When approached by the authorities over the strike, one of the revolutionaries vehemently retorted that the "Government committed nothing but murder, murder, murder on me."[54] The officials decided to relocate the militants to other jails to suppress their strike, yet Bhupendra Kumar persisted in his strike.

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[47] Allen Feldman, *Formations of Violence: The Narrative of The Body And Political Terror in Northern Ireland* (Chicago: University Of Chicago Press, 2008), 177.

[48] Feldman, *Formations*, 178.

[49] Chris Yuill, "The Body as Weapon: Bobby Sands and the Republican Hunger Strikes," *Sociological Research Online* 12.2 (2007): 111-121.

[50] Arun Chandra Guha, *First Spark of Revolution* (Kolkata: Orient Longman, 1971), 486.

It must be acknowledged that the hunger strike of the revolutionaries posited considerable resistance against the formidable penal power of the colonial state as the British authority tried to disperse them by any means like forced transportation to other jails. However, a hunger strike itself is an act where the resistive body gradually becomes weakened in resisting, and contrarily the more days pass in strike, the more power it gathers. It means that the politics of hunger strikes holds a reversible relation with the concept of agency. It is generally thought of agency as the active performance of the subject who possesses a certain strength to exercise his/her desire. But in a hunger strike, the deliberate loss of activeness produces powerful agency. Thus, militants were not only determined to give their last bodily strength but also commonly agreed that if the British government did not fulfil their demands, one of them including Bhupendra Kumar would sacrifice his life in this hunger strike. Therefore, their "mode of doing politics involves bodies being made strong by being made weak; making oneself heard by remaining silent; and, paradoxically, acting by becoming passive."[55]

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[51] Edwin Montagu was the Secretary of the State of India from 1917 to 1922. He with Lord Chelmsford, the Vicory of India (1916-1921) was instrumental in the drafting of the Government of India Act in 1919. This constitutional change offered limited self-government to the Indian subject which caused public outrage.

[52] Bhupendra Kumar Dutta, *Biplaber Padachinha* (Footprints of Revolution) (Kolkata: Saraswati Library, 1953), 75.

[53] Dutta, *Biplaber,* 83.

[54] Dutta, *Biplaber,* 86-88.

Before Bhupendra Kumar Dutt, perhaps it was another Bengali revolutionary, Jogesh Chandra Chatterjee who as a prisoner refused to eat, which turned into a minuscule hunger strike in Presidency Jail in 1916. Jogesh Chandra in his memoir stated that he kicked the plate of food, and was resolute not to touch anything for six days until the conditions of the jail were improved, or had he been transferred to another jail. Soon, ten more political prisoners joined in this cause. Jogesh Chandra even gave in writing to the District Magistrate that he would continue his strike unto death if such provisions were not arranged. On the sixth day, he was relocated to Rajshahi Jail, while two of his revolutionary friends, Atin Roy and Jiban Thakurta were sent to Dacca and Midnapore Jail subsequently. "The victory in the fight also gave us much pleasure," he further added.[56] Thus, hunger strikes despite involving the fear of death was utilised by the revolutionaries to produce terror in the colonial jail administration. The rationale behind introducing imprisonment in the colony i.e., to control, civilise, and discipline the retrograded Indian body is subverted by the act of hunger strike, wherein that targeted colonial body is transformed into a political weapon.

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[55] S. Abrahamsson and Endre Dányi, "Becoming Stronger by Becoming Weaker: The Hunger Strike as a Mode of Doing Politics," *Journal of International Relations and Development* 22 (2019): 882-898.

[56] Jogesh Chandra Chatterjee, *In Search of Freedom* (Calcutta: Firma K. L. Mukhopadhyay, 1958), 93-94.

In addition to these instances, Charu Chandra Chakraborty in his novel, *Louha Kapat* (The Iron Gate) shared a different experience of hunger strikes conducted by ordinary convicts including criminals, murderers, and the like. Being a jailor himself, he stated in his semi-autobiographical work that he witnessed numerous hunger strikes during the INC-led Indian nationalist movement as well as during the latter communist struggle against the Congress regime. In every case, the prisoners aimed at the government in which the jail became a medium. Since the prison is the only visible, tangible phenomenon available to the prisoner, it stands as the centre of all conflict. The first strike that hunger strike blows at, Charu Chandra states is the denial of the jail code which is considered in terms of penal language as the major offence, because the friction between the refusal to eat and the forceful eating eventually disregards the authority of the state.[57]

Charu Chandra witnessed that following the historic Independence of India declared on August 15, 1947, a few long-term convicts in a central jail started demanding for permanent release from the prison. The logic was rather simple for them – "the crimes we committed were in the British regime. We have already suffered from that. If punishment ordered in the colonial era still remains functional even after independence, what is the use of acquiring such independence?" (translated from the original)[58] The authority agreed to grant them remission for a short period instead of releasing them permanently. However, on the very next day, they initiated hunger strike within their barracks. After two or three days, the officials along with the jail physician arrived with liquid foods like milk, barley, egg, orange, glucose, and medicines, and tried to forcefully feed them through a nasal tube.

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[57] Charu Chandra Chakraborty, *Louha Kapat* (The Iron Gate) Dwitio Parba (Volume II) (Kolkata: Bengal Publishers Private Limited, 1954), 116.

[58] Chakraborty, *Louha*, 118.

Although this hunger strike did not last long and somewhat failed, but the political intention and intensity that the ordinary convicts learned from the previous activities of the political prisoners is difficult to undermine.

Thus, a hunger strike may be considered a non-violence form of resistance since it does not involve a direct confrontation per se or any bloody struggle. Besides, the application of the body as a symbolic weapon for the less/non-powerful prisoner in an autocratic setting cannot also be denied. Nonetheless, hunger strikes for colonial subjects in Bengal, especially for the revolutionaries were intrinsically political and innately violent. It was the last possible way within the prison for them to produce a counter-violence or resistance against the colonial state. This weaponisation of the body that is itself self-destructive is what Walter Benjamin may call divine violence. Besides, following Fanon, it can also be submitted that "the situation of prison repression and administrative detention as a form of dispossession creates the condition for 'revolutionary violence,'" which, in turn, makes hunger strike "an existential and historical form of violence that has a redemptive and humane character."[59] In the following section, we will further examine if this humane counter resistance in the penal context also has any other intricated indirect forms.

V

Resistance, Solidarity, and Subversion in the Colonial prison in Bengal

Historically, except few instances of vandalisation, jail escape, and killings of jail officials during the Mutiny in 1857, there were hardly any direct confrontations observed against the colonial jail in Bengal. The literary writings of this period also suggest this. More importantly, the implementation of the IPC in 1860 and the Criminal Procedure Act in 1861 made any type of protest including political activities, no matter how trivial it is, legally 'treason.' Nonetheless, small acts of disobedience can be observed within the jail.

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[59] Ashjan Ajour, *Reclaiming Humanity in Palestinian Hunger Strikes: Revolutionary Subjectivity and Decolonizing the Body* (London: Palgrave Macmillan, 2021), 67.

For example, in *Sachitra Gulzarnagar* (Illustrated Gulzarnagar), Kedarnath Dutta provided a description of the *Faujdar* jail at night where the white British convicts were imprisoned. They exhibited no concern towards the stringent supervision imposed by the authorities by singing, dancing, and gossiping loudly in the evening. Dutta informed that these acts were often done by the inmates purposefully. It exposes the sham of the IPC and the colonial state's narrative of equality. Colonial jails for the European convicts were fun places, in Dutta's words, "like cousin-house or in-law house, for the Bengali, on the contrary, was Haringbari (Harinbari) or *hoyranbari* (harassment-house)" (translated from the original).[60] Through the character of Hemanga Basak, the novel presents the helpless condition of the Bengali community within the prison. Due to his *bhadralok* consciousness, imprisonment, for the common Bengali *brahmin* like Hemanga was a matter of disgrace. Similar to a typical colonial Bengali subject of this period, he was not conscious of the racial discrimination and extreme hard labour inside the prison, that he had been unjustly subjected to. Therefore, the elite Bengali people did not show any resistance to the colonial prison in its initial years.

Historically, the other marginal classes of Bengal held different attitudes towards the colonial prison. It was generally considered that the low-class people including the so-called lower castes and the tribals did not reckon imprisonment as disrespectful due to their inborn propensity towards crime. For their 'wild,' 'uncivilised,' animalistic character, as the colonial government claimed, they had been enlisted in the notorious 'criminal tribe' communities. In late nineteenth-century Bengal, communities like *Doms* and *Bedyas* were thereupon included in this category by the Criminal Tribes Act in 1871. Jails were desperately utilised by the government to examine, subdue, and control them.[61] Therefore, a sense of resistance in the form of refusal was often unconsciously exhibited by these communities against the colonial penal power and the police force. However, there is hardly any proper representation of their resistance inside the prison observed in the literary narrative of this period.

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[60] Dutta, *Sachitra*, 112.

[61] Anindita Mukhopadhyay, "Crime and Criminality in Colonial Bengal," in *Proceedings of the Indian History Congress* 63 (2002): 968-986.

This took a distinct turn with the rise of the nationalist consciousness in Bengal. The discovery of the colonial jail as the chief apparatus of British domination and subsequent resistance to the penal power was mainly anchored by the nationalists in early twentieth-century Bengal. Literary writings not only responded to this anti-colonial struggle but also stimulated the colonial population in general. Extensive descriptions of the penal torture and resistance thus can be found in the newspapers, and magazines of this period, particularly in the life writings of the revolutionaries.

One of the chief techniques of resistance shown by the revolutionaries in the jail was through forming a camaraderie, an unwritten collective solidarity which assisted them to show disapproval or protest against the authority. Often, as an instrument of protest, they composed songs, poems, and rhymes against the jail administration. For example, when Trailokyanath Mukhopadhyay was imprisoned for the third time in Alipore Jail in 1914, he and the other political prisoners were not even allowed to speak to each other in addition to the provision of a substandard jail diet. In his memoir, *Jailey Trish Bachar o Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India), he mentioned that they made a complaint about the poor-quality food, yet the jail inspector did not pay any attention. Even there was no provision for pen and paper to write against this. So, they responded with oral poems against this mismanagement and strategically screamed at one another to compel the authorities to listen to their objection.

> A jailor grim, with a wicked spiel,
> Rations out rice, and pebbles for the meal…
> The superintendent is a scoundrel, you bet
> Doesn't allow more than one blanket –![62] (Translated from the original)

Hemchandra Kanungo in his life narrative, *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal) also showed similar kinds of resistance tactics. He revealed that their group of militants transformed the torturous condition of Alipore Jail into an *adda khana* (chat room) even when they were kept in a narrow-confined cell called 'six-degree.' He emphatically stated that with around 35 to 36 political dissents, they converted the hellish ward number 23 into an agreeable place. To keep everyone happy as well as alleviate tension, several enjoyable activities were devised including recitation, caricature, and impersonating others in addition to engaging in the spiritual debate and thoughtful discussions. Besides, evading the strict surveillance of the jail authority, pen, and pencil could be smuggled easily inside, which was required to write letters or make any communication inside or outside of the jail. As Hemchandra informed, they mostly used their internal codewords only known to their revolutionary members.[63]

Therefore, what is significant to locate in these accounts of solidarity in jail is their 'horizontalised' framework of resistance which is "deeply anti-institutional."[64] These collective efforts of the revolutionaries, can be argued, bridge the notion of subjective autonomy and the pedagogy of revolution. Thus, in this pursuit of continual negation of the colonial jail authority, not only do they exhibit their revolutionary consciousness but also posit resistance against the prison discipline. It is important to pinpoint in this connection that such resistance may not usually alter the coercive techniques of the jail administration or their attitude towards the colonial subject. However, these minor acts like composing a poem, smuggling a newspaper, or initiating a spiritual debate within the jail are always loaded with the potential of subversion. Notably, the idea of subversion cannot be considered in isolation since it is the historico-political condition from which radical ideas and practices emerge. In fact, subversion is a conscious or unconscious act of an individual subject or the collective mass against the on growing domination and subordination in a particular time and place.[65] Thus, subversion always involves a dominant, an authority, or a force and a resistant comparatively less powerful. Moreover, "subversion entails a set of practices that reduce the intensity of power inequalities by ignoring or evacuating, rather than taking or confronting, power relationship."[66] Therefore, these small acts within the colonial prison in Bengal arguably do not openly challenge the prison system but undermine its autocratic power. By ignoring the fear of jail brutality, such performances of the colonial subjects subvert the dominance of colonial governance and challenge the power hierarchy within the prison.

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[62] Trailokyanath Mukhopadhyay, *Jailey Trish Bachar o Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India) (Kolkata: Radical, 2015), 86.

[63] Hemchandra Kanungo, *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal) (Calcutta: Kamala Book Depo, 1928), 312-317.

[64] Nathalia E. Jaramillo and Michelle E. Carreon, "Pedagogies of Resistance and Solidarity: Towards Revolutionary and Decolonial Praxis," *Interface: A Journal for and about Social Movements* 6.1 (2014): 392-411.

It must be recalled that the prison machinery during the nationalist insurgencies in Bengal was mainly employed as the apparatus of psychological repression. Often this method of manipulation included a display of supportive attitude from the jail management. For instance, Bhupendra Kumar Dutta witnessed that the jail superintendent sometimes engaged in witty banter as well as kept updates about every inmate.[67] While this cannot be refuted that few administrators were inherently good by nature, it could impact on their resoluteness. Consequently, the political prisoners had developed their own method of regrouping themselves. Mostly at night, they started investing them in study circles. Almost everything including economics, politics, rationality, philosophy, state and democracy, religion, and so on was extensively debated. It not only relives the daily monotony of the prison but also tactfully negotiates the psychological repression. Moreover, strict surveillance particularly against militants was steadfastly maintained by the jail authority. As Bhupendra Kumar mentioned in his memoir, a newspaper from the outside was prohibited. Only one newspaper called *Saptahik Yudyabarta* (Weekly War Stories) circulated by the British government was allowed inside the jail. So, they devised new techniques to smuggle other newspapers. Their old member of *Anushilan Samiti*, a militant organisation in Bengal, Biren Chatterjee who worked in the printing press of Alipore Jail used to steal *Dainik Basumati* (Daily Basumati) for them.[68] These informal performances which may appear trivial, following Atreyee Sen, can be underscored that it "mocked and resisted the state, in turn, set limitations to the de facto sovereign practices generated by state officials within prison systems."[69]

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[65] Zhang Pinggong, Pinggong, "Subversive Resistance in a Literary Theory Perspective," *American Journal of Humanities and Social Science (AJHSS)* 5 (2020): 3.

[66] Joseph Pierce, and Olivia R. Williams, "Against Power? Distinguishing between Acquisitive Resistance and Subversion," *Geografiska Annaler: Series B, Human Geography* 98. 3 (2016): 171-188.

[67] Dutta, *Biplaber*, 70.

Notably, while no recommendation was extended to build places for religious worshiping in the prison premises in anticipation to that it might create a disturbance among the different religious sects, a celebration of religious festivals was granted as per the 1919-20 prison committee's report. It was suggested that "it should be laid down that the local authorities shall in each case make suitable arrangements in order to enable religious services to be held" in prison.[70] This is also evident in the memoir of Jogesh Chandra Chatterjee, *In Search of Freedom*, in which a detailed account is provided of the observance of the Durga Puja festival within Rajshahi Jail. Based on the account provided, the Jailor effectively persuaded the Superintendent to officially seek authorisation from the headquarters to meet the existing demand of the political prisoners. During that period, Sir

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[68] Dutta, *Biplaber*, 70-72.

[69] Atreyee Sen, "Torture and Laughter: Naxal Insurgency, Custodial Violence, and Inmate Resistance in a Women's Correctional Facility in 1970s Calcutta," *Modern Asian Studies* 52. 3 (2018): 917-941.

[70] "Report1919-20," 155.

Hugh Stephenson, who held the position of the Chief Secretary of Bengal, granted a financial incentive with a condition that necessitated the adoption of suitable measures to ensure security. A pandal was constructed within the outside perimeter, just before the main gate of the prison. In the afternoon, a collective assembly of inmates, including those who are serving sentences at the state level, also convened. Furthermore, an evening film screening was arranged. Until the stroke of midnight, all prisoners were authorised to assemble in an open-air setting and engage in the communal event, which was also graced by the presence of the Superintendent.[71]

These commonly perceived trivial performances and activities of the colonial subjects within the prison can be considered mainly from two perspectives. Firstly, it dismantles the preconception that the prisoners in the colonial context are minor, passive figures. The prisoners, especially the political prisoners despite the strict monitoring exerted some control over their lives, which posited a sense of autonomy. Thus, resistance to the discipline of the colonial penal regime not only weakens the power of the colonial authority but also extends the prisoner's agency. However, this agency as Ashley T. Rubin suggests, is distinct but similar to Levi-Strauss's *bricoleur* who only focuses on getting his work done with whatever materials he has at his disposal. Following Strauss, De Certeau calls such performances tactical. Thus, according to Rubin, in addition to the prison structure that itself facilitates friction, behaviour, and activities of the prisoner advance them into "an agentic role."[72] Secondly, this clearly shows a refusal to the colonial governmentality even if that is characterised by leniency and accessibility. The resolution of *Purna Swaraj* or complete Independence that was conceived by the Indian National Congress in the 1930 Karachi session was what the nationalists were striving for rather than being controlled by the colonial state.[73] This nationalist consciousness also motivated them to fashion themselves to be a free, self-reliant, and self-regulated subject. The colonial prison thus becomes a part of their resistance against the juridical authority of the British government. These counter conducts of the prisoners that manifest their agency, therefore, signify their unwillingness to be governed. "Through subtle practices of transgression and repetition, nationalism subverted colonial governmentality and pursued its own program of the welfare of the population."[74] Thus, colonial jails in Bengal could not remain an absolute coercive place. With solidarity and resistance, it compelled to be transformed including lowering its degree of punishment and also abolishing certain measures.

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[71] Chatterjee, *In Search,* 118.

[72] Ashley T Rubin, "Resistance as Agency? Incorporating the Structural Determinants of Prisoner Behaviour," *British Journal of Criminology* 57.3 (2017): 644-663.

Notably, in this discourse, we have not introduced the question of language and ethics so far. Through the use of verbal and nonverbal language, an indirect form of resistance can also be put forward. Besides, if the concept of resistance always involves a certain notion of truth condition and ethical standpoint as it is the counter-act/performance against the authority or an actor of dominion, it becomes a vital issue in the context of the colonial prison. In terms of colonial governmentality, the application of penal power was utilised to subdue the nationalists who were fighting to liberate their nation, rather than maintaining law and order in the colonial state. So, in the case of resistance against the imperial power, always have some ethical questions like who is to be marked as criminal or offender? or, is every imprisonment justified? and so on. The following section will focus on this ethical dimension of resistance within the prison.

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[73] "The Indian National Congress 1930-34," All India Congress Committee, Allahabad, Swaraj Bhawan, 209-10.

[74] Gyan Prakash, *Another Reason: Science and the Imagination of Modern India* (Princeton: Princeton University Press, 2020), 157.

VI

Parrhesia and Colonial-Convict Self: On Ethical Resistance in Prison

James Scott in the sixth Chapter, “Voice under Domination” of his influential book, *Domination and the Arts of Resistance: Hidden Transcript* (1990) contends that the political lives of the subordinate groups depend neither on the overtly collective resistance against the people in power nor their hegemonic assimilation, rather lies in between these oppositional trajectories. According to him, for the marginal sections of society, language is part of their resistance technique. Based on his extensive sociolinguistic research, Scott identifies that the anonymity in speech acts, the application of euphemism, vague and implicit grievances, the use of enigmatic metaphor and so on could be forms of resistance, especially for the subordinates.[75] However, Scott’s limitation is his “insistence on linking speech forms directly to political functions, without the mediation of culture or linguistic ideology,” while it must be recalled that “any linguistic form … has different social and political effects within specific institutional and ideological context.”[76] On the other hand, these speech acts could also be strategically applied by the powerful people. Nonetheless, it is difficult to ignore Scott’s larger contention about the resistance of the subordinates and the implied role of language. Thus, if the colonised subjects within the prison can be humiliated through abuse, foul language as well as demeaning gesture, theoretically, resistance can be shown through their counter speech argument. Notably, the revolutionaries, as witnessed in their accounts, often engaged in verbal disagreements with the prison officials on several occasions. Besides, the political prisoners do not consider themselves any subordinates and regard their imprisonment as unjustified. Their counter speech acts thus were mostly straightforward involving an ethical dimension, which can contest the legitimacy of the colonial authority as well as the deception and manipulation associated with their imprisonment. Notably, the verbal argument of the political prisoners not only expresses their note of dissent that reconstructs their self and agency within the repressive penal setting but also bestows an ethical standpoint against the British government. These counter speech acts which can be considered as ‘parrhesia’ in Foucauldian terms are instances of resistance that transgress the coercive colonial regime.

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[75] James C. Scott, “Voice under Domination: The Arts of Political Disguise,” in *Domination and the Arts of Resistance: Hidden Transcripts* (Yale: Yale university press, 1990): 136-182.

[76] Susan Gal, “Language and the “Arts of Resistance”,” *Cultural Anthropology* 10.3 (1995): 407-424.

Foucault advances in his 1983-84 lectures called *The Courage of Truth* that “etymologically, parrhesia is the activity that consists in saying everything: *pan rema*. *Parrhesiazesthai* is “telling all,” which consists in telling the truth without concealment, reserve, empty manner of speech, or rhetorical ornament which might encode or hide it” (emphasis in the original).[77] According to Foucault, the ethical stand regarding the ‘care of the self’ was characterised by parrhesia in the Greek and Roman period. Parrhesia develops and transforms a subject’s notion of the self as well as forms a contradictory interconnection with others. It is free speech, fearlessly telling everything that keeps discordant with the Cartesian idea of truth-telling, as it does not indulge in relying on empirical evidence, conforming to commonly accepted belief structure, and most importantly, seeking validation from established norms or institutions. However, it may be asked how does parrhesia comprise resistance. Foucault himself did not provide any easy resolution to this. Although he observes that every form of resistance is somewhat determined by the power relation, he does not disqualify that act of resistance being as politically charged, disruptive, radical, and even potentially dangerous. Following Stephen Legg, it can be considered that like power is not negative and rather productive, resistance is also positive and productive. Therefore, resistance can also initiate new technology of power through which a subject can reflect on him/her self as well as relate to others in the world.[78] "In this sense, parrhesia is, especially relevant for the prisoner who lives in a perpetual state of the sovereign exclusion. It is a speech activity that is directed from ""below" towards those who are "above." It is a marginal speech that disrupts the status quo."[79] Thus, parrhesia or the counter verbal speech acts for the revolutionaries in the colonial prison becomes their resistive performances. A few references to the literary works in the context of colonial Bengal would elucidate our argument broadly.

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[77] Michel Foucault, *The Courage of Truth (The Government of the Self and Others II)*: *Lectures at the Collège de France, 1983-84,* ed. Frédéric Gros, trans. Graham Burchell (London: Palgrave Macmillan, 2011), 9.

The true meaning of revolution for Bengali radical militants was not only to liberate their country from British subjugation but also to uphold their self-respect in every possible condition. Hemchandra Kanungo in the final chapter of his memoir, called "Amader morale" (Our Moral) clarified that against the severity of 44 degree and the physical and mental torture within jail, only the unwavering commitment to serving the nation and for the well-being of common people ignited their spirit of resistance. Hence, for every revolutionary, particularly the leaders need to maintain an ethical ground.[80] This could be observed in the case of Bhupendra Kumar Dutta when he was first imprisoned in Presidency Jail. Under strict supervision with a guard throughout to oversee him, he neither disclosed any information nor stoop before the authority. While the officers tried to scare him by charging him with more than fifty statements and also threatened him to be imprisoned for the rest of his life in regulation III (indicating the poor condition of state prisoners), he remained firm and refused to reveal anything. After a few days, the jail superintendent visited his cell and asked, "Suppose, you are kept in this cell for the rest of your life, what will you be doing? I shall be praying for the downfall for this Empire," Bhupendra Kumar emphatically replied.[81]

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[78] Legg, "Subject," 3.

[79] Chris Vanderwees, "Care of the (Incarcerated) Self: Ethics and Parrhēsia in the Prison Writing of Jack Henry Abbott," *CEA Critic* 82.1 (2020): 23-37.

[80] Kanungo, *Banglai*, 352-54.

[81] Dutta, *Biplaber*, 51-60.

It can be argued that this is the moment of parrhesia since the speaker put himself at a risk that his ‘telling’ would expose him to further coercion, yet he confronted the authority. His position is supplemented by his adherence to truth i.e., he is striving for the liberation of their nation. In other words, through this counter verbal speech act within the confinement, Bhupendra Kumar Dutta establishes his ethical selfhood as a revolutionary who has been struggling for freedom for both the common man and the nation.

Another explicit parrhesiatic moment could be observed in Amalendu Dasgupta’s memoir, *Detenue*. In 1930s Bengal when the British government started to arbitrarily arrest rebels associated with the *Satyagraha* movement, Dasgupta had experienced a rare incident in Presidency Jail. As jails were already overcrowded during this period, the internal regulations could not be kept stringent. He mentioned that one of the influential revolutionaries back then, Panchanan Chakraborty who was instrumental in the momentary coalition of two revolutionary groups, *Jugantar* and *Anushilan Samiti* locked up the jail superintendent, jailor, deputy jailor, jail doctor, and a few guards in his cell. After repetitive requests for providing necessary provisions like clothing and bedsheets, he detained almost the entire prison officials within his cell. The verbal spat between him and the superintendent is one of the rare occasions of revelation and an instance of the reversal of power dynamics within the colonial prison.

> The Superintendent calmly asks, “Panchanan Babu, I want to take my jailor with me. You have detained me for ten minutes in my own jail – don’t you think that this time you have gone too far?
> Panchanan Babu replied, no.
> The Superintendent says that in my whole life, nobody has dared to disrespect me as much as you have done today. Leave me, I want to go.
> ….
> Pardon me! I do not want to release the Jailor freely. He is so accustomed to misbehaving with the prisoners to such an extent that he does not even consider us human. This needs to be proved wrong.[82] (translated from the original)

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[82] Amalendu Dasgupta, *Detenue* (Kolkata: Saraswati Press, 1965), 131.

In his explanation of parrhesia, Foucault advances a critical relation between the classical Greek philosopher, Diogenes and the strategy of contradictory arguments. According to him, "Cynics render truth-telling a game of performative doubt in the service of an uncompromising and unforgiving challenge to social convention."[83] For them, the idea of logical argument is itself oxymoronic; it is rather through the refusal of conforming in the social conventions, a true argument is established. The oppositional act of Panchanan Chakraborty of confining the authorities while remained in his confinement and the subsequent oppositional speech performance thus would be the supreme example of resistance through parrhesia. He refused to act logically like pleading and applying officially for necessary articles but to engage into an oppositional act and verbal stand against the authority by not agreeing to release the jailor. His parrhesia, therefore, compelled the officials including the superintendent and the jailor to rectify the poor jail management as well as reinforced his ethical position as a revolutionary who must not be conceived of as an offender.

It must be emphasised further in this context that parrhesia is also "the mode of life," when the bios and the discourse are in a symphony, or in other words, there is an amalgamation between the speaker as he is and what he practices.[84] It is that courage that transcends all. It may not appear as explicitly resistive, yet it is always self-transformative. Perhaps the most remarkable instance of this transformation can be observed in the case of Aurobindo Ghosh. The spiritual transformation of Aurobindo Ghosh in Alipore Jail through realisation of his inner psyche by transcending his physical body is arguably his final negation of the colonial prison. It de-rationalises the concept of penal power of the British government since it dismantles the circuit of the disciplinary mechanism of translating docility into the soul through the utilisation of the body. His bios and discourse thus amalgamate into a spiritual whole that transcends colonial carcerality. He could fully liberate himself despite being confined. He thus realises that

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[83] Gladys Thomas Goodnight, "Parrhesia: The Aesthetics of Arguing Truth to Power," (OSSA Conference Archive, 2007): 1-13.

[84] Foucault, *Courage*, 146-48.

> I am the lord of tempest and mountain,
>   I am the spirit of freedom and pride.
> Stark must he be a kinsman to danger
>   Who shares my kingdom and walks at my side.[85]

Hence, this chapter as indicated in the literary texts demonstrates that the colonial prison in Bengal was a contested space. It was not that all colonial subjects irrespective of their societal identity posited resistance against the prison power or they were fully conscious of the discriminatory application of it, particularly in the initial years. In fact, the upper class and caste society attempted to scapegoat the marginal sections, especially the caste-oppressed and tribal people. However, the rise of the nationalist consciousness among middle classes gives a certain impetus to go against the legal institution. During the Mutiny, the jail becomes the target of the rebels to show their dissent against the colonial government. Jailbreaking, escape, and even killing of the officials become the predominant forms of their resistance. As the nationalist movement further progresses into radical militancy and later non-violent trajectory alongside a more evolved, techno-disciplined penology, the nature of resistance also becomes altered. The small subversive acts including verbal speech became the new language of counter conduct. Besides, with the increase of physical and psychological torture on the revolutionaries, hunger strikes developed into their ultimate weapon of resistance. Thus, it can be put forward that resistance within the penal space indicates the despotism of the colonial governmentality as well as stands as a refusal for the colonised subjects' will not to be governed.

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[85] Aurobindo Ghosh, *Tales of Prison Life* (Pondicherry: Sri Aurobindo Ashram, 2018), 114.

Chapter 5

Women in Prison: Gender, Morality, Revolution, and the Limits of Colonial Governmentality

I

Introduction

Curiously, we have not introduced women subjects in our discourse on prison so far. Enough references to women's experiences concerning the development of colonial prison in Bengal have not also been extended in previous chapters. The reason is three-fold including the lack of adequate literary sources in the initial years, the different treatment of the female prisoners compared to male prisoners by the colonial state, and a remarkable shift after the arrival of women political prisoners. It was not that women were not associated with criminal activities, or had no history of legal violation but only a few cases proceeded into the judicial and legal domain in colonial Bengal. The number of convictions and subsequent imprisonment compared to the male counterparts was also low. Consequently, in the traditional literary imagination that involves women's prison experience is almost nil, especially between the 1860s and the 80s. It could be due to the fewer literacy rate among women, their gendered social position as well as a sensitive issue in the Bengali community.[1] Although a certain development of Bengali women writings was started with the inception of literary magazines and autobiographical writings in the nineteenth century, nevertheless, they were somewhat class-privileged accounts that were acutely concerned with the unequal, gender discrimination and struggle of their lives. While issues like crime, sexuality, morality, and legal punishment had been addressed in these writings, penal experiences were left out. Only after the revolutionary activism started in Bengal in the early twentieth century, in which some educated middle-class, modern women actively participated, the discourse on women and their penal experience started to take a distinct dimension. The life accounts of the women revolutionaries not only present the colonial prison dynamic from a different perspective but also reveal the gendered nature of the Indian nationalist historiography. Notably, the colonial state, on the other hand, neither considered nor could handle women prisoners as effectively as the male prisoners. However, they introduced a new segregation process, labour routine and different punishment methods for women convicts within the prison. It is thus difficult to equate or initiate a simultaneous discussion both on male and female prisoners with equal force from the same vantage point. Therefore, any discourse on women prisoners in colonial Bengal, we argue, needs a separate understanding, probably with a separate historical timeframe to keep the criticality and limitation of the subject matter in consideration. Moreover, we must be careful not to generalise the status of women since their racial, ethnic, class, and caste identities are different, which further intersects with their gender identity. It becomes important then to understand the concept of gender broadly and how it is pertinent in case of female convicts in colonial Bengal.

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[1] See Shampa Roy, *True Crime Writings in Colonial India: Offending Bodies and Darogas in Nineteenth-Century Bengal* (London and New York: Routledge, 2021) to learn about various sensational true crimes occurred in the later 19th century Bengal especially involving some notorious women crime story.

In the traditional gender binary, man and woman are considered as distinct biological categories. Besides, the demarcation of labour in society reinforces the fundamental differences between sexes, typified by male and female behaviours. It leaves profound social and psychological ramifications. In *Doing Gender, Doing Difference*, West and Zimmerman refuting the conventional biological and sociological discourse on sex and gender contend that gender is an accomplishment, not an attitude, a set of behaviour, or a role; it is rather a product fostered by socially codified structures and practices that determine as well as manifest masculinity and femininity. 'Doing gender' thus is the continual activity that appropriates sex category embedded in everyday societal interactions. “Doing gender furnishes the interactional scaffolding of social structure, along with a built-in mechanism of social control … that confers upon them their sense of “naturalness” and “rightness.””[2] In the case of women criminals, this gender presumption is disrupted, as their usual gender role is characterised by femininity. Prison functions as the punitive and moral institution that addresses this unnaturalness.

Historically, the conditions of women in colonial Bengal can be considered equivocal. Women in Bengali society, especially the elite class mostly remained in *purdah*, living in *antarmahal* (inside the house). They had no access to proper education and had to go through regressive social customs like *sati*, child marriage, and polygamy. To address these women’s issues, a social reformative movement was started in nineteenth-century Bengal. Subsequently, a new category of Bengali *bhadramahila,* called ‘new women’ came out of their zenana and started to participate in various public spheres. Undoubtedly, a space for new identity and individual freedom was created for the Bengali woman. On the other hand, it was also important for the nationalists to reformulate the women’s question to show indigenous modernity.[3] However, women were caught between tradition (domestic, chastity, and spirituality) and modernity (liberal, progressive, and self-empowerment) which was liberating yet conditioned by gender identity. Thus, there was a changing but discriminatory gender dynamics within colonial Bengal on one hand and the colonial punitive system on the other. Additionally, the so-called lower class and caste oppressed women who shared the larger part of offenders, at least in nineteenth-century Bengal were often considered beyond this dynamic of tradition and modernity. So, it will be interesting then to examine if the colonial jail in Bengal extended this gender hegemony along with the class and caste identity further.

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[2] West Candace and Don H. Zimmerman, “Doing gender,” *Gender & society* 1.2 (1987): 125-151.

[3] Partha Chatterjee, “Our Modernity,” *Empire and Nation, Essential Writings 1985-2005* (Ranikhet: Permanent Black, 2015), 136-152.

While literary works on women's early penal experiences are limited in Bengali literature, the life writings of the women revolutionaries mostly set in the twentieth century could be a rich alternative source of the colonial prison's history, as these Bengali political women had the history of the militant activism and subsequent imprisonment. However, as Barbara Harlow indicates in this connection that women prison writings, particularly from the Third World posit two-fold discursive challenges. Firstly, most of the women's writings are generically distinct from the conventional form of writing, often combining the fictional narrative with the objective documentary style, and secondly, their "collective experience and political development that they describe emerges out of their position within a set of social relations giving rise to a secular ideology, one not based on bonds of gender, race, or ethnicity."[4] Furthermore, Third World societies are characterised by economic tension, political upheavals as well as colonial baggage. But the life writings of women political prisoners in colonial Bengal which have elements of prison writings are different for two reasons. Firstly, these accounts are based on their personal experience and secondly, along with the presence of the oppressive political regime, they were acutely conscious of their gender position in the society. Thus, these life writings appear as the closest account of the internal dynamic of the colonial prison, especially their treatment of women inside.

The chapter, therefore, first attempts to construct a brief history of women prisons and their evolution in colonial Bengal, as observed in various penal policies, recommendations, and committee reports. It will take note of punitive technologies applied by the colonial government, especially to control and suppress female prisoners within the prison. Then, it will explore literary writings including life writings to present women experiences, nuances, and silences missing in the official discourse. It is important to examine in this regard whether the colonial penal technologies were somewhat conditioned by the prevalent gendered perception or contrarily, it is the gendered body that experiences and manages imprisonment differently. The chapter argues that women experience, their subjugation techniques developed by the penal authorities, and their resistive performances in anticipation, are different from male prisoners. It was often linked to their class and caste identity. Thus, gender dynamics, class, and caste relations, and prison reformative measures regarding female prisoners will be significant aspects of this chapter.

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[4] Barbara Harlow, "From the Women's Prison: Third World Women's Narratives of Prison," *Feminist Studies* 12.3 (1986): 501-524.

II

Development of Colonial Jails in Bengal vis-à-vis Female Prisoners

> … for the convict women in India, that no time should be lost in providing for them at least suitable accommodation, instructive and moral training, and above all, proper female supervision, at whatever cost so that every sentenced woman may have the opportunity afforded to her of going again into the world better able to discharge her duties to her family and to society.[5]

When Mary Carpenter visited Indian jails in the late 1860s, she was astounded to witness the unhealthy living conditions of prisoners, especially the female prisoners. She recommended five steps required to be taken quickly to provide women prisoners the opportunity to rectify themselves including separate female cells, and female official warders in addition to keeping a European officer in the charge of maintaining discipline and inculcating good values.[6] This indicates that the observations and corollary recommendations the 1838 PDC made had not been implemented properly even after the introduction of the IPC in 1860. According to the report of the PDC, Calcutta unlike Madras or Bombay had the provisions of keeping debtors including Europeans and Indians separate from the criminals and accused, yet there was "no classification or separation whatever, either of males or females, by day or by night."[7] It could be observed that the arrangement of different cells for the small number of female prisoners even if that might incur minimum expenses, was not their immediate concern, no matter what the report claimed. The comparative number of respective male and female prisoners from 1862-64 in the lower provinces of Bengal can be highlighted to justify this context.[8]

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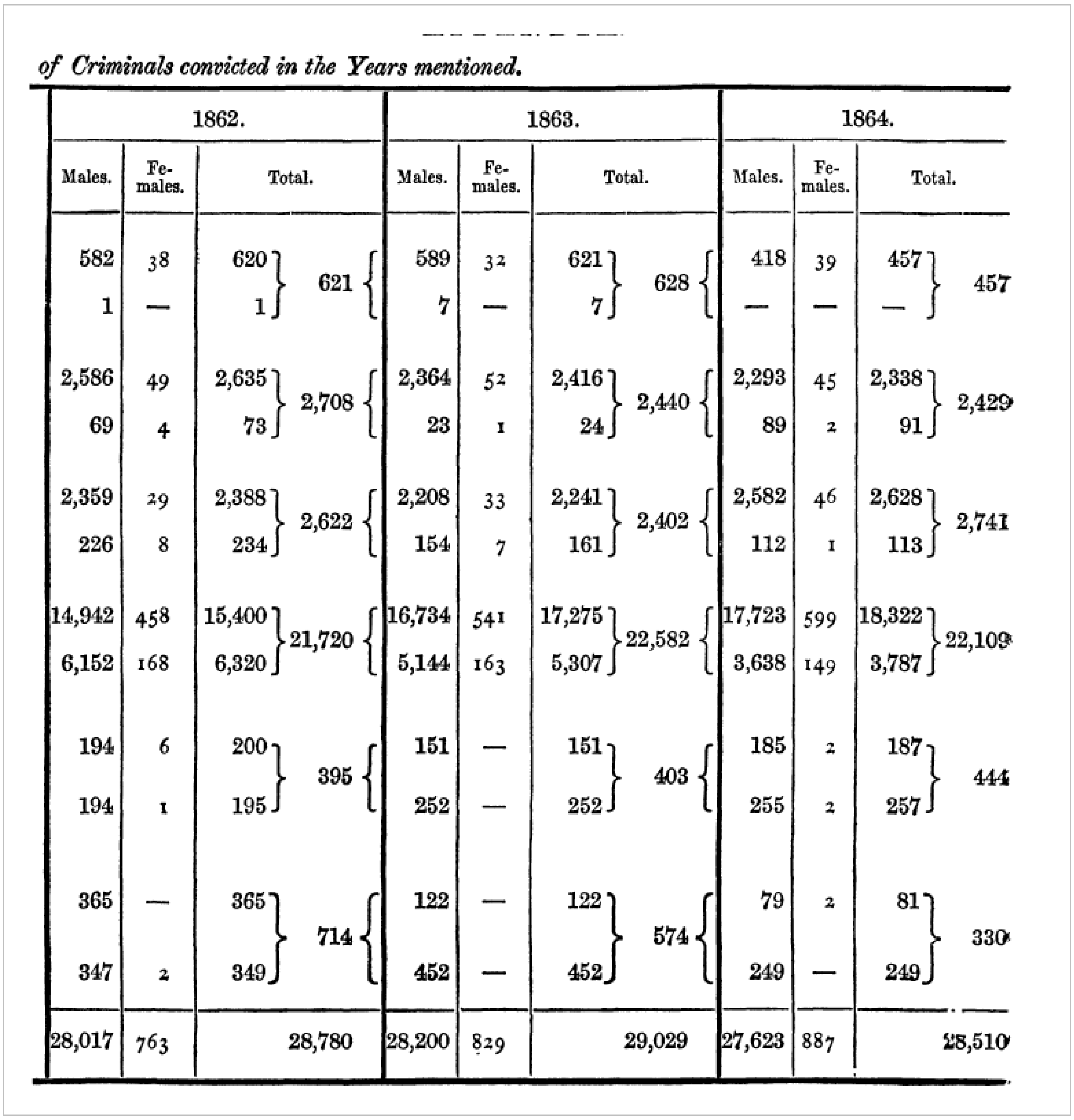
[5] Mary Carpenter, *Six Months in India Vol. II* (London: Spottiswoode and Co., 1868), 214.

[6] Carpenter, *Six Months,* 211.



of Criminals convicted in the Years mentioned.

1862.				1863.				1864.			
Males.	Females.	Total.		Males.	Females.	Total.		Males.	Females.	Total.	
582	38	620	621	589	32	621	628	418	39	457	457
1	—	1		7	—	7		—	—	—	
2,586	49	2,635	2,708	2,364	52	2,416	2,440	2,293	45	2,338	2,429
69	4	73		23	1	24		89	2	91	
2,359	29	2,388	2,622	2,208	33	2,241	2,402	2,582	46	2,628	2,741
226	8	234		154	7	161		112	1	113	
14,942	458	15,400	21,720	16,734	541	17,275	22,582	17,723	599	18,322	22,109
6,152	168	6,320		5,144	163	5,307		3,638	149	3,787	
194	6	200	395	151	—	151	403	185	2	187	444
194	1	195		252	—	252		255	2	257	
365	—	365	714	122	—	122	574	79	2	81	330
347	2	349		452	—	452		249	—	249	
28,017	763		28,780	28,200	829		29,029	27,623	887		28,510

Table 5
The number of male and female criminals, 1862-63 as per Mouat's report of 1867

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[7] *Report of the Committee on Prison Discipline* (Calcutta: Baptist Mission Press, 1838), 21-22.

[8] Frederic J. Mouat, "On Prison Discipline and Statistics in Lower Bengal," *Journal of the Statistical Society of London* 30.1 (1867): 21-57.

These impoverished conditions were later improved, as indicated by Mouat in his 1867 report. According to his report, all the female prisoners who had been sentenced for more than one year with penal servitude were imprisoned in a special prison called 'Russa,' close to Alipore Jail. It was also enlisted under the jurisdiction of Alipore Jail. However, in district jails, still, no special arrangements were made for female prisoners.[9] Thus, it can be stated that during the nineteenth century, the administration of the colonial prison in Bengal after overpowering its initial rationale of a low female population tried to achieve two major goals. First, it recognised the convicted women prisoners as a discrete punitive body that must be kept separated from the external society, non-criminals as well as males, and even unhealthy prisoners inside the jail. Secondly, they emphasised on reformative measures in terms of imparting a moral sense and social values rather than coercion to make them a productive colonised subject.

Although the IPC and later prison policies had developed some gender-specific norms, they mainly carried forward the fundamental external gender binary with little ramifications. Earlier the Company while retaining many of the pre-colonial body of laws, especially the Islamic laws, had substituted "the korah with the rattan, and abolishing this punishment for women altogether."[10] They considered the severity of corporeal punishments like flogging unsuitable for women due to their fragile body as well as on the humanity ground. Additionally, as per the order of the *Faujdar Adalat*, the custom of iron fetters for women prisoners was also discontinued after 1839 for its inappropriateness.[11] This possibly because women usually did not commit heinous crimes such as murder, dacoity, and the like, while the authority had their own gendered reservations.

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[9] Mouat, "On prison," 26-27.

[10] Radhika Singha, *Despotism of Law: Crime and Justice in Early Colonial India* (New Delhi: Oxford University Press, 2000), 248.

[11] Clara Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford: Berg, 2004), 37.

Historically, women convicts, corollary to men's penal settlement, were also sent to various penal colonies, albeit the number was extremely low. For instance, only six women in total were transported to Mauritius between 1815 to 1837 (only half percentage of total convicts), 24 women among 1469 convicts to Prince of Wales Island, and 191 women out of 2,077 convicts (only 9 percent) to South East Asia were shipped at the end of this period.[12] Among these, transportation to the Andaman Islands became the most cost-effective and administratively sustainable to the British government, especially after the Mutiny in 1857. In March 1858, 1000 convicts were transported to Andaman that proclaimed a new phase in the history of transportation in South Asian colonial past.[13] Notably, "the limited numbers of women up to male convicts as incentives to reform, as a reward for loyalty, cooperation and general compliance" were conveyed with the expectation that it would develop a stable society in Andaman based on the marriage among the male and female prisoners.[14] In the Andaman penal settlement, the shipment of female convicts was mainly viewed as the political and economic decision for the government to create resources. However, there was a continuous disagreement over the issue if women would function as a moral upliftment or further degenerate that already corrupt society. So, women prisoners and their reformation were not a matter of concern to the colonial state; rather they were much anxious about the settlement of the male convicts till the second half of the nineteenth century. In addition to these penal settlements, another form of punishment was devised. Women convicts who were considered as 'fallen' were also imprisoned in colonial lock hospitals which were nothing sort of institutionalised brothels. So, both these arrangements can be considered as colonial techniques that intend to manage the women population by overpowering their sexed bodies. The overly sexualised bodies of women, as observed, thus were offered to the ignoble disciplinary punishment rather than any proper rehabilitation.

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[12] Anderson, *Legible*, 37.

[13] Habib Manzer & Ashfaque Ali, "Female Convicts and Andamans Penal Settlement During Second Half of the Nineteenth Century," in *Proceedings of the Indian History Congress* 70 (2009): 635-642.

[14] Satadru Sen, "Rationing Sex: Female Convicts in the Andamans," *South Asia: Journal of South Asian Studies* 21.2 (1998): 29-59.

Contrarily, women within the mainland jails unlike penal colonies were not solely viewed as sexual means. Instead, they sought to make labourious and productive to generate revenues for the government, chiefly viewed from the empirical perspective.[15] In mainland jails, arguably, the gender politics were far more subtle. The preconceived gendered perception that held the women prisoner as disloyal, promiscuous, and a sexed body was attempted to be written with moral values. This can be observed not only in the settlement policy but also in the division of labour and internal punishment techniques within the prison. The PDC recommended in their report not to put women prisoners into hard intramural labour similar to men. Women thus were spared being employed by the treadwheel or any similar kind of punitive machines. More importantly, their penal tasks, as per order, were regulated under the supervision of the Civil Surgeon like in the European jail.[16] Furthermore, it was commonplace in prisons in the nineteenth century to trim, closely cut, and shave the head of male prisoners to keep uniformity among them, while it would also act as a punishment. After 1856, it was directed as per the rules of the Bengal Presidency to shave the head and trim the beard in every fifteen days mandatory for male prisoners. Women unlike men were not included in this rule unless it was for health purposes or given as a punishment for relentless misconduct.[17]

Historically, this gender logic of treating female prisoners differently has its own ideological weightage. The process of building an undisputed empire is deeply rooted in psychological domination which is closely associated with sexual tension. Indian women became the matter of great battle between the colonialist and the nationalist forces in the nineteenth century. Against the manliness of the imperial power which was already validated by the establishment of colonial rule and consolidated with the rule of law, the nationalists needed to be posited themselves as politically active and socially progressive. It was the fragmented body of Hindu women which was ultimately contested for.[18] But the disorderly women who went to jails thus appeared to be "an uncolonised population on the internal frontier of the Indian empire" as they were "extraneous to the political and economic sphere of the colonial state and the cultural sphere of respectable native society."[19] Consequently, the rhetoric of ideal womanhood, to the nationalist, remained in a Hindu, feminine, virtuous, sexually chaste narrative, delinking criminal, fallen women in this context. On the other hand, through the imprisonment of women, the British government validated their masculinist authority and fostered the civilising mission since it could extend their punitive machinery into the private space of home symbolised by the Bengali woman. However, this conflict took a major shift with the involvement of women in the revolutionary activism of Bengal in the twentieth century, though it was designated as terrorist activity by the colonial government in view of the nature of their activism.

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[15] Satadru Sen, “The female Jails of colonial India,” *The Indian Economic & Social History Review* 39.4 (2002): 417-438.

[16] *Report* 1838, 111.

[17] Anderson, *Legible*, 122-125.

The report of the 1919-20 jail committee could be a significant intervention to understand this new shift. The segregation policy of female prisoners was reconsidered in the committee. It was a matter of debate in the committee whether close surveillance or unrestrained interaction would be allowed. Since the number of female convicts was still quite low, the strict separation method which the administration was afraid of, could be a kind of solitary confinement, especially for the young and nervous women. Besides, free-mixing with habitual female offenders or prostitutes was also feared to damage their moral values. Thus, it was directed that "female prisoners whose sentences exceed a few weeks should be collected at central points, preferably, but not necessarily, central jails, where proper arrangements can be made for the complete separation of the classes mentioned in paragraph 495 above."[20] On the other hand, it was for the first time the issue of the political prisoner had been addressed. It was advocated that "this was to the effect that special treatment, which would extend to labour, diet, clothing and recommendation, should be given to all political offenders, who should, it was proposed, be included in a special division."[21] Although there was no mention of male or female category, as per sections 124A and 153A of the IPC, a category called the political offender which was distinct from ordinary criminals, especially in their activity and motivation was acknowledged for the first time. Remarkably, the engagement of Bengali women in the militant nationalist movement was not given any particular importance in the penal context, though their imprisonment extended a new message to the colonial state. It both showcased their political agency and challenged the preexisting narrative that only fallen women ended up in jail. Their gendered body, can be argued, becomes the signifier of attribution, discrimination, and also the medium of resistance for the woman subject within prison. Hence, before going into further discussion on female prisoners in colonial Bengal and their penal experiences, it is necessary to understand the underlying structure of gender, sexuality, embodied identity, and the function of the state theoretically.

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[18] Sibaji Bandyopadhyay, "Producing and Re-producing the New Women: A Note on the Prefix 'r'"," *Social Scientist* 22. 1/2 (1994): 19-39

[19] Sen, "Female," 419.

III

Carceral Corporeality: The Politics of Gendered Body in Prison

The image of the corporeal body in case of conceptualising political institutions or organisations is archaic. Often the physical well-being of a natural body, mainly a human body metaphorically presents the strength and growth of the political community. Broadly this idea is called body politic. To define the term, 'body politic' is the metaphorical representation of polity that includes city, territory, and state through human anatomical tropes. It emphasises on the correlation between an individual and societal cohesion for a comprehensive development of the state. It also implies that the way human body organs need to be symmetrical for their proper function, the political body and its human component must be in a specific orderly manner. The origin of the idea of body politic can be traced back to the ancient Athenian *polis* (state), especially in the political works of Plato and Aristotle. In *Republic*, Plate drew an analogy between human beings and the state in his inquiry on the significance of justice in democracy. On the other hand, Aristotle in his Book I of *Politics* extended two basic principles of body politic: firstly, the formation of society is a natural process, independent of man, and secondly, man is inherently political, inclined to be part of society.[22] Gradually, the character of such concepts changed with the development of the modern democratic nation-state. In 1651, Thomas Hobbes's *Leviathan* made a remarkable contribution to the idea of body politic in retrieving the concept much in the present context with a new critical perspective. He chiefly focuses on three ideas including "(1) the union of the citizens is depicted as one body, (2) which is represented by the sovereign, who (3) appears as the patron of a peaceful and prosperous – and therefore healthy – society."[23] Thus, according to Hobbes, the king who represents the head of a political community holds absolute power, but he remains in the 'social contract' to his subject as the caregiver, saviour, and protector. He, therefore simultaneously, remains inside and outside the political order.

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[20] *Report of the Indian Jail Committee*, 1919-20, Volume 1, Report and Appendices (Simla: Superintendent Government Central Press, 1919), 253.

[21] *Report*, 1919-20, 90-91.

If governmentality is the 'conduct of the conduct' of the subjects in order to ensure the development of the population as well as the state, it then becomes an empirical extension of the idea of body politic. Governmentality thus signifies the technologies by which the government and its institutions function cohesively to safeguard the health or the progress of the body of the political society. Just as a physical body needs discipline and care to work properly, the government applies its machinery to control and regulate behaviour, attitude, and performances of subjects in society. Therefore, the notion of body politic and governmentality can be considered interlinked since they both address the complex issues of governing and managing the population. However, the degree of governing a subject can be selective, even deceptive. For instance, the government can wilfully recognise the voice of the marginal, oppressive bodies of society or can subdue their rights and even justify their discrimination. So, in body politic or the process of governmentality, a certain section can be excluded officially. In the colonial setting, in addition to race, class, and caste body remain as the significant markers to inscribe these society-imbibed differences. Besides, it is necessary for the government to subjectify certain bodies to specific regulations to ensure a desired set of conduct from its subjects. Therefore, the body is placed in a false hierarchical binary that delimits as well as penalises them if they transgress any socially and politically accepted code. The body politic of the state is thus fraught with the politics of the body, which can question the stable notion of identity politics and the power relations it has been produced from.[24] The traditional metaphor of body politic is subsequently inverted and demonstrated as the field of politics to show how the "physiology and morphology" of an individual body is signified historically.[25]

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[22] David George Hale, *The Body Politic: A Political Metaphor in Renaissance English Literature* (The Hague: Mouton and Co. N. V., 2021), 18-21.

[23] Marin Terpstra, "From the King's Two Bodies to the People's Two Bodies: Spinoza on the Body Politic," *Early Science and Medicine* 25.1 (2020): 46-71.

Locating this body of Other in the history of Western Enlightenment thought perhaps started with Marx when he pinpointed how a class body is historically determined by the economic distribution. Later it was Foucault who introduced the body as a primary locus of power dissemination. His works, going against the totality of metaphysics like other postmodernists including Jacques Derrida, Jean-François Lyotard, Richard Rorty, and others critique the traditional way of understanding a subject as a logical, unequivocal being that possesses an essence. Foucault contends that "the body is the inscribed surface of events (traced by language and dissolved by ideas), the locus of a dissociated Self (adopting the illusion of a substantial unity), and a volume in perpetual disintegration."[26] His genealogical approach intends to explore this process of inscription of history onto the body and its gradual destruction. In the case of the modern punitive system, although the application of physical torture and subsequent public display were legally replaced by carceral imprisonment, it always remained "the body and its forces, their utility and their docility, their distribution and their submission" as the central focus.[27]

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[24] Nadia Brown and Sarah Allen Gershon, "Body politics," *Politics, Groups, and Identities* 5.1 (2017): 1-3.

[25] Susan Bordo, *Unbearable Weight: Feminism, Western Culture, and the Body* (California: Univ. of California Press, 1995), 21.

With these new conceptions of power dynamics and their relation to 'subjugated knowledges,' Foucault has introduced a distinct way of understanding the historical development of governance and body politics. However, his approach has its own shortcomings, especially in the case of a gendered body. He not only considered the subject as the mere bodily determined entity to be dominated by power but also as the resultant of the dominating power structure, which made it "very difficult to locate domination, including domination in gender relations."[28] Notably, in *History of Sexuality* (1978), he offered a non-essentialist view on the idea of sexuality. He argues that sexuality is neither given nor secretive or a "stubborn drive" that can be entirely subdued but a historical construction in which "the stimulation of bodies, the intensification of pleasure, the incitement to discourse, the formation of special knowledge, the strengthening of controls and resistance, are all linked to one another…"[29] Foucault did not look into how the structure of sex and sexuality is controlled by gender dynamics. Even he did not show if such a structure would be applicable in disciplinary institutions including the prison. His studies are more concerned with the power politics in the broader dynamics of governmentality or the rationality (techniques) of the government in managing the population. He contends "how governmentality relates to sex and sexuality through statistics that deploy and naturalize binary categories of biological sex" as well as "how governmentality and discipline overlap to construct normative heterosexuality with its accompanying ideas of sexual intercourse and binary biological sexes that are defined in terms of genitals."[30] But what he fails in his appropriation of historically constructed docile body is his disregard to the question of gender which itself "an organized, institutionalized, system of differences that constitutes the individual body."[31] Thus, in the case of understanding the context of female prisoners in colonial Bengal, it would be pertinent to consider Foucauldian concept of making/producing body in the colonial state' body politic but with an emphasis on the gender dynamic.

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[26] Michel Foucault, "Nietzsche, Genealogy, History," in *Language, Counter-Memory, Practice: Selected Essays and Interviews*, ed. D. F. Bouchard (Ithaca: Cornell University Press, 1977), 148.

[27] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New Delhi: Penguin Books, 1991), 25.

[28] Nancy Hartsock, "Foucault on Power: A Theory for Women?" in *Feminism/Postmodernism*, ed. Linda J. Nicholson (London and New York: Routledge, 1990), 157-175.

It can be argued that the colonial prison reappropriates the gender hegemony that is already prevalent in the external society through the attempt at reorientation of the female prisoner body. Historically, female prisoners already destabilise the hegemonic gender normativity since they disregard the law by committing criminal activities as well as breaching societal moral conduct. Women are generally not expected to engage in crime, murder, and lawbreaking activities that can subvert the gender laws. Prison addresses this transgression and attempts to restore it along with punishment. In addition to imparting moral sense, docility, and repressive measures, prison thus reinstates gender norms of femininity through the distribution of its interior penal technologies. Therefore, the politics of the body in the case of female prisoners always had a gender dimension. Docility which Foucault understands as the fundamental crux of the penal power functions with double subjugation for women. To understand this process of feminisation and the female prisoner body in an institutional space, hence, we must go beyond Foucault, and consider the ideas of Judith Butler and Elizabeth Grosz. Both of them contend that "gendered identity (is conducted) through socially constructed and power-laden discursive structures."[32]

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[29] Michel Foucault, *History of Sexuality Volume 1: An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), 103-6.
[30] Sarah Pemberton, "Enforcing Gender: The Constitution of Sex and Gender in Prison Regimes," *Signs: Journal of Women in Culture and Society* 39.1 (2013): 151-175.
[31] Anne Balsamo, *Technologies of the Gendered Body: Reading Cyborg Women* (London: Duke University Press, 1996), 21.

Butler, on the contrary to the existing feminist idea that sex is natural and gender is cultural, argues that sex is inherently constructed by gender implications, thereby making sex the cultural phenomenon as well as gender itself as the discursive and cultural mechanism. In other words, the production of the natural sexed body as the pre-discursive domain is fostered by gender serving it as a potential political surface upon which culture operates. Thus, it becomes important to reformulate the idea of gender to realise its mimetic effect and the process of this discursive functionality. Following Foucault, Butler extends that the corporeal body is not only determined by the juridico-biological discourse but also by cultural norms to implicate specific gender meanings. She has advanced the ideas of Simon De Beauvoir and Luce Irigary to show how a biological body is passively inscribed by cultural laws. The feminised body of women, Butler suggests, is produced through heteronormative dualism as well as the reiteration of the linguistic signification. Therefore, to understand the context of the female prisoner, one must consider this circularity of the feminist discourse on gender, in which gender is already posited in the secondary position, while the linguistic reality that informs the subject is itself phallocentric. This delimits the discursive possibility of feminine gender and normalises the gender normativity instead, which is predominantly a masculinist hegemony.[33]

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[32] Teresa Dirsuweit, "State Discipline, and the Performance of Gender in a South African Women's Prison Bodies," in *A Companion to Feminist Geography,* ed. Lise Nelson and Joni Seager (Oxford: Blackwell Publishing, 225), 353.

While Butler's feminist perspective can offer insight into how the gendered body is reconstituted within the prison setting in accordance with external gender norms, Elizabeth Grosz provides further means to explore the institutional mechanism and its application to women bodies. Grosz in her book *Volatile Bodies: Towards a Corporeal Feminism* (1994) posits that the body cannot be considered as purely social, cultural, and signifying resultant, devoid of any material weightage. The distinction between natural and cultural, usually made in the case of women bodies, she suggests, is subtle, and cannot be simply put into binary, as it is important to locate the essence of the natural in the residual of culture and vice versa. "Their relation is neither a dialectic (in which case there is possibility of a suppression of the binary terms) nor a relation of identity but is marked by the interval, by pure difference."[34] On the other hand, to understand the body from the feminist standpoint, according to her, the duality of mind and body must be discarded in favour of the "*embodied subjectivity, of psychical corporeality*."[35] (emphasis in the original) A distinct idea of human materiality should be developed in this connection, that equates both the organic and inorganic forces, initiates an interchange between the animate materiality and the material field of language – "a materialism beyond physicalism… a materialism that questions physicalism, that reorients physics itself."[36] This would render to go past the woman question beyond the body discourse as well as realise their embodied subjectivity in prison. Besides, the application of the material as well as the psychological inscription on the body would also be manifested. Grosz in her other work, *Space, Time, and Perversion: Essays on*

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[33] Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London and New York: Routledge, 1999), 3-44.

[34] Elizabeth Grosz, *Volatile Bodies: Toward a Corporeal Feminism* (Bloomington and Indianapolis: Indiana University Press, 1994), 21.

[35] Grosz, *Volatile*, 22.

[36] Grosz, *Volatile*, 22.

the Politics of Body (1995) extends that the body could be considered "as a kind of *hinge* or threshold: it is placed between psychic or lived interiority and a more sociopolitical exteriority that produces interiority through the *inscription* of the body's outer surface."[37] (emphasis in the original)

Thus, Grosz's analysis in addition to Butler's helps us to understand how prison inscribes a gendered body corporeally and psychologically through the application of torture, work and labour schedule, and its material space. Besides, it would also reveal how their subjectivity even in a confined setting can be realised. While the penal authority applies punitive technologies to reproduce hegemonic gender norms as well as to normalise their external feminised identity, female prisoners express their agency through certain performances. To understand this, one must reconsider the material existence of a gendered body and include its affective aspects of mind and emotion. Notably, the history of women's engagement with the colonial prison in Bengal is not the history of passivity. Women subjects, especially the political prisoners had dismantled the gendered structure of the colonial prison. Thus, following the concept of the gendered body, the process of the discriminatory body politic, and their subjectivity within the prison, we will observe Bengali women's experiences of the colonial prison and what new it adds to the official history.

IV

Limits of Literature: Early Women Penal Experiences

It is difficult to find women's experience of the colonial prison in Bengal in the initial period, particularly in literary works but it can indicate the types of women that are supposed to be considered behind the confinement. This could be due to most of these convicted women's so-called low caste and class identity, which was supplemented with the low literacy rate and their marginalised gendered position in Bengali society. To understand their caste identity, Mouat's statistics in 1867 could be taken into consideration.[38]

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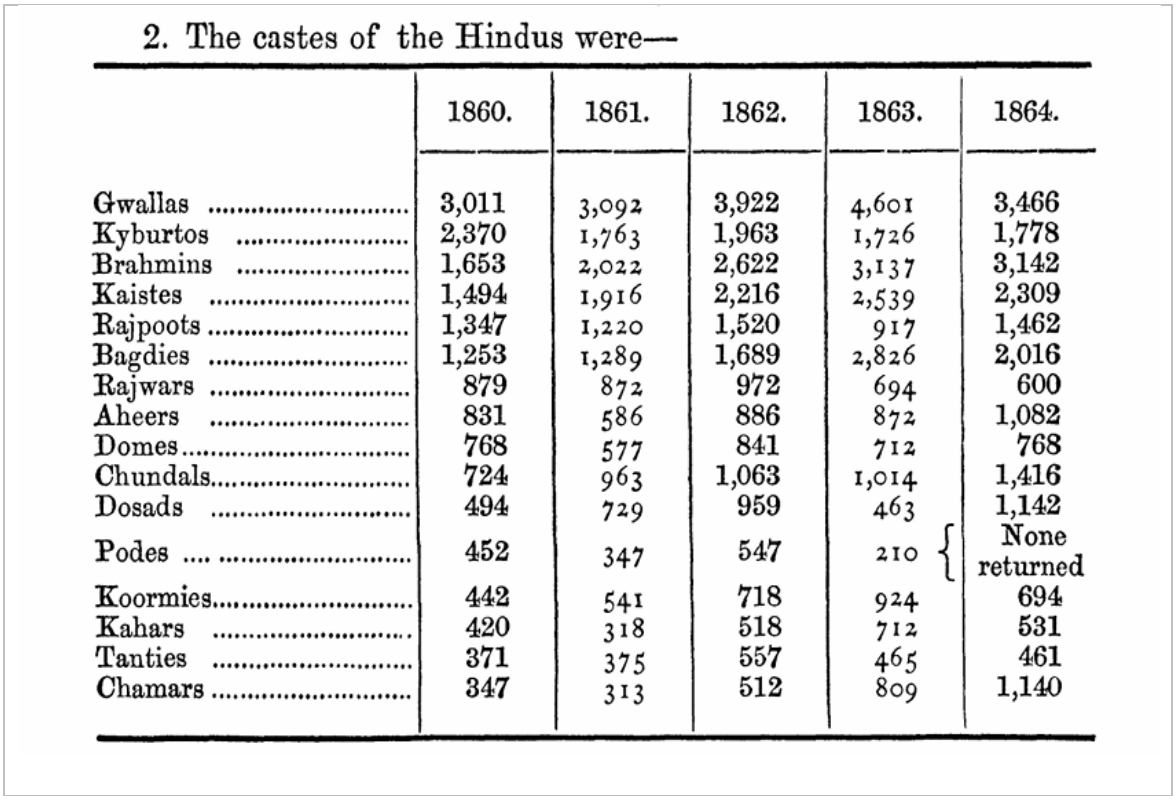
[37] Elizabeth Grosz, *Space, Time, and Perversion: Essays on the Politics of Body* (London and New York: Routledge, 1995), 33.



2. The castes of the Hindus were—

	1860.	1861.	1862.	1863.	1864.
Gwallas	3,011	3,092	3,922	4,601	3,466
Kyburtos	2,370	1,763	1,963	1,726	1,778
Brahmins	1,653	2,022	2,622	3,137	3,142
Kaistes	1,494	1,916	2,216	2,539	2,309
Rajpoots	1,347	1,220	1,520	917	1,462
Bagdies	1,253	1,289	1,689	2,826	2,016
Rajwars	879	872	972	694	600
Aheers	831	586	886	872	1,082
Domes	768	577	841	712	768
Chundals	724	963	1,063	1,014	1,416
Dosads	494	729	959	463	1,142
Podes	452	347	547	210	None returned
Koormies	442	541	718	924	694
Kahars	420	318	518	712	531
Tanties	371	375	557	465	461
Chamars	347	313	512	809	1,140

Table 6
Number of imprisoned Hindu caste people, 1860-64 as per Mouat's report of 1867

Although the report does not indicate the number of female prisoners having the low caste identity, the low caste identity of most of the convicts from 1860 to 1864 in general is self-explanatory in this case. Besides, the low literacy rate among Bengali women can be substantiated by the 1868-69 Bengal Administration Report. It was mentioned in the report that while the colonial government encouraged female education by offering grants "to aid private tuition in zenanas, or in the establishment of Normal Schools," they could not make substantial advancement.[39] The report showed that officially in Bengal, there was only one government school for girls having 42 enrolments, while the other 267 government-aided schools for girls had 5902 enrolments.[40] In the census report of Bengal of 1881, it was further extended that the situation did not improve much, and only 0. 17 percent of the female population in Bengal could read and write.[41] The following table provided in that report reflects this scenario.

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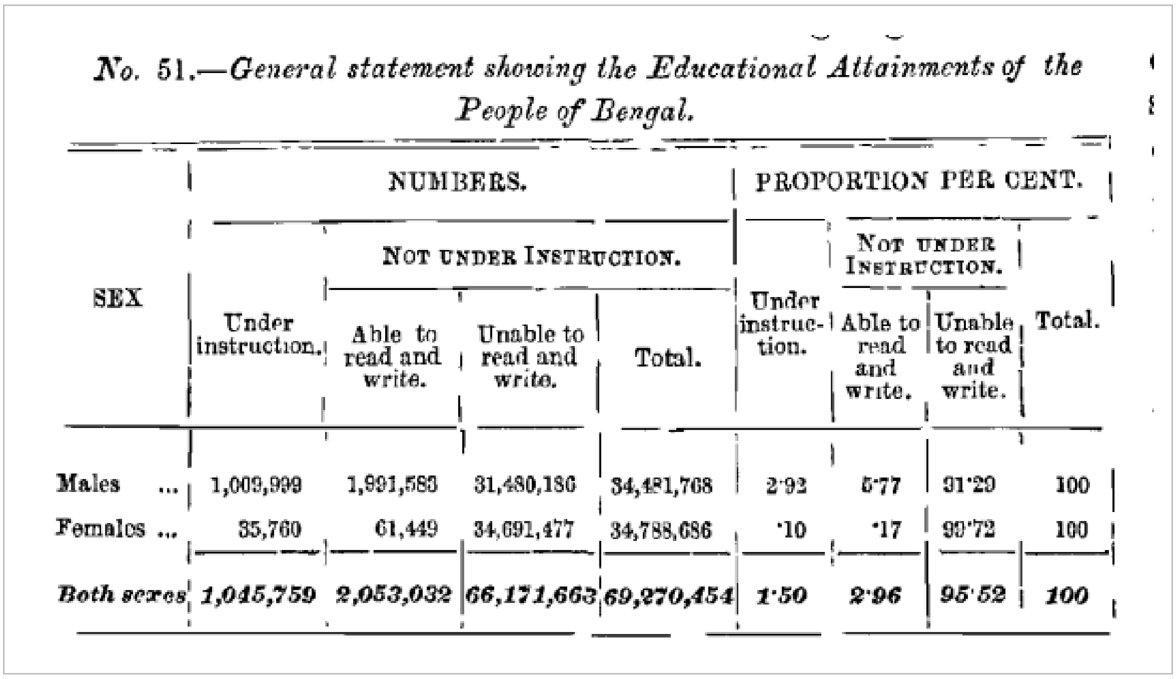
[38] Mouat, "On prison," 53.
[39] *Annual Report of the Administration of the Bengal Presidency for 1868-69* (Calcutta: Bengal Secretariat Office, 1869), 233.
[40] *Annual Report*, 1868-69, 230-231.



No. 51.—General statement showing the Educational Attainments of the People of Bengal.

SEX	NUMBERS.				PROPORTION PER CENT.			
	Under instruction.	NOT UNDER INSTRUCTION.			Under instruction.	NOT UNDER INSTRUCTION.		Total.
		Able to read and write.	Unable to read and write.	Total.		Able to read and write.	Unable to read and write.	
Males ...	1,009,999	1,991,583	31,480,186	34,481,768	2·92	5·77	91·29	100
Females ...	35,760	61,449	34,691,477	34,788,686	·10	·17	99·72	100
Both sexes	*1,045,759*	*2,053,032*	*66,171,663*	*69,270,454*	*1·50*	*2·96*	*95·52*	*100*

Table 7
The percentage of literacy among males and females as per Administration of Bengal Presidency for 1868-69

Moreover, the Jail Committee Report of 1864 claimed that the administration had introduced education within the jail as “a reward or a punishment” but could not succeed further, as they intended to keep education mainly as a labourious task.[42] This can be further supplemented by the Mouat’s 1867 report.[43]

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[41] J.A. Bourdillon, *Report on Census of Bengal 1881, Vol. 1* (Calcutta: Bengal Secretariat Press, 1883), 190.

[42] *Report of the Indian Jail Committee, Assembled in Calcutta, March- April 1864* (Calcutta: Bengal Printing Company Limited, 1864), 30-31.

[43] Mouat, “On prison,” 57.

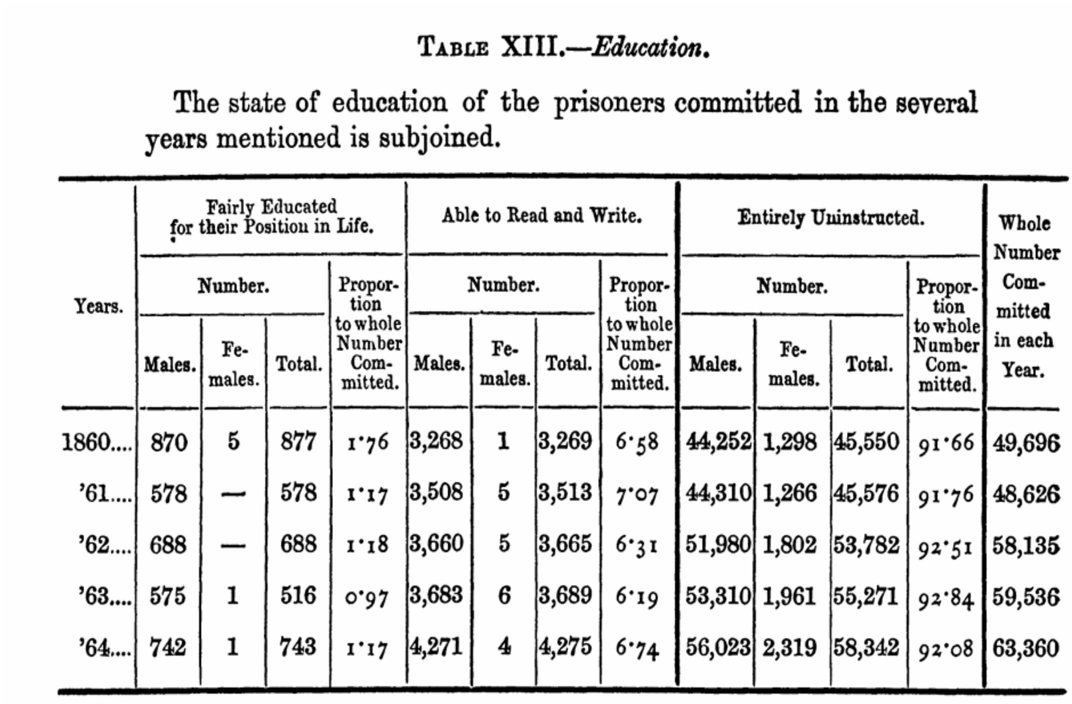

TABLE XIII.—*Education.*

The state of education of the prisoners committed in the several years mentioned is subjoined.

Years.	Fairly Educated for their Position in Life.				Able to Read and Write.				Entirely Uninstructed.				Whole Number Committed in each Year.
	Number.			Proportion to whole Number Committed.	Number.			Proportion to whole Number Committed.	Number.			Proportion to whole Number Committed.	
	Males.	Females.	Total.		Males.	Females.	Total.		Males.	Females.	Total.		
1860....	870	5	877	1·76	3,268	1	3,269	6·58	44,252	1,298	45,550	91·66	49,696
'61....	578	—	578	1·17	3,508	5	3,513	7·07	44,310	1,266	45,576	91·76	48,626
'62....	688	—	688	1·18	3,660	5	3,665	6·31	51,980	1,802	53,782	92·51	58,135
'63....	575	1	516	0·97	3,683	6	3,689	6·19	53,310	1,961	55,271	92·84	59,536
'64....	742	1	743	1·17	4,271	4	4,275	6·74	56,023	2,319	58,342	92·08	63,360

Table 8
The state of education of prisoners as per Mouat's report of 1867

Therefore, it could be argued that this lack of education facilities in the prison and the general low literacy rate among the women population were the major grounds not to have early personal accounts of women's prison experience in colonial Bengal.

While the conditions of women in the latter half of nineteenth century was improved including their social role, access to education, the age of consent and the choice of clothing as well as domestic mobility, it was chiefly limited to the elite, upper caste, Hindu women. Even the image of the elite *bhadramahila* (genteel woman) was also formed through the liberal yet normative gendered imagination. Curiously, the Bengali mainstream literary writings did not consider women characters held in prison for their subject matter. For example, Bankim Chandra Chattopadhyay's *Durgeshnandini*, widely regarded as the first modern Bengali novel published in 1865,[44] and also his other novels including *Rajmohan's*

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[44] Amardeep Singh, "Progressivism and Modernism in South Asian Fiction: 1930-1970," *Literature Compass* 7.9 (2010): 836-850.

Wife (his only novel in English), *Bishbrikhha* (The Poison Tree), published in 1873, and *Krishnakanter Will* (*Krishnakanta's Will*), published in 1878 deal with "crimes (such as forgery, dacoity, abduction, elopement, attempted murder and murder)" only to "focus the unjust asymmetries of power as well as the consequences of repressing unsanctioned desires that underlie conjugal and other relationships in seemingly stable households…"[45] Besides, other genres including detective stories and police narratives which were simultaneously developed in this period such as Richard Reid's *Every Man His Own Detective!* (1887), Priyonath Chattopadhyay's *Darogar Daptar* (The Policeman's Diary, started in 1892), Girish Chandra Basu's *Sekaler Darogar Kahini* (Stories of the Policemen of the Bygone Era, 1888), Kaliprashanna Chattopadhyay's *Bankaullar Daftar* (The Office of Bankullah), and others, following the generic convention emphasised on the investigation procedure and criminal minds that might include women criminals but did not extend their penal experience.

With the framing of the unified codification during the latter half of nineteenth century, the British government was eager to do away with the traditional punitive systems like village council or caste court. This caused further issues for Bengali women, as they had to face new issues with this changed definition of crime and punishment. Earlier, traditional rural institutions treated some activities like child abortion as a social blemish and left women without punishment considering their honour and social status but the new legal order which superseded the local governance gave birth to a new category of 'female criminal.'[46] Yet, there was a significant lack of attention given to women's criminality and ignorance to the female prison experience in Bengali literary works and newspapers during the 1860s to the 90s. Anindita Mukhopadhyay contended that this was due to the middle-class background of the Bengali male writers. They who had not experienced extensive political imprisonment as the nationalist insurgency was yet to arrive, were unable to conceive of women being forcibly incarcerated in jails. In addition to this, a general social impression was also extended that only *chotolok* (downgrade) women, particularly from the lower classes who were morally ‘loose’ made public judicial appearances. It was due to their criminal activities that courts became the site of stigmatised femininity. Contrarily, Bengali *bhadramahila* (genteel woman) living in zenana, who occupied a pure domestic household would not even appear in public let alone the degraded places like courts and jails. This initiated a zone of conflict between the *bhadralok* class of Bengal and the colonial government. The colonial state was persistently trying to lower “the number of purdahnashin women who avoided the law through this privilege; while the bhadra classes constantly tried to claim the inner, inviolate space for their women.”[47] Thus, even if we do not find accounts of jail experience of women subjects in the nineteenth century, it can be observed that the *bhadralok* class had their consent to legally punish and imprison morally degraded lower class women. The representation of such women in the literary writings was thus produced as a cautionary sign of moral transgression unapproved by the Bengali society.[48] One or two literary instances can be extended to illustrate this.

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[45] Shampa Roy, *Gender and Criminality in Bangla Crime Narratives: Late Nineteenth and Early Twentieth Centuries* (London: Palgrave Macmillan, 2017), 6.

[46] Padma Anagol, "The Emergence of the Female Criminal in India: Infanticide and Survival Under the Raj," *History Workshop Journal* 53.1 (2002): 73-93.

Kedarnath Dutta’s *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) presents some of the notorious, fallen, and disorderly Bengali women coming from lower classes like Golakata Hara (one who is expert in slitting throats) and Baknapiyari (cow without calves, probably referring to a nulliparous woman). Dutta described that they lived in the gloomy, almost uninhabited place called ‘makhanwalar gali,’ where crimes like murder, suicide, poisoning people, theft, drinking, and even riots were rampant; still, law and police were unable to trace anything. Among all, Baknapiyari was the most ferocious woman who was being feared by everyone in the community, even the male ones. She is characterised as having a dark complexion, short-statured, smaller than the average woman, huge bodily dimension, hair as thick as that of a bear, and heavy lips and a moustache like a caterpillar.[49] Her unpleasant physical appearance is metaphorically connected with her character and criminal mindset. She is thus presented as the prototype of a Bengali fallen woman. This depiction of rowdy downgraded women, therefore, implies two different societal spaces prevalent in Bengali society, which are divided by class, caste, and gender identity. It indicated "a world the *bhadralok* were completely unfamiliar with, where even women were dangerous and rowdy. By implication, it was this section of the society which was familiar with the police, the courts and the jails, and for whom such institutions were necessary."[50]

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[47] Anindita Mukhopadhyay, *Behind the Mask: The Cultural Definition of the Legal Subject in Colonial Bengal (1715-1911)* (New Delhi: Oxford University Press, 2012), 162-63.
[48] Mukhopadhyay, *Behind*, 165.

In another instance, the character of Podi Moyrani as observed in Dinabandhu Mitra's *Nil Darpan or the Indigo Planter Mirror* is presented almost as an antithesis of the upper class, landlord Goluk Chandra Basu's wife Sabitri. Podi Moyrani was a prostitute and a pimp who supplied women to British sahibs. She is described as a disgusting woman, devoid of any moral uprightness. It was she who brought Khetromany who used to consider her an aunt, to Mr. Rogue who eventually raped Khetromany. Podi Moyrani felt disgusted with herself to realise that she had to give up her upper caste identity for money, and even share a bed with a *buno* (wild tribal caste).[51] Engaging in prostitution not only stripped of her basic human dignity but also forced her to lose caste privileges, as her sexual identity contradicted the gender normativity of Bengali genteel society. Her fallen body like a dangerous low caste woman is exposed to any threat. As her prostitute body is a potential threat to the society, it does not deserve any social security. It can be accessed, violated as well as punished. Unlike Baknapiyari, Podi Moyrani does not belong to lower caste, but her sexual identity reduces her to such a degraded position as equal to a low caste.

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[49] Kedarnath Dutta, *Sachitra Gulzarnagar* (Illustrated Gulzarnagar) (Kolkata: Pustak Bipani, 1965), 17-19.
[50] Anindita Mukhopadhyay, "Jail Darpan: The Image of the Jail in Bengali Middle-Class Literature," *Studies in History* 15.1 (1999): 109-144.
[51] Dinabandhu Mitra, *Nil Darpan or the Indigo Planting Mirror*, trans. Michael Madhusudan Dutt (Calcutta: Eastern Trading Company, 1861), 58.

Therefore, these early accounts, despite having no presence of the penal experience of Bengali women, could indicate who were the potential women figures that should be considered in the context of crime, punishment, and imprisonment. Unlike the male prisoners, the chief objective of "women's punishment was to restructure the criminalised female's relationship with the sexual/reproductive/evacuative aspects of her body, and in the process, to educate 'shameless' women to be mortified at the prospect of public defecation."[52] Since the socio-political reality in which the case of female convicts was considered was itself informed by the phallocentric attitude, the discourse around their reformation through the imprisonment became gendered in nature. In addition to gender identity, their class and caste position become one of the fundamental parameters of their social degeneration and subsequent punitive logic. In other words, the gendered body of women has inherently been signified by class and caste identity, which needs to be disciplined and morally uplifted. This was the subjugated section of the society in which the colonial government wanted to impart a sense of character and value by subjecting them to institutional rationalities. This would demonstrate the backwardness of the indigenous society on the one hand and on the other, the Bengali elite class was ready to disown them to dismiss this colonial logic of moral condescension. Thus, women from the lower class and caste background in nineteenth-century Bengal remained outside and inside the colonial body politic. As a result, colonial jails, at least in these initial years, regarded women prisoners as separate subjects who needed moral discipline rather than torturous treatment in order to be productive so that it could extend the imperial rationale. This discourse changed, especially in the post-1890s with the middle-class educated Bengali women engaged in revolutionary activism and fearlessly accepted imprisonment. We will unfold this historical shift in the following sections by focusing on a few women's life writings.

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[52] Sen, "Female," 431.

V

Jailed for Freedom: Women Political Prisoners and their Interior Penal Life

> Hurling a thunderbolt on our heaven-like abode,
> Rocking the tiny nest with the rudest shock
> With my work done
> I stand here today.
> But still I hear loving voices all around,
> Father's warm embrace and Mother's tender heart
> Calling their wayward daughter
> To the safety of their bosom
> Away from all the rigours of the road.
> Do not call me.
> Let me lie here alone.
> Holding on with my two weak hands
> To my life's work,
> My greatest glory, my greatest shame
> You did not like my work
> My motherland has turned her face
> But, lo! On my futile life's work
> Lies my creator's benediction.'[53]

Bina Das, a noted Bengali revolutionary addressed this letter to her parents from Alipore Jail. The letter conveys her unwavering will to withstand the hardships of imprisonment for the nation despite experiencing the terrible conditions within the prison. It also expressed that she had the opportunity to enjoy the comfort and affection of family and home like others but she chose such extreme paths. Perhaps, every revolutionary who took part in the militant activism in Bengal during the first half of the twentieth century felt similar agony and resoluteness in the face of imprisonment. But Bina's letter is significant for other reasons. It shows her involvement in radical activism and subsequent imprisonment like several other revolutionary women, which not only compels the colonial government to consider this new category of women called political prisoners but also dismantles the feminine image of the Bengali *bhadramahila* that Bengali civil society used to vouch for. This section thus intends to explore the specific characteristics that are typical of these political women's imprisonment. How is this any different from their male counterparts? More importantly, what changes in the existing gender discourse does it bring in the context of female morality, ignominy, and penal discipline in colonial Bengal?

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[53] Bina Das, *Bina Das: A Memoir*, trans. Dhira Dhar (New Delhi: Zubaan, 2010), 39-40.

In the initial phase of the nationalist insurgency, it was difficult for the British authority to put women behind bars since the Bengali women associated with activism mostly belonged to the educated upper and middle-class backgrounds. The British officials were afraid of disturbing the sanctity of Indian womanhood by dragging them into jails. First, they started to apply lathi charges to distract the collected mob in political gatherings as well as put them in police custody. But soon they resorted to imprisonment. As erstwhile we argued that imprisonment was chiefly used a tool of deterrent to the revolutionary including male and female activists. Sedition charges, detention, and imprisonment without trial became their main weaponry.[54] This tedious process of conviction became the new method of punishment. Additionally, the government of Bengal was given more power by the Bengal Criminal Law of 1930. As per section 1 of this law, the authorities could arrest anybody without any official warrant and search any place without any specific order.[55] This empowered the colonial government to legally justify their arbitrary imprisonment of the activists. So, in the rapid growth of the militant activism, the colonial state decides that

> It is no more distasteful task to government and its officers to take action against women in connection with the movement, and especially against women of good family. On the other hand the Congress has followed as part of their policy, the use of women and have laid great stress on bringing them in the firing line. One of their purposes is undoubtedly to create feelings against government because of the action the latter have to take against them. On grounds of humanity the officers of Government may be expected to exercise great restraint in dealing with women but

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[54] Ujjwal Kumar Singh, *Political Prisoners in India* (New Delhi: Oxford University Press, 2001), 5.

[55] *The Bengal Criminal Law Amendment Act 1930*, Internet Archive, 162. https://archive.org/details/1930WB6/page/n3/mode/2up

> it must be recognised that the latter cannot be immune from the consequences of their actions and they must be dealt with under the law.[56]

This drastic shift of colonial governmentality in the treatment of women revolutionaries could also be observed in the personal accounts of political prisoners. Several accounts of the experiences of the early female political prisoners can be found in Kamala Dasgupta's *Swadhinata Sangrame Banglar Nari* (Bengali Women in the Nationalist Movement) published in 1960. According to her account, in Colonial Bengal Nanibala Devi was the first female state prisoner to be arrested and detained under the 1888 Bengal State Prisoners Regulation. While any specific year or date of her imprisonment was unknown, it was mentioned that she was first held in Peshawar and then transferred to Kashi, where she was humiliated by the Deputy Police Superintendent, Jiten Banerjee. Under his direction, two wardresses dragged her into a cell, pushed her down on the floor, stripped off her clothes, and smeared chilli paste on her naked body. She started kicking them out of terrible pain. They even kept her in the underground punishment cell where there was no window except a front door for light and air circulation. Nanibala Devi was imprisoned for a brief period due to her refusal to disclose any information. Later she was moved to Calcutta Presidency Jail, and subsequently released in 1919.[57]

The experience of Nanibala Devi suggests that the colonial prison could go to any extent from humiliation to physical torture irrespective of male and female revolutionaries to control the militant insurgency. Prison which was previously the site of reinstalling the sense of gender limitation, morality, and discipline for women prisoners became the repressive machinery during the twentieth century. Notably, it was not as coercive as for male political prisoners who were frequently inflicted with physical pain, whipping, and solitary confinement. The British government failed to subjectify the revolutionary women in colonial Bengal to much severity except on a few occasions like in the case of Nanibala Devi. Nonetheless, coercion was there in other indirect ways. To understand this new distinct nature of penal experience, a few memoirs of the Bengali revolutionary women including Bina Das's *Srinkhal Jhankar*, later translated in English as *Bina Das: A Memoir*, Kamala Dasgupta's *Rakter Akshare* (Written in Blood), Shanti Das's (née Ghosh) *Arun Banhi* (Fiery Dawn), and Rani Chanda's *Jenana Phatak* (Zenana Prison) can be taken into consideration.

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[56] Quoted in Suruch Thapar-Björkert, "Gender, Nationalism and the Colonial Jail: A Study of Women Activists in Uttar Pradesh," *Women's History Review* 7.4 (1998): 583-615.

[57] Kamala Dasgupta, *Swadhinata Sangrame Banglar Nari* (Bengali Women in the Nationalist Movement) (Kolkata: Basudhara Prakashani, 1960), 36-41.

On February 6, 1932, Bina Das fired bullets in the annual convocation of Calcutta University at Stanley Jackson who was the chancellor and then governor of Bengal. This was an act of revenge against the police brutality on the revolutionaries at Midnapore and Chittagong which landed her in Presidency Jail and later in Midnapore Jail. She was finally released in 1939. As a revolutionary Bina was an active member of two militant groups, Chatri Sangha and Jugantar, and even tried to mobilise her fellow students at Bethune College to join these groups. Her memoir manifests the historical transition from Nanibala Devi's brutal treatment to a relatively lenient penal experience. She mentioned in her account that in the Presidency Jail, the rules were made moderate with the number of female revolutionaries increased. But those women who came early in the prison were used to keep in the third class, C division where they were subjected to hard labour and even forced to wear skirts.[58] As per the official norm, political prisoners should have been placed in the class A or B, where the rules would be little relaxed, while the ordinary criminals were used to be put in the C class. However, these rules were not maintained properly in practice. Besides, this classification was often made in terms of the revolutionary's social, economic conditions, and even university degree.[59] Therefore, it became another method of the British government to place the revolutionaries purposefully in the despicable conditions of the C class cells of the prison, where they could be denied to essential provisions and basic human dignity. In Midnapore Jail, Bina further witnessed the other side of the nationalist movement, where several numbers of women coming from rural villages along with the revolutionaries were held in prison on the charge of anti-national activities. Their body had the scar of wounds of police brutality. Bina noticed that they were carrying children with them, yet resolute enough to struggle for the nation. For Bina, gradually the monotony of the prison life with the stillness of its time marks an impression on her body, mind, and spirit. While the prison authority could not torture women political prisoners like before, they disregarded their demands, ignored to take any complaints and abused them within the female yard.[60] However, the jail experience could not completely shatter their indomitable spirit.

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[58] Das, *Bina*, 41.

[59] Vijaylakshmi Pandit, *The Scope of Happiness: A Personal Memoir* (London: Weidenfeld & Nicolson, 1979), 103.

The *Satyagraha* Movement, which was a kind of non-violent civil resistance movement in Bengal during the 1920s that held the principle of truth (*Satya*) at the upfront, women actively participated and occupied almost every jail in colonial Bengal. This movement often included a tactic called *Jail Bhoro Andolon* (Occupy the jail movement) in which the protesters voluntarily got arrested themselves to make jails overcrowded so that the state machinery failed to address this sudden load of prisoners. Among the women *Satyagrahi*, Shanti Das who established 'Nari Satyagraha Samiti' was one of the leading active members in Bengal. She was arrested due to her anti-government activities including holding meetings, public gatherings, and processions etcetera. She was imprisoned in four different jails, Presidency, Midnapore, Dhaka, and Hijli between 1930 to 1932. As she mentioned in her memoir, *Arun Banhi* (Fiery Dawn) she was kept in the third-class division in Presidency Jail with another revolutionary named Suniti Chowdhury (née Ghosh), though later moved to the second division. Notably, this class division among the political prisoners was abolished after numerous protests in 1938. In Midnapore Jail, she came to close affinity with Bina Das before being transferred to Dhaka Jail.[61] Almost all the jails where Shanti was imprisoned, according to her account, were full of spirit except for a brief period of her solitary stay in Rajshahi Jail. She also came across several notable women revolutionaries including Biva Dasgupta, Kalyani Das, Kamala Dasgupta, Banalata Dasgupta, Indusudha Ghosh, and others. Her memoir suggests that the British authority was afraid to keep any revolutionary in any jail for a longer period, lest it might further strengthen their activism. Additionally, women prisoners were substantial in number as well as there was a provision that political prisoners could freely interact with each other. Therefore, the jail administration could not enforce an equal degree of coercive measures on the women political prisoners.

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[60] Das, *Bina*, 43-47.

Another notable woman revolutionary, Kamala Dasgupta's memoir, *Rakter Akshare* (Written in Blood) can be considered to understand this context more broadly. Kamala was imprisoned several times subsequently in 1930, 1932, and 1942 on account of revolutionary activism including charges like supplying bomb-making materials to militant groups, her connection to the bombing at different places, and suchlike. In her memoir, she described that her first experience of Presidency Jail was overwhelming since she could see the gigantic building with high walls, iron cages, the notorious 44-degree cell, the hospital, and all prison machinery, which was known for its severity. She observed that in the female yard, the number of women prisoners gradually increased with the unfolding of Civil Disobedience Movement in Bengal, which greatly impacted on their treatment by the authority. She stated that although it was not allowed to interact with the prisoners who were engaged in the Civil Disobedience and the second-class political prisoners like her, it was impossible to implement this rule in that small female yard. In fact, women prisoners went on to hoist the national flag within the jail.[62] Officially, it was also mentioned in section 31 of the 1919-20 jail committee report that the political prisoners could "purchase or receive from private sources food, clothing, bedding and other necessaries…(they) may be allowed to supplement at their own expenses the jail supply, even though they receive jail diet and bedding or clothing."[63] This suggests that the prison life for the political prisoners were not utterly difficult in the late 1920s in terms of living conditions, nonetheless the mental toil had always been there. In 1932, Kamala was again imprisoned in Presidency Jail for a brief period before moving to Hijli Jail. She at this time became acquainted with other women revolutionaries like her sister Bina Das, Shanti Ghosh, and Kalyani Das. In Hijli Jail, she had seen that everyone was kept as detenu who might not have the scarcity of food or other provisions but they were exhausted with the unchanged tedium of prison life.[64] When Kamala was held up again in the female yard of Presidency Jail in 1942 for the third time, she witnessed that the rules became more relaxed. They could spend their day discussing, talking to each other, and even singing. In her memoir, she mentioned that during the critical times of the Second World War in 1943, while people on the outside were approaching death by starvation, the British government did not cease the supply in the prison. They perceived that they needed to keep the revolutionary content even if provisions were limited on the outside, unless this would result in a bloody struggle. The authority wanted to keep the militant revolutionary disconnected from the external world. However, "they could realise the scream of hunger behind the locked door, but did not find a way to break this shuttle. A great moment of opportunity had been missed, yet the revolution could not be attained."[65] (translated from the original) Kamala Dasgupta thus provides an account of the colonial jail's dual visages, highlighting the rapid changes in its coercive aspects, particularly in response to the pressure from political women.

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[61] Shanti Das, *Arun Banhi* (Fiery Dawn) (Kolkata: Basumati Sahitya Mandir, 1957), 29-44.

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[62] Kamala Dasgupta's *Rakter Akshare* (Written in Blood) (Kolkata: Radical Impression, 1954), 33-36.

[63] *Report*, 1919-20, 247.

[64] Dasgupta, *Rakter*, 62-63.

[65] Dasgupta, *Rakter*, 91.

Quite a different experience is provided by Rani Chanda in *Jenana Phatak* (Zenana Prison). Being Rabindranath Tagore's student and well-articulated in dance, music, and arts, her memoir has a unique lyrical quality coupled with her political consciousness. Her account following the progression of a song has three parts including 'Alaap,' 'Sanchari,' and 'Antara.' The *Alaap* introduces the prison space, the prisoners including political and ordinary, and their social background. The *Sanchari* differing from its generic trope presents the diary entry of 45 pages dealing with Gandh's fasting of 21 days and its impact on the spirit of the revolutionary. Finally, *Antara* marks the ending of her imprisonment which is elegiac in tone since it shows the end of her relationships with the inmates she has been intensely associated with.[66] For her involvement in nationalist activities, she was first imprisoned in 1942 in Birbhum Suri Jail before moving to Rajshahi Jail. Notably, except in central jails like Presidency or Dhaka and some renowned jails for political prisoners like Midnapore, Rajshahi, and Hijli, the arrangements were not yet improved, especially in district jails like Suri. Rani noted in Suri Jail that two male prisoners along with the head wardress were serving poor quality rough rice, pale-yellow watery dal, and mixed vegetables. Moreover, if any convict complained about the quality of food, he/she would be canned at once.[67]

Like Kamala Das, she also encountered some of the tragic tales of the imprisonment of ordinary people affected by hunger and starvation in the 1940s. She mentioned that 16 women of almost every age carrying their children were dragged into Suri Jail. It appeared from their dirty dresses, pale bodies, and empty faces that all of them were like the embodiment of poverty. It was revealed that these low caste (Muchi) women who could not stand hunger for several days looted a goods cart of a local landlord. It indicates the effect of the Bengal Famine of 1943 when people, especially from the weaker economic sections of the society out of hunger were compelled to violate law and order without bothering about the pain of imprisonment. Another revolutionary who moved into Suri Jail at that time, Shanti Ghosh snapped at their conditions. Her reaction was that "it is a waste of time…revolution is required, only revolution…they did the right thing, they stole, if needed they would again steal. Eating is important – will again loot – again come into the jail – fill all the jails – need to come in a massive number."[68] (translated from the original) Shanti being irritated with the inadequate provisions in the prison finally asked for the jail code. However, the jailor promptly denied her request stating that prisoners had no rights and more significantly, their facilities had been revoked for their activities. Thus, Rani Chanda's *Jenana Phatak* (Zenana Prison) presents a different perspective of political and ordinary women prisoners in district jails of colonial Bengal, where the provisions even though were officially allotted had not been properly sanctioned. Thus, it can be extended that, unlike central jails, subsidiary district jails in colonial Bengal, as the memoir suggests, were administered arbitrarily. The authorities, especially the wardresses and matrons who were in direct contact with ordinary female prisoners often exploited them, abused them as well as denied their basic human dignity.

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[66] Sharmila Purkayastha, *Of Captivity and Resistance: Women Political Prisoners in Postcolonial India* (Cambridge: Cambridge University Press, 2023), 61.

[67] Rani Chanda, *Jenana Phatak* (Zenana Prison) (Kolkata: Prakash Bhawan, 1958), 8.

In the context of colonial Bengal during the twentieth century, the previous narrative in which sporadic instances of women being detained for disorderly conduct evolved into a phenomenon characterised by the widespread imprisonment of women across various legal categories. This transition suggested a paradigm shift wherein the incarceration of women extended beyond isolated incidents to encompass a broad spectrum including undertrials, detenus, convicts, as well as political activists engaging in acts of Satyagraha, alongside ordinary convicts. Engaging the educated, middle-class women, the narrative around the disgraceful colonial prison, quite similar to males, also started to shift in Bengali society. It is usually believed that identities are moulded and reconstructed in prison. However, the memoirs of the women revolutionary manifest that despite imposing restrictions and certain repressive measures, the female yards used to function almost as an unrestrained space within colonial jails. On the other hand, the British government adopted a frequent transfer policy for political prisoners in addition to imposing arbitrary detention. However, the women revolutionaries never lost their determination in the face of mass incarceration. The women political prisoners thus through their shared collective acquaintances initiate a new discourse on gender, caste, and class position in relation to the prison. The project of reassigning female prisoners with their normative gender roles like in the external society through successive internal mechanisms has failed in the case of the revolutionary women in Bengal. Additionally, this resistance against the colonial force also calls for a change in understanding the subjectivity of women in the context of the nationalist resolution. Historians like Purnima Bose contradicted that it was their conventional domestic loyalty towards husbands that was redirected in their devotion to the nation.[69] Geraldine Forbes, on the other hand, identified two fundamental causes for their militant activism including the colonial brutality and their utopian, romantic glorification of the idea of self-sacrifice for the nation.[70] What they indicate that the women revolutionaries did not come out of the gender fixation and rather reproduced the patriarchal structure indirectly. However, their involvement in radical militant activism, determination against the oppressive penal regime as well as the subsequent act of preserving their experience in the form of life writings demonstrate the “counter-hegemonic narrative” in which their “historical subjectivity became central to authorising and making the idea of middle-class women taking up arms respectable.”[71] The women political prisoners thus through their shared experiences develop a new phase in the political history of the colonial prison in Bengal.

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[68] Chanda, *Jenana*, 27.

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[69] Purnima Bose, *Organizing Empire: Individualism, Collective Agency, and India* (London: Duke University Press, 2003), 155.

[70] Geraldine Hancock Forbes, “Goddesses or Rebels? The Women Revolutionaries of Bengal,” *Indian Women and the Freedom Movement: A Historian's Perspective* (Mumbai: Research Centre for Women's Studies, SNDT Women's University, 1977), 112-134.

VI

Revolutionary Sisterhood: *Adda* and Solidarity in Prison

We have discussed previously that the sudden rise of the female population in prison in twentieth-century Bengal makes the prison condition difficult for the colonial state to handle. Earlier the prison which was tackling a limited number of ordinary women convicts had to deal with a new category of political prisoners of substantial numbers, which required a different treatment. As observed in case of the shared experience of the revolutionaries, the colonial prison albeit had female yards for the segregation according to their category and division was underprepared to control them entirely. In addition to this, there was a notable lack of female wardress and other female officials. So, the new found camaraderie led to an alleviation of pain in the twentieth-century colonial prison for women. They could share their personal experiences, almost freely interact with each other, and arrange small events within the prison. So, collective solidarity among female prisoners plays a vital part to coping up with the adverse conditions of jail as well as becoming a new weapon of resistance for them.

Excepting nights, female prisoners, especially political prisoners, noticeably, did not have to go through austere surveillance and isolation. *Adda* was their primary medium of association to spend the unproductive monotony of prison life. Dipesh Chakraborty in following the Bengali Linguistic, Sunitikumar Chattopadhyay designates *adda* as almost an intrinsic part of the Bengali culture. It is a place for casual chatting among intimate friends.[72] Extending Dipesh's understanding of 'Kolkatar adda' which is part of the elite Bengali culture, Paulomi Mitra talks about various forms of rural gatherings like at 'chandimondop,' local club, and 'pukur ghat' (pond bank) that were also some of the important places for adda in nineteenth and twentieth-century Bengal. She showed that Bengali women too had this culture of adda. Although their places of adda were not external, "their addas took place within the household, in the terrace or gardens where they discussed their daily household affairs. This was the only way of connecting and refreshment for the women."[73] In the twentieth century with the extended public sphere, women also made the club, samiti, and coffee houses as their places of adda. Undoubtedly, the spatial dynamics are massively changed in prison, but adda among prisoners still holds its essence. Atreyee Sen locates adda among the Naxalite women in prisons as a form of sisterhood that eliminates the boundary of class, caste, and rural-urban division as well as develops a resistance against the authorities.[74] Similar politics of adda could be observed in the colonial penal context too. In her memoir, Bina Das stated that

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[71] Durba Ghosh, “Revolutionary Women and Nationalist Heroes in Bengal, 1930 to the 1980s,” *Gender & History* 25.2 (2013): 355-375.

> Three years in the Hijli Jail was a different experience. Rules were less stringent there. Besides, the company of other political prisoners was also a great attraction. We had been just the three of us for a long time and we were turning into awkward, odd creatures. The springs of our intelligence were revived as we came in touch with so many lively, bright minds. I devoted myself wholeheartedly to my studies. I had a regular supply of books from home. Almost all the books from my brother's well-kept library were tarnished by prison stamps and multifarious signatures of officers.[75]

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[72] Dipesh Chakraborty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton: Princeton University Press, 2000), 180-181.

[73] Paulomi Mitra, "Nostalgias of Adda," *Journal of the Anthropological Survey of India* 65.1 (2016): 135-142.

[74] Atreyee Sen, "Slaps, Beatings, Laughter, *Adda*, Puppet Show: Naxal Women Prisoners in Calcutta and the Art of Happiness in Captivity," in *Arts and Aesthetics in a Globalizing World*, ed. Raminder Kaur and Parul Dave-Mukherjee (London: Bloomsbury, 2014), 125.

[75] Das, *Bina*, 52.

This description of Bina Das about her experience in Hijli Jail manifests the moderate sides of the colonial prison in the 1930s. She mentioned their long discussions and debates that were often accompanied by various kinds of games, indoor competitions, musical renditions, theatrical performances, and so on. Shanti Ghosh who was also imprisoned in Hijli Jail and shared a few days with Bina had this almost identical experience. In *Arun Banhi* (Fiery Dawn), she revealed that life in Hijli Jail was not dull at all, as there was a kind of communion of the women revolutionary power in Bengal. Through their long political discussions about the present conditions as well as the possible direction in the post-Independence period that their movement should have, they intended to spend some memorable moments in jail. They even staged a Tagore's play, *Malini*. Shanti expressed this desire in a short poem. She wrote,

> A few melodies sweet I'll leave
> To the world joy will they give
> And pluck out sharp thorns a few,
> And then I'll bid the world adieu.[76] (translated from the original)

Following Grosz, we have previously argued that women's subjectivity within prison should be understood both from the exterior or socio-political perspective as well as from the interior or psychological standpoint. These interactive performances of women political prisoners, therefore, can also be argued to manifest their affective sides within the prison. Performances like adda among women prisoners, free everyday conversation, and their collective effort to organise an event within the prison thus can be put forward to produce a distinct form of subjectivity, which can contravene the highly regulated environment of the jail. It could not entirely displace the control and repression. The embodied subjectivity of female prisoners transgresses the materiality of the colonial prison by encompassing their affective domains including mind, cognition, and sensory emotion. Remarkably, this subjectivity which calls forth a new agency is not solely private, but rather shared, and collective. Probably, this is why Rani Chanda while leaving the jail became sentimental. She met with all her prison acquaintances including political and non-political inmates, trees, and shrubs within the jail she used to view and often nourish as if she was leaving her second home.[77] Such affective bonding in a highly controlled space like the colonial prison, can be submitted, empowers female prisoners to withstand the hardship of the prison as well as to resist in conceiving them only as a feminised subject. The narrative of the low class and caste disorderly women pitted against the elite genteel docile Bengali women is also shuttered by these political women. Besides, their prison sisterhood manifests a resistance to the prison authority and imperial despotism.

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[76] Ghosh, *Arun*, 48.

Notably, this form of resistance, in the case of women prisoners, was not always indirect. It often turns into confrontational resistance like hunger strikes. For instance, Bina Das, Suniti Chowdhury, and Shanti Ghosh initiated a hunger strike in Midnapore Jail as a protest against the misbehaviour of the jailor in the female yard. Soon other prisoners started to join them. Bina needed to be shifted to a hospital after a couple of days due to her bad health. Finally, with the intervention of the superintendent, the jailor was removed as per the demand, and the hunger strike was revoked after a few days.[78]

Kevin Grant who in *Last Weapons* (2009) addresses the gender dynamics in the context of hunger strikes by focusing on the Irish suffragettes can be considered here. Similar to the male revolutionaries, women had also weaponised their body and hunger to be recognised not as a biological, feminine body, but as a determined political subject. In Ireland, Grant observes, the figure of Christ and fasting were associated with the masculine ideal, while leaving women in the domestic space being a Catholic motherly figure. Through their participation in hunger strikes, the Irish women asserted their political identity dismantling this gendered determination.[79] In the context of colonial Bengal, a similar gender politics can be observed. In the surge of revolutionary activism in the 1930s Bengal, several clandestine groups like Jugantar and Anushilan limited their memberships only to men under the rationale that women were not trustworthy as well as incapable of accomplishing certain activities. However, few women who were eager to show their competence as equal to men performed "ancillary, subsidiary functions: passing coded messages, acting as couriers, smuggling weapons, providing funds, acting as housekeepers for male colleagues, arranging secret meetings, and in a few cases, even preparing bombs," while some engaged with the direct violent militant activism.[80] The hunger strikes for women in the colonial prison in Bengal thus can be considered as their ideal platform to show their self-sacrificing motive for the nation, which is as violent as the manly rebellion in the outside. Since a few women were able to engage in the direct combat battle like men, it was hunger strikes by which they could annihilate their bodies voluntarily to demonstrate their political subjectivity. Therefore, this can be stated that solidarity among women prisoners if it is through the small acts within the prison or during hunger strike posits a sense of resistance that leads to the subversion of the absolute power withheld by the colonial state.

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[77] Chanda, *Jenana*, 224-25.
[78] Das, *Bina*, 47-48.

Thus, this chapter while presenting the shifting penal experiences of women subjects in colonial Bengal touches upon the question of morality, normative gender discourse, the validation of institutional discipline, and the subsequent transgression in relation to the development of the colonial prison. Remarkably, this political history of the incarceration of women is thoroughly immersed in the discourse of gender, caste, and class body identity.

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[79] Kevin Grant, *Last Weapons: Hunger Strikes And Fasts in The British Empire, 1890–1948* (California: University of California Press, 2019), 70-99.

[80] Joyce Lebra, *Women Against the Raj: The Rani of Jhansi Regiment* (Singapore: Institute of Southeast Asian Studies, 2008), 22-23.

Since women prisoners belong to the minor section of the jail population, mainly coming from the low class and caste background, they were not given enough concern economically or bureaucratically by the colonial state during the initial years. They become the specimen of the colonial gendered bodies on which the mark of a superior sense of morality can be inscribed if not they are thought to be beyond any reformation. Even with the emergence of educated women or the new classification of political women based on the context of imprisonment, gender politics has remained constant but often ineffectual. The colonial as well as the nationalist force could not realise women's subjectivity properly. The prison authority albeit after numerous attempts, as the memoirs of the revolutionaries suggest, could not restrict these political women prisoners to specific gender norms due to the inadequate space, lack of female personnel as well as their determined spirit. So, be a few low class, baser women or a mass number of political women, the colonial governmentality could never fully grasp the control of the women population in the prison. They freely interact, sing, dance, perform, quarrel, fight, and even strike, which itself undermines the British empire and its frightful penal regime. Therefore, they remained the perpetual enigma of the colonial state.

Conclusion

The colonial prison in Bengal as manifested in the official history through penal acts, jail codes, jail manuals, committee reports, administrative data, and statistics, was a modern punitive institution that evolved from the religio-local and the Company's capricious system to an effective humanitarian machinery for the maintenance of law and order. Although the colonial prison system systematically commenced with the 1838 PDC, it was after the Mutiny in 1857 and the introduction of the IPC in 1860, its regulatory and stringent framework began to take shape. Through subsequent administrative and architectural advancements, it evolved into the chief punitive apparatus underpinning the colonial regime's 'rule of law' in nineteenth-century Bengal. However, the history of the colonial prison went through a paradigmatic shift with the emergence of militant activism. This transformation precipitated the implementation of new segregation methods, cellular divisions, the employment of a specialised jail surgeon, and special provisions for the distinct category identified as political prisoners. Notably, efforts were made to centralised the prison system in The Prisons Act in 1894. Besides, the 1919-20 Indian Jail Committee's report signalled a notable shift away from prioritising control and deterrence in penal systems, towards emphasising the importance of rehabilitation.

However, the dissertation interrogating this dominant historical narrative offers alternative histories of the colonial prison in Bengal, particularly focusing on the experiences of the colonised Bengali subject as produced by literary writings including fiction, dramas, and life writings. These texts indicate three different junctures of the prison system in colonial Bengal between 1860 and 1945. In the first phase from 1860 to roughly the 1890s, prisons became scientifically and technologically improved intending to impart docility, a sense of morality, and obedience among the colonial population. It underscored the consolidation of imperial authority and the dissemination of ideological constructs legitimising colonial rule via prison. In the second phase, with the growing nationalist movement from the 1890s to the 1920s, the prison predominantly assumed the role of a repressive apparatus to subdue the mass insurgency and dissent. Prison witnessed the colonial state's repression of the burgeoning nationalist and political activism. Subsequently after the 1920s under immense pressure on the outside and inside due to the presence of substantial numbers of political prisoners, colonial prisons became less imperious and drifted towards an egalitarian ethos. In this period, prisons began to adopt fewer authoritarian approaches, accommodating the demands for basic dignity and humane treatment advocated by political detainees and revolutionaries. However, the colonial prison is inherently characterised by exceptions.

The dissertation thus establishes a comprehensive linkage between the macrohistorical analysis and the microhistorical perspective of the colonial prison focusing on its changing perception in Bengali society, its extended contribution to the formation of an individual and collective identity, intricate tempo-spatial regulations within jail, and its impact on the convict bodies, various techniques of corporeal and mental torture alongside an exploration of resistance tactics of the prisoners and finally, its gendered dynamics and the gender-specific modalities of resistance and subversion.

The first chapter of this dissertation investigates the complex interplay of the colonial state, individual subjectivity, and societal perceptions. It demonstrates the ambivalent evolution of both the colonial prison and the identity of the penal subject in colonial Bengal. Historically the colonial prison was recognised as the place of terror in the initial period. Literary works like Kedarnath Dutta's *Sachitra Gulzar Nagar* ((Illustrated Gulzarnagar) and Dakshinaranjan Chattopadhyay's *Jail Darpan* (Jail Mirror) show how much the colonial people feared prisons for their impenetrable structure, inadequate provision of food, and intramural hard labour. While being modern and enlightened, the Bengali elite *bhadralok* class accepted this liberal punitive turn of the British government, they deemed imprisonment as a social blasphemy and jail as a place of disgrace. Texts like Dinabandhu Mitra's *Nil Darpan or the Indigo Planter Mirror* present the Bengali population contradictorily in conceiving imprisonment. In negation to the elite class, the lower class and caste-oppressed people are presented as violent-prone subjects. The implementation of the carceral imprisonment in Bengal thus the chapter demonstrates, influenced the class-privileged people to foster their legal identity in opposition to the lower class. However, with the rise of nationalist movements in Bengal, prisons started to function as autocratic machinery, and simultaneously it became the place for protest and resistance for colonised subjects. As the revolutionaries took prisons as part of their rebellion against the colonial state, it gained respect and national honour among the common people. The identity of the Bengali colonised people corresponding to the development of the colonial prison thus evolves from a frightened to a progressive, liberal to a rebel.

The second chapter has explored the architectural layout and organisational structure of the colonial prison in Bengal highlighting the internal powerplay between the penal authority and the convicted subjects. It focuses on the carceral timespace and its intricate dynamics. In the official archive, it was shown that the colonial government was working on the improvement of its prison buildings, cellular facilities, and hospital conditions. However, the literary works show that most of the prisons were in a deplorable state till the 1880s. Later, temporal and spatial distributions were upgraded only to segregate the political prisoners rigorously. In addition to highly monitored cells, solitary confinement was sanctioned frequently. A few revolutionary memoirs like Aurobindo Ghosh's *Tales of Prison Life* and Hemchandra Kanungo's *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal) manifest mental agony and dehumanising conditions of solitary isolation. However, the chapter also shows liminality in this absolute penal ordering of time and space. The strict surveillance of jail authorities is frequently breached by interpersonal solidarity and material and symbolic transgression even in a colonial setting. Thus, the chapter submits that while the colonial prison constructs an absolute surveillance mechanism by delimiting the vertical and horizontal access, the incarcerated subjects manage to gain limited autonomy and agency within it.

The third chapter shows that despite the abolishment of the public display of crude punishments, the colonial state permitted corporeal punishments including crank, flogging, and solitary confinement for a maximum 72 hours, which indirectly perpetuates torture and brutality within the prison. Historically the cause of the high mortality rate in prisons in Bengal was alluded to unhygienic conditions, insanitation, improper ventilation, and inadequate food supply. But early literary writings suggest that labour-intensive tasks such as treadmilling and working on grindstone and millstone also caused several deaths. Although the colonial prison after the codification in 1860 turned into a disciplinary institution and also took a few pro-people rehabilitative measures, it continued resorting to the sovereign power of applying pain and violence on convict bodies. During the rise of militant nationalism, this application of physical torture was further intensified. The memoirs of the political prisoners demonstrate that in the twentieth century, penal torture developed into psychological coercion, often facilitated by abuse and humiliation. With the complicity of the jail physician, prison authorities deliberately withheld care facilities from the political prisoners. Thus, this chapter underscores the persistence of torture within colonial prisons, whether through direct means, the guise of hard labour, or psychological manipulation, serving to suppress dissent while official narratives dismissed such acts as disciplinary or ignored them entirely.

The fourth chapter drawing upon literary sources presents that the colonial prison was the locus of contestation, defiance, and resistance. During the Mutiny, prisons were strategically targeted by the mutineers. Texts like Upendranath Das' *Surendra-Binodini Natok* (Drama Surendra-Bindodini) show that through jailbreaking, jail escape, and direct violent combat with prison officials, colonised subjects posited a confrontational resistance in the initial period. However, subsequent advancements in prison technology during the late nineteenth century precipitated a shift in the nature of resistance. Solidarity, collective demand, composing a poem, or staging a drama within prisons became the internal tactics of resistance for the revolutionaries, akin to what Foucauldian term 'counter conducts.' Moreover, political prisoners frequently resorted to hunger strikes to pressurise the colonial state into meeting their legitimate demands. Notably, the revolutionaries also put forward an ethical dimension of resistance in the form of 'parrhesia' through their oppositional verbal speech acts within the prison. Thus, this chapter establishes that the colonial subjects were not passive receptors but enfranchised subjects even within the prison, who resisted as well as subverted the colonial state's absolute power.

The fifth chapter provides an overview of female jails in colonial Bengal, tracing its development from penal settlements to various colonies to a few cases of imprisonment in mainland jails to mass incarceration during the revolutionary movement. It has explored that women's penal experiences are marked by their gendered position as well as class and caste identity. Given the relatively low number of female prisoners in the nineteenth century, who predominantly belonged to lower class and caste, colonial prisons viewed them as moral burdens in need of ethical instruction and behavioural correction. Prison addressed this moral transgression and tried to reassign them to traditional feminine role. The external Bengali society, especially the elite class refuting this imperial logic of women's relegated status, as indicated in the early literary writings, attempted to dislocate these disorderly fallen women from the Bengali *bhadramahila* community. However, with the emergence of the political women, the dynamics of inside and outside the prison started to shift. The memoirs of the women revolutionaries show that due to the massive numbers of detainees and imprisoned political women, prison authorities could not enforce coercive measures against them. In fact, in the late 1920s, they could freely interact, walk, read, and arrange anything within the prison. For their collective solidarity and subversive acts within prisons, they remained an eternal quandary for colonial governmentality.

Thus, after constructing alternative histories of the colonial prison in Bengal emphasising the experiences of the Bengali colonial subjects across five interconnected chapters, this dissertation draws four major findings. Firstly, although the official prison policies, committee reports, governmental data, and statistics point towards the progressive shift in the role of the colonial prison in Bengal being the institution that upholds law and order and emphasises rehabilitation, it can be submitted that when taking into account the literary writings between 1860 to 1945, it rather functioned as the site of repression. However, it was not always a place of autocracy and coercion. It oscillated between sovereign power, disciplinary power, and governmental power networks, applied as per the administrative requirement of the colonial government. Therefore, the development of the colonial prison cannot be considered a teleological progression; it is being resisted, defied, subverted, and even forced to be reconstructed by the penal subjects, particularly by the Bengali political prisoners. Thus, the history of the colonial prison in Bengal cannot solely be the history of colonial machinery; it is already marked by the shifting attitude and response of the colonised people as manifested in the literary works.

Secondly, the new carceral system, especially after the introduction of the IPC in 1860 bestows a legal anxiety upon the Bengali people, which was not previously part of the Islamic or village council regulations. While the British authority attempted to establish the prison as a liberal place at least on records beyond any caste/class privilege, the upper caste and class were people presumed to be treated exclusively until the rise of the nationalist insurgency in Bengal. In fact, they developed their legal identity in opposition to the low castes and classes initially and thus tried to present themselves beyond the periphery of the disgraceful prison.

Thirdly, it is evident in the life narratives of the political prisoners that during the revolutionary activism in Bengal in the twentieth century, colonial prisons mainly acted as the site of exception that included the application of corporeal and mental torture within the so-called modern reformative institution. They legally marked the militant nationalists as 'terrorist groups,' a potential threat to the security of the government, while prisons became the violent laboratory of the colonial state to execute brutality on them behind iron fetters. Simultaneously, the records of torture as well as their acts of resistance and subversive performances including protest, hunger strikes, and unpremeditated tactics were frequently overlooked in the official colonial archive.

Finally, women prisoners, both the ordinary and the political remained as the perpetual enigma to the colonial state in Bengal. Through the provision of moral conduct and punishment that was chiefly determined by gendered perception, the colonial state tried to impart docility to the fallen, disorderly women in the nineteenth century. The low caste and class women were made scapegoats in the process. However, after the participation of the educated Bengali women in the militant activism and the demonstration of their resilience within prison, even the moral logic of the colonial state towards the woman subject failed.

Therefore, the colonial prison in Bengal from 1860 to 1945 as produced in the literary works including life narratives embodies the violent desire of the colonial state that attempted to produce docile colonised bodies juridico-technically and became partially successful, but it was subsequently vandalised, resisted as well as subverted, catalysed by the emergence of the radical nationalism. Undeniably, colonial prisons officially brought the idea of liberal, equal treatment for all kinds of subjects, regardless of their class and caste identity. However, being a part of the colonial governmentality, it was driven by its racial prejudices and imperial agendas. The experiences of the colonial subjects thus subsequently unmask the modern, humane veneer of the colonial prison which often surpasses the feudal punitive barbarity.

In this thesis has primarily focused on the literary narratives alongside archival sources leaving magazines, pamphlets, and newspaper reports unexplored. These resources could be another way of understanding colonial experiences of the prison system in Bengal. It must be recalled that newspapers and magazines may not deal with direct individual experience but can express collective views and even determine them. In the case of the colonial public sphere, these mediums posited a strong indigenous voice. It would be interesting to observe to what extent they could disclose penal brutalities as well as mobilise the colonised population against this oppressive institution. This thesis thus can be an opening for further research to explore other intricacies of the colonial prison in Bengal.

Modern carceral imprisonment system, perhaps the only punitive technique, primarily introduced by the British government has not changed substantially even after Independence. In postcolonial India, it was only amended and made more scientific. While validating its rehabilitative principle, it was converted into correctional home, albeit retaining its powerful coercive techniques. This raises questions whether the nature of the experience for free citizens compared to colonised subjects differed in the postcolonial period or the prison was so systematically constructed that it left no space even for resistance. The persistent presence of the prison haunts the colonised people nearly for a century. This thesis thus attempts to reconstruct its history valorising pain, violence, brutality, and death experienced by these people. Although it acknowledges limitations in addressing the experiences of the caste-oppressed people substantially, it initiates a dialogue that can be extended beyond the colonial and postcolonial eras.

Bibliography

Primary Sources

Literary Sources:

Fiction:

Chakraborty, Charu Chandra. *Louha Kapat* (The Iron Gate) Dwitio Parba (Volume II). Kolkata: Bengal Publishers Private Limited, 1954.

Dasgupta, Amalendu. *Detenue*. Kolkata: Saraswati Press, 1965.

Dutta, Kedarnath. *Sachitra Gulzarnagar* (Illustrated Gulzarnagar). Kolkata: Pustak Bipani, 1965.

Haldar, Gopal. *Anyadin* (The Other Day). Kolkata: Bengal Publishers' Private Limited, 1957.

Drama:

Chattopadhyay, Dakshinaranjan. *Jail Darpan* (Jail Mirror). Kolkata, 1875.

Das, Upendranath. *Surendra-Binodini Natok* (Drama Surendra-Bindodini). Kolkata: G. P. Roy And Company, 1880.

Mitra, Dinabandhu. *Nil Darpan or the Indigo Planting Mirror*. Translated by Michael Madhusudan Dutt. Calcutta: Eastern Trading Company, 1861.

Life Writings:

Chakrabarty, Trilokyanath. *Jaile Trish Bachar O Pak-Bharater Swadhinata Sangram* (Thirty Years in Jail and Struggle for Freedom of Pak-India). Kolkata: Maharaj Trilokyanath Mukhopadhyay Smriti Rakhsha Committee, 1962.

Chanda, Rani. *Jenana Phatak* (Zenana Prison). Kolkata: Prakash Bhawan, 1958.

Chatterjee, Jogesh Chandra. *In Search of Freedom*. Calcutta: Firma K. L. Mukhopadhyay, 1958.

Das, Bina. *Bina Das: A Memoir.* New Delhi: Zubaan, 2010.

Das, Shanti. *Arun Banhi* (Fiery Dawn). Kolkata: Basumati Sahitya Mandir, 1957.

Dasgupta, Kamala. *Rakter Akshare* (Written in Blood). Kolkata: Radical Impression, 1954.

Dutta, Bhupendra Kumar. *Biplaber Padachinha* (Footprints of Revolution). Kolkata: Saraswati Library, 1953.

Ghosh, Aurobindo. *Tales of Prison Life*. Pondicherry: Sri Aurobindo Ashram, 2018.

Kanungo, Hemchandra. *Banglai Biplab Prechesta* (Revolutionary Endeavours in Bengal). Calcutta: Kamala Book Depo, 1928.

Mukhopadhyay, Trailokyanath. *Jailey Trish Bachar o Pak-Bharater Swadhinata Sangram* (Thirty Years in Prison and the Struggle for Freedom in Pak-India). Kolkata: Radical Impression, 2015.

Official Sources:

Annual Report of the Administration of the Bengal Presidency for 1868-69. Calcutta: Bengal Secretariat Office, 1869.

Bourdillon, J.A. *Report on Census of Bengal 1881, Vol. 1*. Calcutta: Bengal Secretariat Press, 1883.

Calcutta Police Journal, Summer, 1939. Edited by K. F. Sobhan. Calcutta: P. K. Chatterjee, 1939.

Hutchinson, James. *Observations on the General and Medical Management of Indian Jails: and on the Treatment of Some of the Principal Diseases which Infest Them*. Calcutta: Bengal Military Orphan Press, 1845.

Jugantar Patrika. (19, September, 1937), Vol 1, EAP262/1/2/1, Jugantar Patrika (1937-1980) (EAP262-1-2). Endangered Archive Programme. British Library, UK. https://eap.bl.uk/collection/EAP262-1-2

Mouat, Fredrick J. "Report of the Jails of the Lower Provinces of the Bengal Presidency for 1857-58." Calcutta: Alipore Jail Press, 1858.

---. "On Prison Statistics and Discipline in lower Bengal." *Journal of the Statistical Society of London* 25, no. 2 (1862): 175-218.

---. "On Prison Discipline and Statistics in Lower Bengal," *Journal of Statistical Society of London* 30, no.1 (1867): 21-57.

---. "On International Prison Statistics." *Journal of the Statistical Society of London* 39, no. 2 (June 1876): 311-331.

Mulvany, John. "Bengal Jail in Early Years." *The Calcutta Review*. Calcutta: Calcutta General Publishing, 1916.

---. "Two Notable Prison Administrators in Bengal." *The Calcutta Review*. Calcutta: Calcutta General Publishing, 1916.

Report of the Commission for the Investigation of Alleged Cases of Torture at Madras. The House of Commons, 1855.

Report of the Committee on Prison Discipline. Calcutta: Baptist Mission Press, 1838.

Report of the Indian Jail Committee, 1919-20, Volume 1, Report and Appendices. Simla: Superintendent Government Central Press, 1919.

Report of the Indian Jail Committee. Calcutta: Bengal Printing Company Limited, 1864.

The Bengal Criminal Law Amendment Act 1930. https://archive.org/details/1930WB6/page/n3/mode/2up

The Bengal Jail Code, Rules for the Superintendence and Management of Jails and Subsidiary Jails in Bengal, Volume 1 (Parts I and II). Alipore: Bengal Government Press, 1937.

The Calcutta Review. Calcutta: The Calcutta General Publishing Co.,1916.

The Indian Penal Code (Act XLV of 1860). Calcutta: Superintendent Government Printing, India, 1919.

The Prisons Act, 1894. Ministry of Law. Government of India, 1957. https://www.mha.gov.in/sites/default/files/2023-03/Prisons_act1894_0%5B1%5D%5B1%5D.pdf

Secondary Sources

"The Indian National Congress 1930-34." All India Congress Committee, Allahabad, Swaraj Bhawan.

Abrahamsson, S., and Endre Dányi. "Becoming Stronger by Becoming Weaker: The Hunger Strike as a Mode of Doing Politics." *Journal of International Relations and Development* 22 (2019): 882-898.

Adam, H. L. *The Indian Criminal*. London: John Milne, 1909.

Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Translated by Daniel Heller-Roazen. Sandford: Stanford University Press, 1995.

Ajour, Ashjan. *Reclaiming Humanity in Palestinian Hunger Strikes: Revolutionary Subjectivity and Decolonizing the Body*. London: Palgrave Macmillan, 2021.

Alford, C. Fred. "What Would It Matter If Everything Foucault Said about Prison Were Wrong? "Discipline and Punish" after Twenty Years." *Theory and Society* 29, no. 1 (2000): 125-146.

Anagol, Padma, "The Emergence of the Female Criminal in India: Infanticide and Survival Under the Raj," *History Workshop Journal* 53, no.1 (2002): 73-93.

Anderson, Clara. *Legible Bodies: Race, Criminality and Colonialism in South Asia*. Oxford: Berg, 2004.

---. "Sepoys, Servants and Settlers: Convict Transportation in the Indian Ocean, 1787-1945." In *Cultures of Confinement: A History of the Prison in Africa, Asia and Latin America*, edited by Frank Dikotter and Ian Brown, 185-220. New York: Cornell University Press, 2007.

---. "The British Indian Empire, 1789-1939." In *A Global History of Convicts and Penal Colonies*, 279. London: Bloomsbury Academic, 2018.

---. *Convicts in the Indian Ocean: Transportation from South Asia to Mauritius, 1815-53*. London: Palgrave Macmillan, 2000.

---. *The Indian Uprising of 1857-8: Prisons, Prisoners and Rebellion*. London: Anthem Press, 2007.

Arford, Tammi. "Prisons as Sites of Power/Resistance." In *The Sage Handbook of Resistance,* edited by David Courpasson and Steven Vallas, 226. London: Sage, 2016.

Arnold, David. "India: The Contested Prison." In *Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America*, edited by Frank Dikötter and Ian Brown, 147-48. Ithaca and New York: Cornell University Press, 2007.

---. "India: the Prisoners' Revolt." *IIAS Newsletter*, 2005.

---. "Labouring the Raj: Convict Work Regimes in Colonial India, 1836-1939." In *Global Convict Labour*, edited by Christian G. De Vito and Alex Lichtenstein, 199-221. Leiden: Brill, 2015.

---. "The Colonial Prison: Power, Knowledge and Penology in Nineteenth-Century India." In *Subaltern Studies VIII, Essays in honour of Ranajit Guha*, edited by David Arnold and David Hardiman, 148–87. New Delhi: Oxford University Press, 1996.

---. *Police Power and Colonial Rule: Madras 1859-19*. New Delhi: Oxford University Press, 1986.

Arvatu, Adina. "Spectres of Feud: The Figure of the Archive in Derrida and Foucault." *Mosaic: A Journal for the Interdisciplinary Study of Literature* (2011): 141-159.

Asad, Talal. "On Torture, or Cruel, Inhuman, and Degrading Treatment." In *Social Suffering,* edited by Arthur Kleinman, Veena Das, and Margaret Lock, 285-308. Berkeley: University of California Press, 1998.

Bachelard, Gaston. *Poetics of Space*. Boston: Beacon Press, 1994.

Baer, Leonard D. "Visual Imprints on the Prison Landscape: A Study on the Decorations in Prison Cells." *Tijdschrift Voor Economische en Sociale Geografie* 96, no. 2 (2005): 209-217.

Ballhatchet, Kenneth. *Race, Sex and Class under the Raj*. New York: St. Martin Press, 1980.

Balsamo, Anne. *Technologies of the Gendered Body: Reading Cyborg Women*. London: Duke University Press, 1996.

Bandyopadhyay, Mahuya. "Reform and Everyday Practice: Some Issues of Prison Governance." *Contributions to Indian Sociology* 41, no. 3 (2007): 387-416.

Bandyopadhyay, Sibaji. "Producing and Re-producing the New Women: A Note on the Prefix 'r''." *Social Scientist* 22, no. 1/2 (1994): 19-39.

Banerjee, Sumanta. *The Wicked City: Crime and Punishment in Colonial Calcutta*. New Delhi: Orient Blackswan, 2009.

Banerjee, Tapas Kumar. *Background to Indian Criminal Law*. Bombay: Orient Longman, 1963.

Bannerji, Himani. "The Mirror of Class: Class Subjectivity and Politics in 19th Century Bengal." *Economic and Political Weekly* (1989): 1041-1051.

Barry, Andrew. *Political Machines: Governing a Technological Society*. London: A&C Black, 2001.

Beccaria, Cesare. *On Crime and Punishments*. Translated by David Young. Indiana: Hackett Publishing House, 1986.

Benjamin, Walter. "Critique of Violence." In *Walter Benjamin Selected Writings Volume 1, 1913-1926*, edited by Marcus Bullock and Michael W. Jennings, 241-43. Cambridge: The Belknap Press of Harvard University Press, 1996.

Benjamin, Walter. *Storyteller*. Translated and edited by Sam Dolbear, Esther Leslie, and Sebastian Truskolaski, 3. London: Verso, 2016.

Bentham, Jeremy. *Panopticon Writings*. Edited by Miran Bozovic. London: Verso Books, 1995.

Bhattacharya, Baidik. "Public penology: Postcolonial Biopolitics and a Death in Alipur Central Jail, Calcutta." *Postcolonial Studies* 12, no. 1 (2009): 7-28.

Bhattacharya, Tithi. *The Sentinels of Culture: Class, Education, and the Colonial Intellectual in Bengal (1848-85).* New Delhi: Oxford University Press, 2005.

Bordo, Susan. *Unbearable Weight: Feminism, Western Culture, and the Body*. California: Univ. of California Press, 1995.

Bose, Purnima. *Organizing Empire: Individualism, Collective Agency, and India*. London: Duke University Press, 2003.

Brown, Mark. "Ethnology and Colonial Administration in Nineteenth-Century British India: The Question of Native Crime and Criminality." *The British Journal for the History of Science* 36, no. 2 (2003): 201-219.

---. *Penal Power and Colonial Rule*. London: Routledge, 2014.

Brown, Nadia, and Sarah Allen Gershon. "Body politics," *Politics, Groups, and Identities* 5, no.1 (2017): 1-3.

Butler, Judith. *Gender Trouble: Feminism and the Subversion of Identity*. London and New York: Routledge, 1999.

---. *Bodies that Matter: On the Discursive Limits of Sex*. London & New York: Routledge, 1993.

Candace, West, and Don H. Zimmerman. "Doing gender." *Gender & society* 1, no.2 (1987): 125-151.

Carey, William. *The Good Old Days of Honourable John Company: Being Curious Reminiscences During the Rule of the East India Company from 1600-1858*. Calcutta: Quins Book Company, 1882.

Carpenter, Mary. *Six Months in India Vol. II*. London: Spottiswoode and Co., 1868.

Carrabine, Eamonn. "Discourse, governmentality and Translation: Towards a Social Theory of Imprisonment." *Theoretical Criminology* 4, no. 3 (2000): 309-331.

Certeau, Michel de. *The Practice of Everyday Life*. Berkeley: University of California Press, 1984.

Chakrabarti, Ranjan. *Authority and Violence in Colonial Bengal: 1800-1860*. Calcutta: Bookland Private Limited, 1997.

Chakraborty, Dipesh. *Provincializing Europe: Postcolonial Thought and Historical Difference.* Princeton: Princeton University Press, 2000.

Chatterjee, Partha. "Our Modernity," *Empire and Nation, Essential Writings 1985-2005*. Ranikhet: Permanent Black, 2015.

---. "The Nation and Its Fragments: Colonial and Postcolonial Histories." In *The Partha Chatterjee Omnibus Comprising Nationalist Thought and the Colonial World, The Nation and Its Fragments, A Possible India*, 16-22. New Delhi: Oxford University Press, 1999.

---. *Empire and Nation*. Ranikhet: Permanent Black, 2010.

Chatterji, Basudev. "The Darogah and the Countryside: The Imposition of Police Control in Bengal and its Impact (1793—1837)." *The Indian Economic & Social History Review* 18, no. 1 (1981): 19-42.

Chittaranjan Bandyopadhyay. Introduction to *Sachitra Gulzarnagar* (Illustrated Gulzarnagar), I-III. Kolkata: Pustak Bipani, 1965.

Clive, John. *Macaulay: The Shaping of the Historian*. Cambridge: Belknap Press, 1987.

Cohen, Stanley and Laurie Taylor. *Psychological Survival: The Experience of Long Term Imprisonment*. Middlesex: Penguin Books, 1972.

Cohn, Bernard S. *Colonialism and Its Forms of Knowledge: The British in India*. Princeton: Princeton University Press, 1996.

Corbett, John. “CSISS classics—Torsten Hägerstrand: Time Geography.” (2001):1-4.

Cornelissen, Lars. “What is Political Rationality.” *Parrhesia* 29 (2018): 125-162.

D, Jacobs and Helms R E. “Toward a Political Model of Incarceration: a Time-Series Examination of Multiple Explanations for Prison Admission Rates.” *American Journal of Sociology* 102, no. 2 (1996): 323–357.

Das, Madhurima. *Prisons in Colonial Bengal 1838-1919*. Kolkata: Thema, 2007.

Dasgupta, Kamala. *Swadhinata Sangrame Banglar Nari* (Bengali Women in the Nationalist Movement). Kolkata: Basudhara Prakashani, 1960.

Dasgupta, Subrata. *The Bengal Renaissance: Identity and Creativity from Rammohun Roy to Rabindranath Tagore.* Ranikhet: Permanent Black, 2007.

De Certeau, Michel. *The Writing of History*. Translated by Tom Conley. New York: Columbia University Press, 1988.

De, Sharmistha. “Europiyo Kayadi: Jailkhanar Bisheshi Atithi” (European Prisoners: The Foreign Guest of Jail). In *Garib Sahebnama: Oupanibeshik Bharate Prantik Europiyo Samaj 1770-1947* (Wretched Shahib Nama: The Neglected European Communities in Colonial India 1770-1947), 201–33. Kolkata: Bookpost Publication, 2023.

Dean, Mitchell M. *Governmentality: Power and Rule in Modern Society*. London: Sage, 2010.

Death, Carl. “Counter-conducts as a Mode of Resistance: Ways of 'Not Being Like That' in South Africa.” *Global Society* 30, no. 2 (2016): 201-217.

Derrida, Jacques, and Eric Prenowitz. “Archive Fever: A Freudian Impression.” *Diacritics* 25, no. 2 (1995): 9-63.

Diaz, S. M. “Prison Administration in India.” *Indian Journal of Public Administration* 25, no. 1 (1979): 120-148.

Dirsuweit, Teresa. “Carceral Spaces in South Africa: A Case Study of Institutional Power, Sexuality and Transgression in a Women’s Prison.” *Geoforum* 30, no. 1 (1999): 71-83.

---. “State Discipline, and the Performance of Gender in a South African Women’s Prison Bodies.” In *A Companion to Feminist Geography*, edited by Lise Nelson and Joni Seager, 353. Oxford: Blackwell Publishing, 2005.

Dodgshon, Robert A. “Geography’s Place in Time.” *Geografiska Annaler: Series B, Human Geography* 90, no. 1 (2008): 1-15.

Eagleton, Terry. *Radical Sacrifice*. London: Yale University Press, 2018.

Elden, Stuart. “Rethinking Governmentality.” *Political Geography* xx (2006): 1-5.

---. *Mapping the Present: Heidegger, Foucault and the Project of a Spatial History*. London & New York: Continuum, 2001.

Ewart, Joseph. *The Sanitary Condition And Discipline of Indian Jails*. London: Smith, Elder & Co., 1860.

Feldman, Allen. *Formations of Violence: The Narrative of The Body And Political Terror in Northern Ireland*. Chicago: University of Chicago Press, 2008.

Fierke, Karin M. *Political Self-Sacrifice: Agency, Body and Emotion in International Relations*. Cambridge: Cambridge University Press, 2012.

Fisch, Jörg. *Cheap Lives and Dear Limbs: The British Transformation of the Bengal Criminal Law 1769-1817*. Wiesbaden: Franz Steiner Verlag, 1983.

Fludernik, Monika. “Carceral Topography: Spatiality, Liminality and Corporality in the Literary Prison.” *Textual Practice* 13, no. 1 (1999): 43-77.

Foucault, Michel. “Governmentality.” In *The Foucault Effect Studies in Governmentality, with Two Lectures by and an Interview with Michel Foucault*, edited by Graham Burchell, Colin Gordon, and Peter Miller, 87-104. Chicago: University of Chicago Press, 1991.

---. “Nietzsche, Genealogy, History.” In *Language, Counter-Memory, Practice: Selected Essays and Interviews*, ed. D. F. Bouchard, 148. Ithaca: Cornell University Press, 1977.

---. “Panopticism.” In *The Foucault Reader*, edited by Paul Rainbow, 206-207. New York: Pantheon Books, 1984.

---. “Space, Knowledge, and Power.” In *Power: Essential Works of Foucault, 1954-1984*, edited by James D. Fabion, 361. Translated by Robert Hurley et all. New York: The New Press, 2001.

---. “Technologies of the Self.” In *Technologies of the Self: A Seminar with Michel Foucault*, edited by Luther H. Martin et all, 18. Massachusetts: University of Massachusetts Press, 1988.

---. “The Ethics of the Concern of the Self as a Practice of Freedom.” In *Ethics: Subjectivity and Truth*, edited by Paul Rainbow, translated by Robert Hurley and others, 282-83. New York: The New Press, 1997.

---. “The Political Technology of Individual.” In *Power*, edited by James D. Faubion, 404. Translated by Robert Hurly et all. New York: The New Press, 2001.

---. “The Subject and the Power.” *Critical Inquiry* 8, no. 4 (Summer, 1982): 777-795.

---. *Archaeology of Knowledge*. London: Routledge, 2002.

---. *Birth of Biopolitics: Lectures at the Collège de France 1978-79.* Translated by Graham Burchell. London: Palgrave Macmillan, 2008.

---. *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan. New Delhi: Penguin Books, 1991.

---. *History of Sexuality Volume 1: An Introduction*. Translated by Robert Hurley. New York: Pantheon Books, 1978.

---. *Order of Things: An Archaeology of Human Sciences.* London & New York: Routledge, 2005.

---. *Politics of Truth*. Edited by Sylvere Lotringer. Translated by Lysa Hochroth and Catherine Porter. Cambridge: MIT Press, 2007.

---. *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*, edited by Colin Gordon, 194. Translated by Colin Gordon et all. New York: Pantheon Books, 1980.

---. *Security, Territory, Population: Lectures at the Collège de France, 1977-78*. Edited by Michel Senellart. Translated by Graham Burchell. London: Palgrave Macmillan, 2009.

---. *The Courage of Truth (The Government of the Self and Others II): Lectures at the Collège de France, 1983-84*. Edited by Frédéric Gros. Translated by Graham Burchell. London: Palgrave Macmillan, 2011.

---. *The Government of Self and Others Lectures at the Collège de France, 1982-83.* Translated by Graham Burchell. London: Palgrave Macmillan, 2010.

---. *The Punitive Society: Lectures at the Collège de France, 1972-1973.* Translated by Graham Burchell. London: Palgrave Macmillan, 2015.

Freitag, Sandra B. *Collective Action & Comm: Public Arenas and the Emergence of Communalism in North India*. California: California University Press, 1989.

Gal, Susan. “Language and the 'Arts of Resistance'.” *Cultural Anthropology* 10, no. 3 (1995): 407-424.

Garland, David. “Frameworks of Inquiry in the Sociology of Punishment.” *The British Journal of Sociology* 41, no.1 (March 1990): 1- 15.

Geraldine Hancock Forbes, “Goddesses or Rebels? The Women Revolutionaries of Bengal,” *Indian Women and the Freedom Movement: A Historian's Perspective* (Mumbai: Research Centre for Women's Studies, SNDT Women's University, 1977), 112-134.

Ghosh, Durba. “Revolutionary Women and Nationalist Heroes in Bengal, 1930 to the 1980s.” *Gender & History* 25, no.2 (2013): 355-375.

---. *Gentlemanly Terrorist: Political Violence and the Colonial State in India, 1919-1947*. Cambridge: Cambridge University Press, 2017.

Giddens, Antony. *Profiles and Critiques in Social Theory*. London: The Macmillan Press Ltd, 1982.

Goffman, Erving. *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates*. London & New York: Routledge, 2017.

Goodnight, Gladys Thomas. “Parrhesia: The Aesthetics of Arguing Truth to Power.” OSSA Conference Archive, 2007, 1-13.

Gordon, Colin. “Governmental Rationality: An Introduction.” In *The Foucault Effect: Studies in Governmentality*, edited by Graham Burchell et all, 5. Chicago: University of Chicago Press, 1991.

Goswami, Pareshnath. *Naksha Sekal-Ekal Porbo 1*(Sketch’s Past and Present, Part 1). Kolkata: Sreepress Art, 1959.

Graham, Maria. *Letters on India*. London: Longman Hurst Press, 1814.

Grant, Kevin. *Last Weapons: Hunger Strikes And Fasts in The British Empire, 1890–1948*. California: University of California Press, 2019.

Grosz, Elizabeth. *Space, Time, and Perversion: Essays on the Politics of Body*. London and New York: Routledge, 1995.

---. *Volatile Bodies: Toward a Corporeal Feminism*. Bloomington and Indianapolis: Indiana University Press, 1994.

Guenther, Lisa. *Solitary Confinement: Social Death and Its Afterlives*. Minnesota: University of Minnesota Press, 2013.

Guha, Arun Chandra. *First Spark of Revolution*. Kolkata: Orient Longman, 1971.

Guha, Ranajit. *An Indian Historiography of India: A Nineteenth-Century Agenda and Its Implications*. Calcutta and New Delhi: K. P. Bagchi & Company, 1988.

---. *Dominance without Hegemony: History and Power in Colonial India*. Cambridge: Harvard University Press, 1997.

---. *History at the Limit of World-History*. New York: Columbia University Press, 2002.

Guru, Gopal. “Rejection of Rejection: Foregrounding Self-respect.” In *Humiliation: Claims and Context*, edited by Gopal Guru, 209-10. Oxford: Oxford University Press, 2011.

Hale, David George. *The Body Politic: A Political Metaphor in Renaissance English Literature.* The Hague: Mouton and Co. N. V., 2021.

Halhed, Nathaniel Brassey, and Robert Coleman Hall Brock. *A Code of Gentoo Laws, or Ordinations of the Pundits*. London, 1776.

Hardt, Michael. “Prison Time.” *Yale French Studies* 91 (1997): 64-79.

Harlow, Barbara. “From the Women’s Prison: Third World Women's Narratives of Prison.” *Feminist Studies* 12, no. 3 (1986): 501-524.

Hartsock, Nancy. “Foucault on Power: A Theory for Women?” In *Feminism/Postmodernism*, edited by Linda J. Nicholson, 157-175. London and New York: Routledge, 1990.

Haynes, Douglas, and Gyan Prakash. “Introduction: The Entanglement of Power and Resistance.” In *Contesting Power Resistance and Everyday Social Relations in South Asia*, edited by Douglas Haynes and Gyan Prakash, 4-5. California: University of California Press, 1992.

Heath, Deana. “The Tortured Body: The Irrevocable Tension between Sovereign and Biopower in Colonial Indian Technologies of Rule.” In *South Asian Governmentalities: Michel Foucault and the Question of Postcolonial Orderings*, edited by Stephen Legg and Deana Heath, 230. Cambridge: Cambridge University Press, 2004.

---. *Colonial Terror: Torture and State Violence in Colonial India*. Oxford: Oxford University Press, 2021.

Hollander, Jocelyn A., and Rachel L. Einwohner. “Conceptualizing Resistance.” *Sociological Forum* 19 (2004): 533-554.

Hörnqvist, Magnus. *Risk, Power and the State: After Foucault*. New York: Routledge, 2010.

Howard, John. *The State of the Prisons in England and Wales*. Warrington: William Eyres, 1977.

Howell, P. *Note on Jails and Jail Discipline in India, 1867-68*. Calcutta: Supt. Govt. Printing, 1869.

Hutchinson, Steven and Pat O’Malley. “Discipline and Governmentality.” In *The Handbook of Social Control*, edited Mathieu Deflem, 64. Hoboken: Willey-Blackwell, 2009.

Huxley, Margo. “Space and Government: Governmentality and Geography.” *Geography Compass* 2, no. 5 (2008): 1635-1658.

Ignatieff, Michael. “State, Civil Society, and Total Institutions: A Critique of Recent Social Histories of Punishment.” *Crime and Justice* 3 (1981): 153-192.

---. *A Just Measure of Pain: The Penitentiary in the Industry Revolution 1750-1850*. London: Macmillan, 1978.

Islam, Kazi Nazrul. “Songs of Destruction: Those Iron Gates of Freedom.” In *The Oxford Anthology of Bengali Literature Volume 1, 1861-1941*, edited by Kalpana Bardhan, 49. New Delhi: Oxford, 2010.

Jaramillo, Nathalia E., and Michelle E. Carreon. “Pedagogies of Resistance and Solidarity: Towards Revolutionary and Decolonial Praxis.” *Interface: A Journal for and about Social Movements* 6, no. 1 (2014): 392-411.

Jenkins et all. “Nursing in Deathworlds: Necropolitics of the Life, Dying and Death of an Unhoused Person in the United States Healthcare Industrial Complex.” *Nursing Philosophy* (2023): e12458.

Jewkes, Yvonne. “On Carceral Space and Agency.” In *Carceral Spaces Mobility and Agency in Imprisonment and Migrant Detention*, edited by Dominique Moran, Nick Gill, and Deirdre Conlon, 129. Farnham: Ashgate Publishing Limited, 2013.

Jones, Gareth Stedman. *Outcast London: A Study in the Relationship Between Classes in Victorian Society*. London: Verso, 2013.

Jones, Paul. “Putting Architecture in its Social Place: A Cultural Political Economy of Architecture.” *Urban Studies* 46, no. 12 (2009): 2519-2536.

Kalman, Harold D. “Newgate Prison.” *Architectural History* 12 (1969): 50-61.

Kalpagam, Uma. “Colonial Governmentality and the Public Sphere in India.” *Journal of Historical Sociology* 15, no. 1 (2002): 35-58.

Kaplan, Martha. “Panopticon in Poona: An Essay on Foucault and Colonialism.” *Cultural Anthropology* 10, no. 1 (1995): 85-98.

Kolsky, Elizabeth. “Codification and the Rule of Colonial Difference: Criminal Procedure in British India.” *Law and History Review* 23, no. 3 (Fall 2005): 631-683.

---. *Colonial Justice in British India*. New Delhi: Cambridge University Press, 2010.

Krell, David Farrell. *Martin Heidegger: Basic Writings: From Being and Time (1927) to the Task of Thinking (1964).* London: Routledge, 1993.

Kumar, Shailesh. “Thinking Beyond Penal Reform in India: Questioning the Logic of Colonial Punishments.” In *The Routledge Handbook of Penal Abolition*, edited by Michael J. Coyle and David Scott, 263. London and New York: Routledge, 2021.

La Capra, Dominick. *History in Transit: Experience, Identity, Critical Theory*. Ithaca and London: Cornell University Press, 2004.

Lambert, John. *Vagrancy Laws and Vagrant, a Lecture*. Salisbury: Brown & Co., Canal, 1868.

Larson, Doran. “Toward a Prison Poetics.” *College Literature* 37, no. 3 (2010): 143-166.

Legg, Stephen. “Subjects of Truth: Resisting Governmentality in Foucault's 1980s.” *Environment and Planning D: Society and Space* 37, no. 1 (2019): 1-19.

---. “Governmentality, Congestion and Calculation in Colonial Delhi.” *Social & Cultural Geography* 7, no. 5 (2006): 709–729.

Lemke, Thomas. *Foucault, Governmentality, and Critique*. London and New York: Routledge, 2016.

Liebling, Alison. “Prison Officers, Policing and the Use of Discretion.” *Theoretical Criminology* 4, no. 3 (2000): 333-357.

Llewellyn-Jones, Rosie. *Empire Building: The Construction of British India, 1690–1860.* London: Hurst Publishers, 2023.

Luben, David. “Torture, Power, and Law: A Communicative Conception of Torture.” *Georgetown Law* (2015): 55.

---. “Treatment of Prisoners and Torture.” In *The Cambridge Handbook of Human Dignity,* edited by Marcus Duwell et all, 448-49. Cambridge: Cambridge University Press, 2014.

Macaulay, Thomas Babington. “Minute, dated the 2nd February 1835.” *Islamic Studies* 54, no. 3/4 (2015): 237–48.

Machin, Amanda. “Hunger Power: The Embodied Protest of the Political Hunger Strike.” *Interface: A Journal on Social Movements* 8, no. 1 (2016): 157-180.

Mahanty, Amarendra, and Narayan Hazary. *Indian Prison System*. New Delhi: Asish Publication House, 1990.

Majumder, Nimai. *Justice and Police in Bengal 1765-1793*. Calcutta: Firma K. L. Mukhopadhyay, 1960.

Manoff, Marlene. “Theories of the Archive from Across the Disciplines.” *Libraries and the Academy* 4, no. 1 (2004): 9–25.

Manzer, Habib, and Ashfaque Ali. “Female Convicts and Andamans Penal Settlement During Second Half of the Nineteenth Century.” *Proceedings of the Indian History Congress* 70 (2009): 635-642.

Massey, Doreen. “The Political Place of Locality Studies.” *Environment and Planning A* 23 (1991): 267-281.

Mathieson, Thomas. *The Defences of the Weak: A Sociological Study of a Norwegian Correctional Institution*. London: Tavistock Publications, 1965.

Mbembé, J-A, and Libby Meintjes. “Necropolitics.” *Public Culture* 15, no. 1 (2003): 11-40.

Mcclure, Alastair. “Archaic Sovereignty and Colonial Law: The Reintroduction of Corporal Punishment in Colonial India, 1864–1909.” *Modern Asian Studies* 54, no. 5 (2020): 1-36.

Metcalf, Thomas R. *The Ideologies of the Raj*. Cambridge: Cambridge University Press, 2008.

---. *An Imperial Vision: Indian Architecture and Britain's Raj.* Berkeley: University of California Press, 1989.

Minckea, Christophe and Anne Lemonne, Mincke. "Prison and (im) Mobility. What about Foucault?" *Mobilities* 9, no. 4 (2014): 528-549.

Mitcheson, Katrina. "Foucault's Technologies of the Self: Between Control and Creativity." *Journal of the British Society for Phenomenology* 43, no.1 (2012): 59-75.

Mitra, Dinabandhu. *Nil Darpan or the Indigo Planting Mirror*. Translated by Michael Madhusudan Dutt. Calcutta: Eastern Trading Company, 1861.

Mitra, Paulomi. "Nostalgias of Adda," *Journal of the Anthropological Survey of India* 65, no.1 (2016): 135-142.

Moore, Charles. *The Sheriff of Fort William from 1775 to 1926*. Calcutta & Simla: Thacker, Spink & Co, 1926.

Moran, Dominique. "Carceral Geography and the Spatialities of Prison Visiting: Visitation, Recidivism, and Hyperincarceration." *Environment and Planning D: Society and Space* 31, no. 1 (2013): 174-190.

Moran, Dominique. ""Doing time" in Carceral Space: Timespace and Carceral Geography." *Geografiska Annaler: Series B, Human Geography* 94, no. 4 (2012): 305-316.

Mukhopadhyay, Anindita, "Jail Darpan: The Image of the Jail in Bengali Middle-Class Literature." *Studies in History* 15, no.1 (1999): 109-144.

---. "Crime and Criminality in Colonial Bengal." In *Proceedings of the Indian History Congress* 63 (2002): 968-986.

---. *Behind the Mask: The Cultural Definition of the Legal Subject in Colonial Bengal (1715-1911)*. New Delhi: Oxford University Press, 2012.

Nair, Neeti. "Bhagat Singh as 'Satyagrahi': The Limits to Non-violence in Late Colonial India." *Modern Asian Studies* 43, no. 3 (2009): 649-681.

Neti, Leila. *Colonial Law in India and the Victorian Imagination*. Cambridge: Cambridge University Press, 2021.

Nijhar, Preeti. *Law and Imperialism: Criminality and the Constitution in Colonial India and Victorian England*. London: Pickering and Chatto, 2009.

O'Hanlon, Rosalind, and David Washbrook. "Histories in Transition: Approaches to the Study of Colonialism and Culture in India." *History Workshop Journal* 32, no. 1 (1991): 110–27.

Offermann, Michael. “Penal Law, Penology, and Prisons in Colonial India.” Edited by Harald Fischer-Tiné and Maria Framke. In *Routledge Handbook of the History of Colonialism in South Asia*, 230-240. London & New York: Routledge, 2022.

Ojakangas, Mika. “Impossible Dialogue on Bio-power: Agamben and Foucault.” *History of the Human Sciences* 25, no. 1 (2012): 1-14.

Oksala, Johana. “Violence and the Biopolitics of Modernity.” *Foucault Studies* 10 (2010): 23-43.

Pachauri, C. K. “History of Prison Administration in India in 19th Century.” *Proceedings of the Indian History Congress* 55 (1994): 492-498.

Panda, Nandini Bhattacharyya. *Appropriation and Invention of Tradition: The East India Company and Hindu Law in Early Colonial Bengal*. New Delhi: Oxford University Press, 2008.

Pandey, B. N. *The Introduction of English Law into India: The Career of Elijah Impey in Bengal, 1774-1783*. London: Asia Publication House, 1967.

Pandit, Mimasha. *Performing Nationhood: The Emotional Roots of Swadeshi Nationhood in Bengal, 1905–12*. Oxford: Oxford University Press, 2019.

Pandit, Vijaylakshmi. *The Scope of Happiness: A Personal Memoir*. London: Weidenfeld & Nicolson, 1979.

Peers, D M. Torture, “The Police and the Colonial State in Madras Presidency, 1816-1855,” *Criminal Justice History* 12 (1991): 29-56.

Pemberton, Sarah, “Enforcing Gender: The Constitution of Sex and Gender in Prison Regimes.” *Signs: Journal of Women in Culture and Society* 39, no.1 (2013): 151-175.

Pierce, Joseph, and Olivia R. Williams. “Against Power? Distinguishing between Acquisitive Resistance and Subversion.” *Geografiska Annaler: Series B, Human Geography* 98, no. 3 (2016): 171-188.

Pinggong, Zhang. “Subversive Resistance in a Literary Theory Perspective.” *American Journal of Humanities and Social Science (AJHSS)* 5 (2020): 3.

Prakash, Gyan. *Another Reason: Science and the Imagination of Modern India*. Princeton: Princeton University Press, 2020.

Price, Joshua M. *Prison and Social Death*. New Brunswick, New Jersey, and London: Rutgers University Press, 2015.

Purkayastha, Sharmila. *Of Captivity and Resistance: Women Political Prisoners in Postcolonial India.* Cambridge: Cambridge University Press, 2023.

Raby, Rebecca. “What is resistance?” *Journal of Youth Studies* 8, no. 2 (2005): 151-171.

Rao, Anupama and Steven Pierce. “Discipline and the Other Body: Humanitarianism, Violence, and the Colonial Exception.” In *Discipline and the Other Body: Correction, Corporeality, Colonialism,* edited by Steven Pierce and Anupama Rao, 5. Durham and London: Duke University Press, 2006.

Ristroph, Alice. “Respect and Resistance in Punishment Theory.” *California Law Review* 97, no. 2 (2009): 601-632.

Rothman, David J. “Invention of Penitentiary.” In *Incarcerating Criminals: Prisons and Jails in Social and Organizational Context,* edited by Timothy J. Flanagan et all, 17. Oxford: Oxford University Press, 1998.

Roy, Dinesh Chandra. *The Penal Code (As Modified Up-to-Date)*. Second Edition. Calcutta: The Calcutta Phototype Co., 1933.

Roy, Shampa. *Gender and Criminality in Bangla Crime Narratives: Late Nineteenth and Early Twentieth Centuries*. London: Palgrave Macmillan, 2017.

---. *True Crime Writings in Colonial India: Offending Bodies and Darogas in Nineteenth-Century Bengal*. London and New York: Routledge, 2021.

Roy, Sudipto. “Jail Reforms in India: A Review.” *Kriminologija i socijalna integracija* 11 (2003): 33-40.

Rubin, Ashley T. “Resistance as Agency? Incorporating the Structural Determinants of Prisoner Behaviour.” *British Journal of Criminology* 57, no. 3 (2017): 644-663.

Said, Edward W. “The Text, the World, the Critic.” *The Bulletin of the Midwest Modern Language Association* 8, no. 2 (1975): 1-23.

---. *Culture and Imperialism*. New York: Vintage Books, 1994.

Schmitt, Carl. *Political Theology: Four Chapters on the Concept of Sovereignty*. Translated by George Schwab. Cambridge: The MIT Press, 1985.

Scott, David. “Colonial Governmentality.” *Social text* 43 (1995): 191-220.

Scott, James C. “Everyday Forms of Resistance.” In *Everyday Forms of Peasant Resistance,* edited by Forrest D. Colburn, 34. New York: Routledge, 2016.

---. “Voice under Domination: The Arts of Political Disguise.” In *Domination and the Arts of Resistance: Hidden Transcripts*, 136-182. Yale: Yale University Press, 1990.

Scriver, Peter and Vikramaditya Prakash. “Between Materiality and Representation: Framing an Architectural Critique of Colonial South Asia.” In *Colonial Modernities: Building, Dwelling and Architecture in British India and Ceylon*, edited by Peter Scriver and Vikramaditya Prakash, 10-11. London & New York: Routledge, 2007.

Sen, Amiya P. *Social and Religious Reform: The Hindus of British India,* edited by Amiya P. Sen, New Delhi: Oxford University Press, 2003.

Sen, Atreyee. “Slaps, Beatings, Laughter, *Adda*, Puppet Show: Naxal Women Prisoners in Calcutta and the Art of Happiness in Captivity.” In *Arts and Aesthetics in a Globalizing World*, edited by Raminder Kaur and Parul Dave-Mukherjee, 119-134. London: Bloomsbury, 2014.

---. “Torture and Laughter: Naxal Insurgency, Custodial Violence, and Inmate Resistance in a Women's Correctional Facility in 1970s Calcutta.” *Modern Asian Studies* 52, no. 3 (2018): 917-941.

Sen, Madhurima. *Prisons in Colonial Bengal 1838-1919*. Kolkata: Thema, 2007.

Sen, Satadru. “Rationing Sex: Female Convicts in the Andamans.” *South Asia: Journal of South Asian Studies* 21, no. 2 (1998): 29-59.

---. “The female Jails of colonial India.” *The Indian Economic & Social History Review* 39, no.4 (2002): 417-438.

---. *Disciplined Natives: Race, Freedom and Confinement in Colonial India*. Delhi: Primus Books, 2012.

---. *Discipling Punishment: Colonialism and Convict Society in the Andaman Islands*. New Delhi: Oxford University Press, 2000.

Shah, Nayan. *Refusal to Eat: A Century of Prison Hunger Strikes*. California: University of California Press, 2022.

Sheridan, Alan. *Michel Foucault: The Will to Truth*. London and New York: Routledge, 2005.

Sherman, Taylor C. *State Violence and Punishment in India.* London & New York: Routledge, 2010.

Sibley, David and Bettina Van Hoven. “The Contamination of Personal Space: Boundary Construction in a Prison Environment.” *Area* 41, no. 2 (2009): 198-206.

Singh, Amardeep. “Progressivism and Modernism in South Asian Fiction: 1930-1970,” *Literature Compass* 7, no. 9 (2010): 836-850.

Singh, Bhagat. *The Selected Works of Bhagat Singh*. Ontario: Big Red Oak, 2009.

Singh, Indra Jeet. *Indian Prison: A Sociological Enquiry*. Delhi: Concept, 1979.

Singh, Ujjwal Kumar. *Political Prisoners in India*. New Delhi: Oxford University Press, 2001.

Singha, Radhika. *A Despotism of Law: Crime and Justice in Early Colonial India*. New Delhi: Oxford University Press, 2000.

Skuy, David. “Macaulay and the Indian Penal Code of 1862: The Myth of the Inherent Superiority and Modernity of the English Legal System Compared to India's Legal System in the Nineteenth Century.” *Modern Asian Studies* 32, no. 3 (July 1998): 513-57.

Skyes, Gresham M. *The Society of Captives: A Study of a Maximum Security Prison*. Princeton: Princeton University Press, 2007.

Spivak, Gayatri Chakravorty. "The Rani of Sirmur: An Essay in Reading the Archives." *History and Theory* 24, no. 3 (1985): 247-272.

Stamp, Gavin. "British Architecture in India 1857-1947." *Journal of the Royal Society of Arts* 129, no. 5298 (1981): 357-379.

Stokes, Eric. *The English Utilitarians and India*. London: Oxford University Press, 1959.

Stoler, Ann Laura. "Colonial Archive and the Art of Governance." *Archival Science* 2 (2002): 87-109.

Sussman, David. "What's Wrong with Torture." *Philosophy & Public Affairs* 33, no. 1 (2005): 1- 33.

Tagma, Halit Mustafa. "Biopower as a *Supplement* to Sovereign Power: Prison Camps, War, and the Production of Excluded Bodies." In *International Relations and the State of Exception*, edited by Shampa Biswas and Sheila Nair, 180. London and New York: Routledge, 2010.

Tagore, Rabindranath. *Itihasa*. Calcutta: Visva Bharati Granthanalaya, 1955.

Tarapore, P. K. *Prison Reform in India*. Bombay: Oxford University Press, 1936.

Teltumbde, Anand. "Fast, Hunger and Hunger Strikes." *Economic and Political Weekly* 46, no. 26-27 (2011): 10-11.

Terpstra, Marin. "From the King's Two Bodies to the People's Two Bodies: Spinoza on the Body Politic." *Early Science and Medicine* 25, no.1 (2020): 46-71.

Thapar-Björkert, Suruch, "Gender, Nationalism and the Colonial Jail: A Study of Women Activists in Uttar Pradesh." *Women's History Review* 7, no.4 (1998): 583-615.

Thoenig II, R H. "Solitary Confinement - Punishment Within the Letter of the Law of Psychological Torture?" *Wisconsin Law Review* 1 (1972), 223-237.

Turner, Jennifer. *Prison Boundary: Between Society and Carceral Space*. London: Palgrave Macmillan, 2016.

Turner, Victor. *The Forest of Symbols: Aspects of Ndembu Ritual*. Ithaca and London: Cornell University Press, 1967.

Valverde, Mariana. "Specters of Foucault in Law and Society scholarship." *Annual Review of Law and Social Science* 6 (2010): 45-59.

Vanderwees, Chris. "Care of the (Incarcerated) Self: Ethics and Parrhēsia in the Prison Writing of Jack Henry Abbott." *CEA Critic* 82, no. 1 (2020): 23-37.

Vorbrüggen, Meike, MD, and Hans U. Baer. "Humiliation: The Lasting Effect of Torture." *Military Medicine* 172, no. 2 (2007): 29–33.

Voss, Paul J., and Marta L. Werner. “Towards a Poetics of the Archive: Introduction.” *Studies in the Literary Imagination* 29, no. 1 (1999): I–VIII.

Waits, Mira Rai, “Imperial Vision, Colonial Prisons: British Jails in Bengal, 1823-73.” *Journal of the Society of Architectural Historians* 77, no. 2 (2018): 146–167.

Walters, William. *Governmentality: Critical Encounters*. London and New York: Routledge, 2012.

Webb, Sidney, and Beatrice Webb. *English Prisons under Local Government*. New York: Routledge, 2018.

Weiner, Martin J. *An Empire on Trial: Race, Murder, and Justice under British Rule, 1870-1935.* Cambridge: Cambridge University Press, 2009, 2.

---. *Reconstructing the Criminal: Culture, Law, and policy in England, 1830-1914.* Cambridge: Cambridge University Press, 1990.

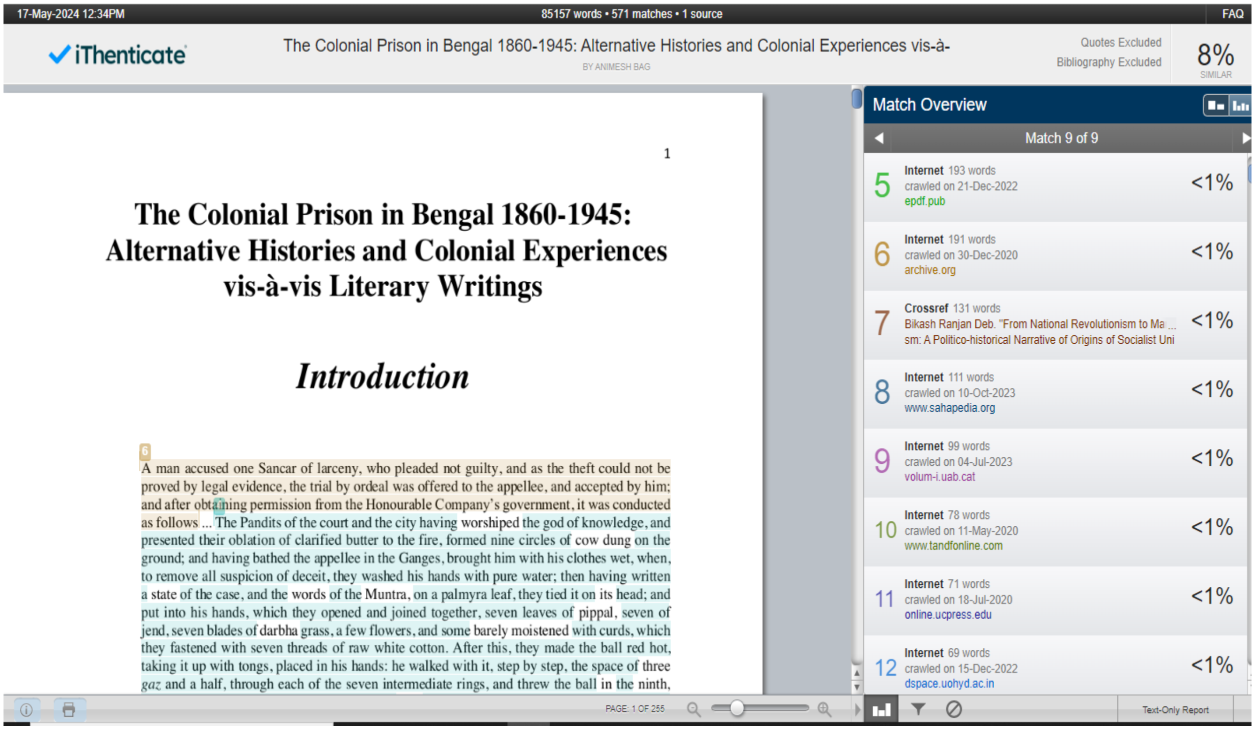
Wohlfarth, Irving. “History, Literature and the Text: The Case of Walter Benjamin.” *MLN* 96, no. 5 (1981): 1002-1014.

Yang, Anand A. “Discipling 'natives': Prisons and prisoners in early nineteenth century India.” *South Asia: Journal of South Asian Studies* 10, no. 2 (1987): 29-45.

---. “Indian Convict Workers in Southeast Asia in the Late Eighteenth and Early Nineteenth Centuries.” *Journal of World History* 14, no. 2 (2003): 179-208.

---. Ed. *Crime and Criminality in British India*. Tucson: Arizona University Press, 1985.

Yuill, Chris. “The Body as Weapon: Bobby Sands and the Republican Hunger Strikes.” *Sociological Research Online* 12, no. 2 (2007): 111-121.



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1

The Colonial Prison in Bengal 1860-1945: Alternative Histories and Colonial Experiences vis-à-vis Literary Writings

Introduction

6

A man accused one Sancar of larceny, who pleaded not guilty, and as the theft could not be proved by legal evidence, the trial by ordeal was offered to the appellee, and accepted by him; and after obtaining permission from the Honourable Company's government, it was conducted as follows ... The Pandits of the court and the city having worshiped the god of knowledge, and presented their oblation of clarified butter to the fire, formed nine circles of cow dung on the ground; and having bathed the appellee in the Ganges, brought him with his clothes wet, when, to remove all suspicion of deceit, they washed his hands with pure water; then having written a state of the case, and the words of the Muntra, on a palmyra leaf, they tied it on its head; and put into his hands, which they opened and joined together, seven leaves of pippal, seven of jend, seven blades of darbha grass, a few flowers, and some barely moistened with curds, which they fastened with seven threads of raw white cotton. After this, they made the ball red hot, taking it up with tongs, placed in his hands: he walked with it, step by step, the space of three *gaz* and a half, through each of the seven intermediate rings, and threw the ball in the ninth,

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