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Colonial Labels and Dancers' Voices: A Study of Indian Women Performers in Nineteenth-Century Bombay Presidency

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in History

by

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2023

While my official name is Pratichi Mahapatra (as per the UCI registrar) I prefer to be known as Pratichi Priyambada.

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DEDICATION

To

My complex-PTSD brain which kept on saying that I did not have it in me to see the light at the end of this tunnel.

Prof. M.S.S. Pandian whose voice kept on reverberating whenever I looked at colonial documents: “always read between the lines, Pratichi.”

Prof. Uttara Chakraborty, who first introduced me to the world of dance history and who never stopped believing in me, even when I almost did.

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ABSTRACT OF THE DISSERTATION

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Professor Judy Tzu-Chun Wu, Chair

Abstract:

In 1833, a group of Indian women dancers petitioned the colonial government to abolish the regulation that prohibited their traditional practice of "purchasing" children. Citing the anti-slavery policies of the government, the presiding British officer declined their request. Half a century later, in 1881, another group of women performers, petitioned the government for wrongfully designating them as "common prostitutes" under the provisions of the Indian Contagious Diseases Act. This time, the government had to cede to their demands. In 1898, another dancing woman petitioned the state demanding justice on behalf of her performer granddaughters, who faced immense hardship on their England tour. The final judgement on this case, however, remained inconclusive.

Tracking three key moments of colonial legislative and regulatory interventions–abolition of Indian slavery, implementation of Contagious Diseases Act and the initiation of South Asian presence in international exhibitions–this dissertation examines how Indian women performers directly engaged with the British colonial state from the early nineteenth to the first decades of the twentieth century. It explores how Indian women performers' active contestations of the

criminalizing colonial labels of "slaves" and "prostitutes" across different registers of state regulation, surveillance, and abolition to assert their professional identity as performers exposed the fragility of the colonial state. Throughout the nineteenth century, using the method of writing legal petitions, the women performers continued arguing for restoring their rights of "purchasing" children, reclaimed property from the state, obtained permission for holding performances, contested allegations of engaging in "clandestine prostitution," complained about European agents' misdemeanors—while repeatedly asserting their professional identity as performing artistes. By documenting such repeated marks and methods of articulations of Indian women performers left in the colonial archive, this dissertation pushes against the idea of the unchallengeable hegemonic nature of the colonial state and contributes to a growing body of scholarship on the frailties of empire as engendered through the daily acts of negotiations of the marginalized.

Drawing on a range of colonial correspondence and reports, newspapers and institutional records, this dissertation emphasizes the centrality of Indian women performers in shaping major colonial discourses and decisions surrounding slavery, venereal diseases, and imperial exhibitions. The dissertation's opening chapter examines how the process of criminalizing dancers as "slaves" remained incomplete owing to the colonial state's own administrative inconsistencies brought about by the dancers' objections through petitions. Continuing in the same vein, chapter two explores how dancers' petitions played a significant role in the workings (and failures) of the Indian Contagious Diseases Acts in the colonial western India. With a microhistorical approach, the final chapter documents how dancers' continuous assertions as professional performers (as opposed to "prostitutes") in the precarious circuits of colonial exhibitionary spaces exposed the hypocrisy of the colonial state which chose to earn revenues from the labor of Indian dancing

women in the metropole while simultaneously marginalizing and criminalizing them as "common prostitutes" in India. By centering Indian women performers' everyday negotiations with the state, this dissertation seeks to provide a new reading of the limits of colonial control into the realms of gender, sexuality, and performance.

INTRODUCTION

On 19th December 1833, a group of women performers referred to as "Kusbees," appealed to the Collector of Kheda district in the Bombay Presidency against a new regulation passed by the Government in 1827. They argued that the regulation required everybody responsible for selling and purchasing children to report to the Government.[1]The Kusbees were afraid that this regulation would eventually lead to an abolition of their age-old practice of purchasing children otherwise discarded by destitute parents. They anticipated that this would destroy their main source of continuing their generational and artistic lineage, thereby impacting them professionally and personally. Despite the appeal, the Collector of Kaira (Kheda) turned down their request citing the anti-slavery policies of the government.[2]

A few decades later, on 4th November 1871, Ganga Punekar Naikin along with 23 other women performers registered a petition to the Bombay Government against the implementation of Act III of 1867 or the Indian Contagious Diseases Act on the city of Pune within the Bombay Presidency. By labeling them as "common prostitutes" and forcing them to be subjected under Lock Hospital regulations, the Act, as the Naikins argued, caused them "great uneasiness and positive misery."[3]Unlike the Kusbees earlier, petitions of the Naikins were successful in granting them exemption from the Indian CD Act from the government.

[1] Maharashtra State Archives, Mumbai, Judicial Department (henceforth, MSA, J.D.), 1833, 28, 327, 'Substance of a Petition Presented in Goojarattee to W. Stubbs Esquire Collector of Kaira, by the Dancing Women ("Paturs") of Kaira dated 19 December1833,' 19 December 1833.
[2] MSA, J.D. vol. 28/ 327, 15 December 1833.
[3] Maharashtra State Archives, Mumbai, General Department (henceforth, MSA, G.D.), 1871, 14, 87, M-S- 148, 'Contagious Diseases: Measures for giving effect to the Contagious Diseases Act within the towns situated in the Presidency of Bombay.'

In November 1896, a petition of Piaree Jehan, a dancer by profession, filed a petition to the Police Commissioner of Bombay inquiring about her two granddaughters Begum Jehan and Vajir Jehan. The sisters went on a tour to England on a contract with W.H.Guest, an European impresario based out of Simla.[4]She stated that after traveling and performing for four months, Begum Jehan died under mysterious circumstances, leaving her younger sister alone in London about whose whereabouts Piaree knew nothing. On recording the statement of Guest during the enquiry, which denied every allegation of Piaree, the government decided that Begum Jehan's death was natural and Vajir Jehan was already returned to Bombay—thereby exonerating W.H. Guest from all accusations.

The unnamed Kusbeen (henceforth, Kasbin) community, Ganga Punekar Naikin, and Piaree Jehan all belonged to the hereditary and professional communities of Indian women dancers—variously known as "dancing girls" and "nautch dancers" in the English lexicon—based in different locations of Kheda, Pune, and Bombay city respectively within the Bombay Presidency. Throughout the nineteenth century in India, different communities of women performers negotiated with the colonial state on various issues, ranging from slavery to prostitution to unfair treatment in the trans-territorial imperial exhibitionary spaces. In the first half of the nineteenth century, dancers found themselves labeled as groups practicing child-slavery in vigorous discussions that characterized the official stance on abolishing Indian slavery. As concerns about slavery gradually waned by the mid-nineteenth century, the official obsession with controlling venereal diseases among its troops unilaterally categorized all women performers as

[4] MSA, J.D, 1897, 184, 945, p. 235-327, 'Petitions: Bombay. From Piarei Jehan—stating the circumstances under which her two granddaughters Begum Jehan and Vajir Jehan were taken to England as dancing girls by a Mr. Guest and praying that the Secretary of State for India may be moved to enquire into circumstances connected with the sudden death of Begum Jehan and that enquiries may also be made regarding the detention of Vajir Jehan and that she may be brought back to India.'

"common prostitute," disregarding their idiosyncratic and unique kinship and patronage structures. The intense attack on the professional lives of women performers that ensued because of their criminalized legal association with prostitution significantly impacted the livelihood of the dancers. This, combined with the rising anti-nautch (or anti-dance) sentiment amongst the Indian social reformist circles and European missionaries, created further difficulties in continuing their previous lifestyle. In a bid to survive in the changing circumstances, dancers started finding alternative professional opportunities, including performing in imperial exhibitionary spaces. While the increasing number of world fairs and exhibitions emerged as a viable alternative for Indian dancers in the second half of the nineteenth century, the logic and functioning of such performance circuits were imbricated within the logic of colonialism and orientalism. As a result, much like Begum Jehan, many Indian woman performers, once again, found themselves navigating precarious working circumstances often paying huge costs of destitution, or worse, sexual assault and death.

While the British colonial state remains at the center of this dissertation, it is not a story of the adverse impact of colonialism on Indian women performers alone. This work offers to read the relationship of Indian women performers with British colonialism mostly through the lens of their comprehension of and negotiations with the colonial state throughout the nineteenth century. Hence, analyzed alternatively, even within the oppressive structures of colonialism, in the first case, the woman performers objected to the attempt of criminalizing their kinship practices of adoption as practicing "slavery"; in the second, they refused to be labeled as "common prostitutes" and be subjected to the invasive surveillance apparatus of the Indian Contagious Diseases Act. The final instance records the woman performer's valiant attempt at pushing back against the unfair

practices rampant within the imperial exhibitionary spaces by highlighting the passive indulgence of the colonial and metropolitan states towards the malpractices of fraudulent European agents.

This dissertation investigates the impact of British colonialism on Indian women performers in nineteenth-century Bombay Presidency in the three key moments of British Abolitionist discussions, implementation of Indian Contagious Diseases Act, and emergence of the practice of trans-territorial performances of Indian dancers. As is evident in the above examples, different colonial policies (or the absence of it) adversely impacted the lives and livelihood of several groups of Indian women performers, forcing them to either fundamentally alter their ways of living or find new avenues of sustenance. This dissertation also examines how the dancers negotiated with the colonial state in the midst of changing circumstances caused by such initiatives and policies of the government. Dancers used various direct and indirect measures—including filing legal petitions—to contest the discriminatory colonial labeling of people engaging in child slavery to "common prostitutes" to reclaim their adoption and inheritance rights as well as reinstate their identities as professional performers. By centering the dancers' endeavors in refashioning their identity in the face of continuing colonial onslaught on their lives, this dissertation provides a new perspective to the socio-cultural history of colonial Bombay Presidency.

In the past three decades, several scholars have engaged with the "decline" of the hereditary communities of women performers in colonial India—especially the Devadasis, or the temple dancers from South India—owing to the open hostility of certain sections of the British legislators as well as social-reformist sections of Indian nationalist intelligentsia.[5]This genre of

[5] For details, see Davesh Soneji, *Unfinished Gestures: Devadásís, Memory, and Modernity in South India* (University of Chicago Press, 2012); Amrit Srinivasan, "Reform and Revival: The Devadasi and Her Dance," *Economic and*

scholarship connects the steady loss of patronage of the dancers singularly to the Anti-Nautch movement launched at the end of the nineteenth century. It does not, however, account for the fact that the Anti-Nautch movement was *one* of the many definitive moments in the colonial history of dance in the Indian subcontinent when the dancers were strategically pushed away from their sources of subsistence, owing to their profession and lifestyle. Instead of identifying the Anti-Nautch movement as the starting point, this dissertation, therefore, pushes back the timeline to the first half of the nineteenth century to recognize that the process of marginalization of the dancers spread its first roots during the colonial formulation of anti-slavery legislations in India. Reading colonial attempts of categorizing Indian dancers as "slaves" or as people engaging in trafficking of slaves together with the unilateral association of them with "common prostitutes" in the second half of the nineteenth century reveals the multiple ways in which the colonial state tried to conceptualize, surveil, and discriminate against different communities of Indian women performers in the Bombay Presidency. The erosion of traditional sources of patronage and lifestyle, hence engendered through such colonial policies, catapulted several dancers, especially from less privileged backgrounds, to search for alternative sources of income. This, in turn, explains why many Indian performers exposed themselves to the precarity of the trans-territorial exhibitionary spaces in the second half of the nineteenth century, as Begum Jehan did, only to meet with an unfortunate end. Placing all the three moments together produces a nuanced understanding of the vicissitudes experienced and negotiated by Indian women performers in the Bombay Presidency.

Historical Background

Political Weekly 20, no. 44 (Nov. 2, 1985): 1869-1876; Mathew Harper Allen, "Rewriting the script for South Indian dance," *The Drama Review* 41, no. 3 (Autumn, 1997): 63-100.

This dissertation primarily explores the colonial Bombay Presidency in the nineteenth century. The Bombay Presidency constituted the western administrative division of the British government in the Indian subcontinent.[6] While the East India Company government was initially based in the town of Surat on India's west coast, soon they transferred their base to recently acquired post-city of Bombay in 1687, owing to the rising threat of the Maratha power. In the subsequent centuries, with the expanding power of the East India Company government, the Bombay Presidency witnessed major territorial acquisitions. Military conflicts with the Marathas, the major political force in pre-colonial western India, in the Anglo-Maratha wars, yielded Peshwa and Gaikwad dominions to the Company government by 1818. At its greatest extent, the Bombay Province comprised the present-day Indian states of Gujarat, the entire western part of Maharashtra, and northern Karnataka. It would also include the Sind Province and Aden of present-day Pakistan and Yemen respectively. The entire Presidency was placed under direct British rule through Pitt's India Act in 1784.[7]While the contiguous Princely states of Satara, Gaikwad and Baroda were in control of their internal affairs, the British government managed their defenses and appointed political agents to supervise them via the principle of Subsidiary Alliance.[8]

[6] The Presidency divisions of the initial East India Company government roughly followed the administrative divisions of the erstwhile Mughal empire.
[7] Sekhar Bandyopadhyay, *From Plassey to Partition: A History of Modern India* (New Delhi: Orient Longman Private Limited, 2004), 37.
[8] Originally conceived by the French, Subsidiary Alliance was adopted by the British East India Company to establish a tributary system of governance between the Princely States and the British government, typically after the defeat of the former in a military conflict with the latter. Bandyopadhyay.

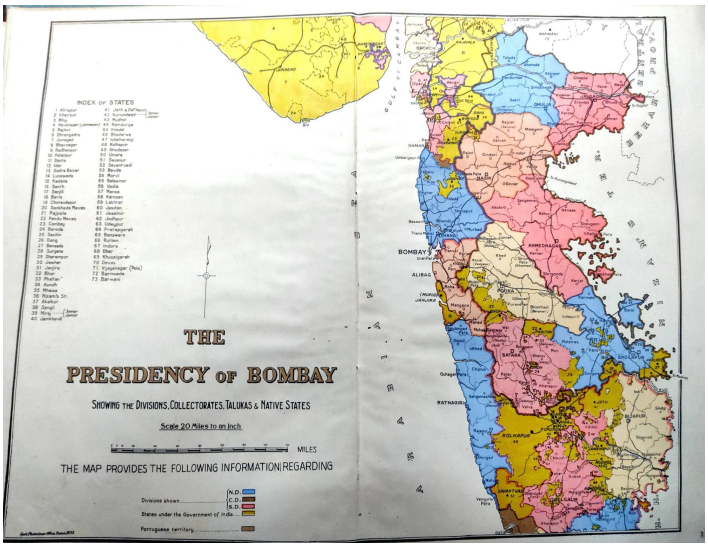


Figure 0.1: A Nineteenth-Century Map of the Bombay Presidency. Source: *Maps of India, 1795-1935*. Courtesy by the Maharashtra State Archives, Mumbai.

In western India, the Kalavants,[9]Naikins, Bhavins, Kasbins and Muralis constituted the major dancing communities in eighteenth and nineteenth-century western India.[10] Often Kalavants and Naikins referred to the same group of women performers, depending on the region they inhabited.[11] Eighteenth and early nineteenth Marathi sources from Peshwa courts distinguished between the two on the basis of eligibility for inheriting land grants. While both Kalavants and Naikins worked as "professional entertainers" in the Maratha courts, Naikins could receive land grants as remuneration for their service.[12] Besides mentions of their association with the Maratha

[9] Also variously spelled and pronounced as Kalavantinis, Kulavantinis, Kalavatis. However, not to be confused with male musicians of North India around this period. It is indeed interesting and also worth pursuing as future research on how the semantics of kalavants changed from north India to western India, designating male hereditary musicians to female itinerant professional performers. For the purpose of this dissertation, I will stick to "Kalavants" to avoid confusion. V.S. Kadam, "The Dancing Girls of Maharashtra," in *Images of Women in Maharashtrian Society*, ed. Anne Feldhaus (Albany: State University of New York Press, 1998), 61–89; K. Raghunathji, "Bombay Dancing Girls," *Indian Antiquary* 13 (June 1884); Padma Anagol, *The Emergence of Feminism in India, 1850-1920* (Hampshire: Ashgate Publishing Limited, 2005); R.E.Enthoven, *The Census of India, 1901, Volume IX. (*Bombay: Government Central Press, 1902).

[10] Despite the apparent distinctions, given the state of current research on the topic, the categories often seem interchangeable. After corroborating the existing primary and secondary sources on the topic, I have tried to describe the main features of the groups which remained consistent across the sources.

[11] British ethnographer R.E. Enthoven in *The Tribes and Castes of Bombay* traced the genesis of the term "Kalavant" to the Sanskrit word *kala* implying these dancers as "vessels of art." R. E. Enthoven, *The Tribes and Castes of Bombay Volume II* (Bombay: The Government Central Press, 1922), 130.

[12] Kadam, "The Dancing Girls of Maharashtra," 65.

courts, Naikins and Kalavants were also considered to be originally hailing from Goa and its adjoining regions.[13]A certain subsection of this group, hence, were known as the Goekarins.[14] Anjali Arondekar's recent work concerns one such collective of Kalavant performers, named Maratha Gomantak Samaj, who migrated between Portuguese controlled Goa and British controlled Bombay Presidency in the nineteenth and twentieth centuries.[15]

Professionally, Kalavants and Naikins performed in various social and religious occasions and were most prominent among all the performing communities of western India in the colonial period. According to K. Raghunathji, a nineteenth-century observer, their performances included several elements of *nach* (dancing combined with singing), *baithak* (performing while seating), *kerba* (dancing with a male head-dress and to a particular rhythm), *pachamba* (particular performances presented for leading members of the community) and *phugadi* (performance prepared in honour of the Hindu deity Ganesha).[16]For Naikins residing in Bombay and its adjoining regions, clients booked performances through the bestowal of the *Vida* where a rupee was wrapped in a betel leaf as a marker of the artistic genius of that particular Naikin. Once agreed, Naikins visited the client's place and presented a variety of dance performances. For one night's performance, a Naikin usually received a remuneration from rupees 30 to 60, which she equally distributed among her musicians and accompanists.[17] If a Naikin was well-known, she could even

[13] Although later colonial account describes Kalavants and Naikins as predominant group of temple-dancers from the Kanara and Ratnagiri districts and included dancers from both the Hindu and Muslim communities. *Bombay Dancing Girls* (Bombay: Bombay Gazette Steam Press, 1878), 2.
[14] Raghunathji, "Bombay Dancing Girls," 166.
[15] Anjali Arondekar, *Abundance: Sexuality's History*, Theory Q (Durham, NC: Duke University Press, 2023).
[16] Raghunathji, "Bombay Dancing Girls,"166.
[17] The estimate is from the mid-nineteenth century Bombay. *Bombay Dancing Girls* (Bombay: Bombay Gazette Steam Press, 1878), 10. While the titles are similar and some content overlap, Raghunathji's article and the anonymous booklet titled *Bombay Dancing Girls* are two different accounts of dancing communities of western India.

refuse a *Vida* and deny a public performance—implying her bargaining power in such transactions.[18]

As per Raghunathji's account, Goan Naikins underwent the ritual of *shens* that distinguished them from other Kalavant communities. The ritual involved marrying a Naikin to a dagger, which acted as a representative of the temple deity the Naikin was going to be dedicated to.[19] Such practices signified the presence of devadasi system (or the practice of dedicating young girls to Hindu temples) in western India, which was, otherwise, more associated with the eastern and southern parts of India. However, not all Goan Naikin and Kalavant communities underwent temple-dedication. Some of them received patronage from the Saraswat Brahmins (a Brahmin subgroup of Goan region) and were related to them through menial and sexual labor.[20]

Bhavins were another predominant dancing community chiefly found in the Ratnagiri, Kanara districts and the adjoining Savantvadi State. Bhavins constituted primarily of women from the Maratha and Bhandari castes, who apparently abandoned their husbands to be in the service of the temple.[21] In the popular memory, Bhavins were thought to be descended from the female servants of the Savantvadi or Malvan chiefs, who were dedicated to the village deity—signifying another form of Devadasi tradition. Bhavins primarily engaged in menial jobs such as keeping the temples clean, lighting oil lamps and other services besides performing for the temple-deity.[22]Sometimes, Bhavins sought patronage from wealthy men and came to be known as the Kasbins—the same group of "Kusbees" (henceforth, Kasbins) who petitioned the Collector of

[18] *Bombay Dancing Girls*, 10
[19] Enthoven (1922), 130.
[20] Arondekar, *Abundance*, 12.
[21] Raghunathji, "Bombay Dancing Girls,"172. R.E. Enthoven, *The Tribes and Castes of Bombay Volume I* (Bombay: The Government Central Press, 1920), 145.
[22] *Bombay Dancing Girls*, 4.

Kheda in 1833. Bhavins were extensively trained in singing and dancing and performed Ghumat dance which involved "jumping frantically" and "singing licentious songs."[23]Although the few members of the Bhavins shared common profession with the Kalavants, in the social scale, Bhavins ranked below the Kalavants.[24]Despite similar training in the arts, men typically preferred the Naikins to the Bhavins, as they were considered to be unfaithful and avaricious.[25]

Kasbins, on the other hand, was another amorphous group predominantly consisting of dancers from oppressed-caste backgrounds and primarily based in Thana, Belgaum, Bijapur, Kanara and Ratnagiri in Bombay Presidency.[26]As mentioned above, Bhavins, who became mistresses or concubines of powerful men, also came to be known as Kasbins. While Kasbins also were proficient in the art of singing and dancing, they were not considered auspicious enough to perform *nritta* (or dance).[27]Another important sub-groups of the Kasbins were the Muralis. Usually belonging to oppressed castes of Mangs and Mahars, Muralis derived their names from Khandoba, the presiding Hindu deity of Jejuri near Pune, to whom they were supposedly given in marriage.[28]According to the custom, if a person prayed for an offspring to Khandoba, the first born was dedicated to the temple in service of Khandoba. Muralis relied on alms from the temple-devotees for sustenance and performed *Lavanis* (or compositions based on love poems).[29]Unlike

[23] *Bombay Dancing Girls*, 6.
[24] Enthoven (1920), 146.
[25] To quote Raghunathji, "A Bhavin is as cunning as a fox, and will rob her protector of his lost farthing, and be done with him as soon as she can, or when she finds him not so liberal as before, or his purse empty." Raghunathji, "Bombay Dancing Girls,"172.
[26] Enthoven (1922), 165.
[27] Raghunathji, "Bombay Dancing Girls,"167.
[28] Raghunathji, "Bombay Dancing Girls,"174. One can sense a certain prejudice against the Kasbins and Muralis in Raghunathji's account. He somewhat suggested that women from lower-castes had more proclivity towards going outside their marriage and, therefore, spun the narrative of having seen Khandoba in their dreams so that they could live their lives as Muralis. He cited a quote stating Muralis to be women of "abandoned" character and cautioned "gentlemen" to be very wary of women at Jejuri as the "standard of their morality" was "very low."
[29] *Bombay Dancing Girls*, 7-8. Lavani is another popular folk dance form from Maharashtra which is performed even now.

Jejuri, the Kasbin community in Bombay, however, strictly hailed from the Kunbi or the agricultural caste. These group of Kasbins—also known as the Kunbinis—were mainly purchased in infancy from Goa. They were generally employed as servants in domestic households where they served "their masters as wives" while supervising chores.[30]

Groups	Description	Origin	Occupation	Significance
Kalavants	Often equated with Naikins; can be of both Hindu and Muslim backgrounds, presumably upper-caste	Goa, later Bombay and Pune	Dancing, Singing, Poetry	High-ranking and most prominent among performing groups; patronage received from local priests, nobility and elite men
Naikins	Equated with Kalavants; in the Maratha records, Naikins constituted that group of Kalavants that received land grants as remuneration; can be of both Hindu and Muslim backgrounds, presumably upper-caste	Goa, later Bombay and Pune	Dancing, Singing, Poetry	High-ranking and most prominent among performing groups; patronage received from local priests, nobility and elite men; most prominent in the colonial archive in terms of petitioning
Bhavins	Constituted of women who apparently abandoned their husbands; from Maratha and Bhandari caste	Ratnagiri, Savantvadi, Goa	Dancing, singing, other menial jobs related to temple	Lower-ranked than Kalavants/Naikins; has the disrepute of being unfaithful and greedy; no explicit mention in the colonial archive

[30] *Bombay Dancing Girls*, 10.

Kasbins	Amorphous group, women drawn from all castes	Unclear	Though trained in arts, discouraged from performing dance in the temples	Given the ambiguity of the caste status, they were considered to be low-status.[31]
Muralis	Subgroup of Kasbins; essentially of oppressed caste categories of Mangs and Mahars. Women from these groups increasingly came to be categorized as "common prostitutes" in the Indian CDA legislations	Jejuri, near Pune	They were dedicated in service of the temple of Jejuri in Pune	Dalit performing women who mainly presented Lavanis and Tamasha performances; given their caste-background, contemporary records describe them as "obscene" and "vulgar."[32]

Table 1: Different Groups of Indian Performing Women in the Nineteenth-Century Bombay Presidency. Compiled by author.

Regardless of differences in location, occupation, and performance, most of these dancing communities thrived in matrilineal kinship networks and functioned as independent professional performers. Depending upon their location, dancers entered into relationship either with the chief priest of the temple they were dedicated to or with leading men of the local community for patronage.[33] Children borne out of such union usually followed their mother's line and had no claim on their father's name and property. In this set up, daughters directly inherited economic

[31] It is interesting to note that by the second half of the nineteenth century, the Marathi vernacular of "common prostitute" came to be equivalent to the community of Kasbins—showing how a community of performer was reduced to a criminalized entity.

[32] Shailaja Paik discusses these women in great details in her recent work. For details, see Shailaja Paik, *The Vulgarity of Caste: Dalits, Sexuality, and Humanity in Modern India* (Stanford: Stanford University Press, 2022).

[33] One needs to remember that issues of individual agency and consent in such non-conjugal patron-client relationship can be quite complicated here—given the power-hierarchy between the patron and the performer. But even within the constraints of such a twisted patriarchal framework, it can safely be stated that most Indian female dancers enjoyed far more economic freedom and social mobility than their 'respectable' counterparts in pre-colonial Bombay Presidency.

opportunities—including landed property—as well as artistic training from their mothers. Besides biological children, most dancers also relied on adoption of female children, either purchased through "kharid patra" (or deed of sale) or given in friendship or as rewards.[34] They were seamlessly inducted within the family and enjoyed equal rights as dancers' own children. The line of succession followed the biological daughter to biological son to the adopted daughter. Typically sons became musicians, while daughters pursued the singing and dancing profession, though in neither case was it obligatory. Choosing the life of a performer depended upon the daughter's assent as well as the parents' approval.[35] As Raghunathji mentioned, most groups, especially the Naikins retained sole ownership of the money that they earned through performance and even their patrons had no right on them.

Most dancers received extensive training in reading, writing and arts, unlike most 'respectable' women of the time. Some of them also went to schools. They were fluent in Marathi, "Musalmani" (or Hindustani), and, sometimes, in English too.[36] In matters of any concern, Naikins especially were reported to be regularly writing petitions to the Maratha court for redressal of any grievances.[37]Even records suggest that the *tawaifs* or women from courtesan backgrounds in Northern India often wrote to the royal courts—to which they were affiliated with—for any problems.[38] It is hardly surprising, hence, to see that the members of the performing community, especially the Naikins from western India, remained one of the most prominent groups of Indian women to continuously petition the colonial state throughout the nineteenth century.

Why Dancers?

[34] Raghunathji, "Bombay Dancing Girls."165
[35] Raghunathji,166.
[36] Raghunathji,167.
[37] Kadam, "The Dancing Girls of Maharashtra,"75.
[38] Mahmood Farooqui, *Besieged: Voices from Delhi, 1857* (New Delhi: Penguin Viking, 2010), 303-305, 314-318.

As this dissertation shows, the colonial state had a fraught relationship with Indian woman dancers on multiple issues. What was it about the Indian women dancers that the state found threatening and problematic? This dissertation argues that the Indian dancers posed problems for the colonial state in two ways: ideologically and materially. The fluidity of occupation, heterodox matrilineal family structure and economic independence of Indian dancers greatly threatened the Victorian ideal of domesticity that a majority of the British administrators advocated. As the public performer and sole earning member of the family, the woman dancer espoused a certain form of womanhood which ran counter to the ideal of domesticated women restricted solely to the private sphere of the Victorian home. Neither were they restricted to the private sphere of a fixed home nor were they dependent on male members, be it their patrons or relatives, for sustenance. Moreover, the freedom to form sexual liaisons with their married patrons provided a counterpoint to the colonial project of seeking legitimacy of women's sexuality only in heterosexual marriages.

The ideological objection or apprehension of the colonial state towards the non-conjugal sexuality of Indian women dancers had some material basis too. Not tied to a fixed domestic household and earning livelihood through public performances implied frequent moving from place to place in search of patronage and opportunity for contractual and commissioned performances. Such itinerancy threatened the colonial sense of uniform authority that derived its legitimacy through territorial integrity as it enabled people living within that territory more 'legible' for the government to control and surveil. As scholars have shown, the colonial state perceived uncontrolled mobility to be disruptive to trade and military routes, exposing the limitations of colonial law implementation while sometimes rendering the process of tax collection

difficult.[39]To borrow Jessica Hinchy's words, the colonial state "thus attempted to make populations sedentary so that they could be counted, identified, taxed and controlled."[40] In other words, mobility exposed the fragility of empire and disavowal of imperial authority. As a result, mobility inadvertently meant criminality to the colonial eye.

The dancers' itinerancy threatened the colonial state in two ways leading to their increasing vulnerability towards criminalization: proximity to circuits of slave-trafficking and exposure to European soldiers. In general, many women performers in western India moved in and out of the British-controlled Bombay Presidency and the adjoining Princely States of Gaikwads, Satara, and Baroda for performances throughout the nineteenth century.[41] While this aspect of mobility might not have been too threatening, their kinship practices of 'purchasing' children made them access communities, like the Bunjaras or the Kunjurs, who were considered to be inherently 'criminal' because of the peripatetic nature of their work.[42]As chapter one of this dissertation demonstrates, colonial officials struggled to comprehend and control the practice of 'purchasing' children among dancing communities in the early decades of the nineteenth-century. The combination of practicing

[39] Radhika Singha notes how, in the context of policies against thuggees, by the mid-nineteenth century, the concept of criminality started becoming firmly rooted in communitarian terms in the colonial psyche. Nitin Sinha documents the various ways in which commercial, military, and political factors established the connection between mobility and crime in India in the first half of the nineteenth century. He also makes a significant argument of how caste-status also became central in making peripatetic communities of Nats, Gosains and Banjaras more vulnerable towards criminality in the colonial eye. I only wish he paid more attention to the community of Kanjars as well, many of whom earned their livelihood by dancing and singing. Jessica Hinchy builds on this scholarship to show how the *Hijra* community was subjected to similar colonial association of criminality because of their itinerancy and unique gender location. Radhika Singha, "Settle, Mobilize, Verify: Identification Practices in Colonial India," *Studies in History* 16, no. 2 (2000): 151–98; Nitin Sinha, "Mobility, Control and Criminality in Early Colonial India, 1760s–1850s," *The Indian Economic & Social History Review* 45, no. 1 (2008): 1–33; Jessica Hinchy, *Governing Gender and Sexuality in Colonial India: The Hijra, c.1850–1900*, 1st ed. (Cambridge: Cambridge University Press, 2019), 44, 67-71.

[40] Hinchy, *Governing Gender and Sexuality in Colonial India*, 67-68. Jessica Hinchy has shown how in criminalizing the Hijra (or the eunuch) community, the state authorities were drawing from a long legacy of colonial association of itinerancy with criminality, tracing back to the 1770s. While Indian women performers had not been explicitly considered to be inherently criminal, as "criminal tribes" including the Hijra community had been, drawing upon this scholarship I suggest that the migratory nature of the work of the dancers made them more vulnerable to state surveillance measures than other groups of Indian women in colonial India.

[41] MSA, G.D. 1825, 13, 97.

[42] Sinha, "Mobility, Control and Criminality in Early Colonial India, 1760s–1850s."

'slavery' and itinerancy placed considerable challenges on the Company government develop coherent policies on the same, leading to more concerted state attempts at criminalizing this particular form of kinship and discipleship practices of dancing communities.

Second, officers feared that the public visibility and peripatetic nature of the dancers' profession would make them come in frequent contact with European officers and soldiers. It was already well-known in the official circles that many Indian "nautch" performances were quite popular among European officials.[43] Initially introduced to the performances through invitations by local elites, many Englishmen voluntarily organized dance parties to celebrate certain social occasions—causing many English observers and missionaries to raise objections, both in India and England.[44] In the wake of increasing concerns about venereal diseases among English soldiers stationed in India in the 1860s, colonial officers became doubly skeptical about the intermixing happening between Indian women performers and their low-ranking soldiers. They were particularly worried about peripatetic communities of low-caste performers who often could be found residing in close proximity to army cantonments. The formulation of the Contagious Diseases Act in India, therefore, provided the second instance for the colonial state to be threatened by the itinerant, deviant, and public lives of Indian women performers. This, in turn, made the dancers more prone to intensified sexual surveillance of the colonial state as criminalized entities.[45]

Historiography and Relevance

The dissertation builds on, extends, as well as departs from existing South Asian scholarship on gender and sexuality, slavery, and performance. South Asian feminist

[43] Pran Nevile, *Nautch Girls of the Raj* (Penguin Books India, 2009).
[44] George T. Rea, "The Prince of Wales and the Indian Nautch Girls," *Northern Whig*, January 20, 1876; "Nautching," *Royal Cornwall Gazette*, January 29, 1876; "The Nautch Dances," *Northern Whig*, March 8, 1876.
[45] Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (New York and London: Routledge, 2011).

historiography has extensively studied the complicated relationship of both elite and subaltern women with the colonial state. Topics and themes included examining impact of the colonial economy on the gender roles,[46]collusion of colonial and native patriarchies in removing women from workspaces,[47]social reform movements surrounding women's education, widow remarriage, committing Sati,[48]child-marriage, conjugality, and age of consent debates,[49]and regulation of prostitution among many others.[50]Yet, the figure of the Indian woman performer remains significantly absent in this genre of scholarship, barring passing mentions. Even when dancers are discussed, they are usually subsumed under the category of the "prostitutes." While prostitutes themselves are important actors of history, not all prostitutes were dancers and vice versa. Collating dancers as prostitutes, in a sense, also upholds the colonial legacy of tagging all dancers as prostitutes—an association that severely impacted the lives and livelihood of different communities of hereditary and professional performers, until much recently. It is also important to acknowledge that, unlike most Indian women, high-ranking dancing communities were especially skilled in reading, writing, and performing arts. Given their literacy, they were far more assertive in articulating their demands to both the pre-colonial and colonial regimes. It is their assertiveness and articulation that also made them more vulnerable towards state repression. Rather than prostitutes, hence, this dissertation studies Indian women performers as financially independent

[46] Kumkum Sangari and Sudesh Vaid, *Recasting Women: Essays in Indian Colonial History* (Rutgers University Press, 1990).
[47] Samita Sen, *Women and Labour in Late Colonial India: The Bengal Jute Industry* (Cambridge: Cambridge University Press, 1999).
[48] Lata Mani, *Contentious Traditions: The Debate on Sati in Colonial India* (University of California Press, 1998).
[49] Sumit Sarkar and Tanika Sarkar, *Women and Social Reform in Modern India: A Reader* (Bloomington: Indiana University Press, 2008); Mytheli Sreenivas, *Wives, Widows, and Concubines: The Conjugal Family Ideal in Colonial India* (Bloomington: Indiana University Press, 2008); Ishita Pande, *Sex, Law, and the Politics of Age: Child Marriage in India, 1891–1937* (Cambridge: Cambridge University Press, 2020).
[50] Sumanta Banerjee, *Under the Raj: Prostitution in Colonial Bengal* (New York University Press, 1998); Ashwini Tambe, *Codes of Misconduct: Regulating Prostitution in Late Colonial Bombay* (University of Minnesota Press, 2009).

professional performers, with varying degrees of proximity to sex-work, playing key roles in the unfolding of socio-cultural history of nineteenth century western India. The key here is to foreground their identity as professional performers in a history that has largely focused on their non-conjugal deviant sexuality only.

This dissertation significantly builds upon the South Asian dance studies and anthropological works on the figure of the Indian performing women, especiall'y the Devadasis (or the temple-dancers), in colonial India. Scholars have mostly explored how the Anti-Nautch movement—spearheaded by certain sections of the nationalist leaders, Self-Respect movement activists—played a significant role in the development of the "classical" dance forms in India in the 1930s.[51] Notable studies included enriching conversations on the "revival" process of a ritual dance form getting converted to an elite, sanitized, proscenium-ready performance that sought to marginalize its original practitioners[52] along with how the ideas about sexuality, womanhood and nation were redefined through the censorship of the body of the Devadasis as the formation of "classical" dance paralleled the cultural project of nation building in the twentieth century.[53] Discussions also included issues of agency and subjectivity of Devadasis and *Tawaifs* (North-Indian courtesans) amidst changing scenario of patronage in the late nineteenth and early twentieth centuries."[54]

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[51] Amrit Srinivasan, "Reform and Revival: The Devadasi and Her Dance," *Economic and Political Weekly* 20, no. 44 (1985): 1869–76; Kalpana Kannabiran, "Judiciary, Social Reform and Debate on 'Religious Prostitution' in Colonial India," *Economic and Political Weekly* 30, no. 43 (1995): WS59–69.

[52] Avanthi Meduri, *Nation, Woman, Representation: The Sutured History of the Devadasi and Her Dance* (New York University, 1996).

[53] Uttara Asha Coorlawala, "The Sanskritized Body," *Dance Research Journal* 36, no. 2 (2004): 50–63; Kalpana Ram, "Phantom Limbs: South Indian Dance and Immigrant Reifications of the Female Body," *Journal of Intercultural Studies* 26, no. 1–2 (February 1, 2005): 121–37.

[54] Soneji, *Unfinished Gestures*; Veena Talwar Oldenburg, "Lifestyle as Resistance: The Case of the Courtesans of Lucknow, India," *Feminist Studies* 16, no. 2 (1990): 259–87; Regula Qureshi, "Female Agency and Patrilineal Constraints: Situating Courtesans in Twentieth-Century India," in *The Courtesan's Arts: Cross-Cultural Perspectives*, edited by Martha Feldman and Bonnie Gordon (Oxford University Press, 2006), 312–31.

While the bulk of this scholarship forms the main frame of this dissertation, it departs from the above discussion in three ways. First, it traces the beginning of disenfranchisement of Indian women performers not in the Anti-Nautch movement in the second half of the nineteenth century, but in the colonial official discussions on abolishing Indian slavery in the early half of the nineteenth century. While scholars have rigorously studied the Anti-Nautch movement as an isolated historical event responsible for marginalizing Indian women performers from their profession, this dissertation demonstrates that the Anti-Nautch movement was a part of a larger process of systemic deprivation of the dancers already underway since the formulation of colonial abolitionist policies in the first half of the nineteenth century. In other words, the beginning of the narrative of "loss" of dancers, in the existing dance studies scholarship, only starts from the second half of the nineteenth century when the first traces of nationalist imagination gradually spread its roots. Such framing excludes the fact that the dancers, apart from being identified as the "common prostitute," (irrespective of the veracity of such colonial categorization), were also held accountable to colonial law for 'purchasing' and 'selling' children in the first half of the nineteenth century. Under 1827 Regulation and 1843 Act of Delegalisation of slavery, any act of selling and purchasing of children for the purposes of prostitution was amenable to punishment.[55] Given that, in the second half of the nineteenth century, dancers increasingly came to be identified as the "common prostitutes", especially in the context of Indian Contagious Diseases Act, it can be surmised that the custom of adopting and purchasing children for sustenance faced obstacles, if not rendered completely illegal. This dissertation, therefore, documents how the colonial labeling of dancers as groups practicing child-slavery and as prostitutes both contributed to the overall marginalization of Indian women performers in nineteenth-century India.

[55] D.R.Banaji, *Slavery in British India*, 2nd edition (Taraporevala Sons &Co, 1933), 304-305, 403-404.

The dissertation argues that the framing of dancers as "slaves" and "slave-traffickers" complicates the understanding of how the colonial state related to Indian women performers, which was mainly studied through the lens of their deviant sexuality. It contends that the colonial state was not skeptical about the dancers only because of the possibility of their proximity to their soldiers (with the specter of venereal diseases looming large) but also due to their kinship and discipleship practices of "purchasing" children from destitute parents. Conceptualizing dancers as groups practicing immoral trafficking in children, as the dissertation further argues, only provides a larger context and nuance to the more direct targeting of the state towards Indian women performers in the second half of the nineteenth century.

In this endeavor, the dissertation also draws upon Richard Eaton and Indrani Chatterjee's contention about studying Indian systems of enslavement practices separate from the ubiquitous model of chattel slavery prevalent in the Americas. Eaton and Chatterjee argue that, instead of uncritically employing the dominant framework of viewing slavery from the vantage points of violence, coercion, bondage and "productive" labor of chattel slavery, a different framework should be conceptualized for studying South Asian forms of slavery which, as Eaton and Chatterjee argue, given its' qualitative difference from the chattel slavery in the Americas.[56] Such scholarship provides more emphasis on the close link of slaves with political power; the reproductive labor of the female slaves in sustaining royal lineages; hybridity and flexibility of slave status in India majorly in the pre-colonial setting.[57]Building on this scholarship, this dissertation shows how colonial conceptualization of the "purchasing" practices of Indian dancing communities was

[56] Indrani Chatterjee and Richard M. Eaton, *Slavery and South Asian History* (Bloomington: Indiana University Press, 2006).
[57] Ramya Sreenivasan, "Drudges, Dancing Girls, Concubines: Female Slaves in Rajput Polity, 1500-1850" in *Slavery and South Asian History*, ed. Indrani Chatterjee and Richard Eaton (Indiana University Press, 2006), 136-161. Indrani Chatterjee, *Gender, Slavery and Law in Colonial India* (New Delhi: Oxford University Press, 2001); Andrea Major, *Slavery, Abolitionism and Empire in India, 1772-1843* (Liverpool: Liverpool University Press, 2012).

similarly modeled on the standards and expectations of chattel slavery, which, in turn, adversely impacted the usual ways of being for the dancers.

Second, this dissertation provides much-needed attention to the dancers in nineteenth-century western India/ Bombay Presidency. Most discussions on colonial legislations and social reformist movements impacting dancers have focused on the courtesan communities (*tawaifs*) of North India and temple-dancers of South India (Devadasis), that too mostly in the twentieth centuries. Given the rapid socio-cultural transformation happening throughout the nineteenth century, in terms of discriminatory colonial legislations and nationalist and reformist issues with 'respectability,' which impacted major dancing communities in both the northern and southern parts of India, it is highly unlikely that dancers in western India would remain immuned to such events.[58] The only genre of scholarship to be existing on dance forms and dancers in Maharashtra and its adjoining regions mostly focus on and examine the development of the forms of *Lavani* (performance of love poems) and *Tamasha* (secular itinerant theatrical performance) from the twentieth century to more contemporary times from the intersectional analytic of caste-sex-gender. While the topics ranged from a discussion of the understanding of the "popular" in Maharashtrian culture from the lens of anti-caste movement, the existing Dalit Devadasi system of the Jogatis in postcolonial India, and the state censorship regarding bar dancing in the Bombay city in contemporary times, they hardly discuss the events that preceded twentieth and twenty-first century developments.[59] The only notable exception is Anjali Arondekar's recent work on the

[58] The omission is especially stark given that the Bombay Devadasi Prevention Act (1934) preceded the Madras Devadasi Act (1947), which symbolized the final step in the complete disenfranchisement of hereditary communities of women performers throughout India.

[59] Sharmila Rege, "Conceptualising Popular Culture: 'Lavani' and 'Powada' in Maharashtra," *Economic and Political Weekly* 37, no. 11 (March 16, 2002): 1038–47; Anagha Tambe, "Reading Devadasi Practice through Popular Marathi Literature," *Economic and Political Weekly* 44, no. 17 (May 25, 2009): 85–92; Shailaja Paik, "Mangala Bansode and the Social Life of Tamasha: Caste, Sexuality, and Discrimination in Modern Maharashtra," *Biography* 40, no. 1 (2017): 170–98; Shailaja Paik, *The Vulgarity of Caste: Dalits, Sexuality, and Humanity in Modern India* (Stanford:

Maratha Gomantak Samaj, a group of oppressed-caste devadasi collective, based out of Portuguese-controlled Goa in the nineteenth and twentieth centuries.[60] This dissertation follows the lead of Arondekar and others to throw light onto the specific historical trajectories that different women performers pursued under colonialism in the nineteenth-century western India/Bombay Presidency.[61]While Arondekar's scholarship mostly focuses on one particular community of women performers who specialized in singing and later organized themselves into a politically oriented caste-collective at the beginning of the twentieth century, this dissertation explores other groups of women performers like the Kasbins, Naikins, Kalavantinis, and Patars who chiefly negotiated with the British colonial state through legal petitions.

By doing so, this dissertation joins the ongoing scholarly conversations on how Indian women performers adapted to the rapidly changing socio-cultural scenario in the nineteenth century, from the regional perspective of western India. Within the span of the nineteenth century, western India witnessed several political transformations starting with the fall of the Maratha power, consolidation of the power of the British East India Company government to the establishment of Crown Rule. From the mid-nineteenth century, Bombay emerged as a major sea-port and one of the main hubs of cotton-textile industry, attracting a large group of merchants, businessmen as well as women performers seeking new opportunities.[62] The dissertation, hence, arose from the questions of how the dancing communities of western India cope with the changing source of authority and patronage? How did they especially negotiate with the colonial state and its different policies that had long-term impact on their lives and livelihood? Most importantly,

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Stanford University Press, 2022); Anna Morcom, *Courtesans, Bar Girls & Dancing Boys: The Illicit Worlds of Indian Dance* (Hachette India, 2014).

[60] Anjali Arondekar, "What More Remains: Slavery, Sexuality, South Asia," *History of the Present* 6, no. 2 (2016): 146-54.

[61] Arondekar, *Abundance*.

[62] Anagol, *The Emergence of Feminism in India, 1850-1920*.

how such historical investigations can enrich our understanding of the agency, creativity, and resilience of Indian performing women in nineteenth-century India.

Third, this dissertation seeks to read the historical phenomenon of Indian women performers traveling abroad for contractual performances in the context of colonialism's adverse impact on the traditional sources of patronage for women performers in the second half of the nineteenth century. In general, the aspect of Indian women performers traveling abroad for contractual performances remain understudied in the existing dance scholarship, barring interventions of Shweta Sachdeva, Priya Srinivasan, and recently, by Prarthana Purakayastha. Addressing this gap, the dissertation demonstrates how colonialism ironically provided a different mode of patronage for Indian performers in the form of flourishing world-fairs and international exhibitions in the second half of the nineteenth century, after destroying or transforming their existing source of sustenance, only to push them towards further precarity. Focusing on the trans-territorial travels of Indian women performers, mostly from less privileged backgrounds, at the time when Anti-Nautch movement was at its peak in India provides more depth to the understanding of structural constraints within which the dancers functioned as well as their creativity and resilience, despite setbacks, in figuring out newer avenues of patronage in the second half of the nineteenth century.

In this endeavor, the dissertation asks the following questions: How did colonial policies particularly impact Indian women performers in the nineteenth-century Bombay Presidency? How successful (or not) a particular set of policies was? How did the dancers negotiate with and contest the colonial categories of "slave-traffickers" and "common prostitutes" and, in general, critique colonial policies of non-intervention in trans-territorial imperial performance spaces?

Archive, Agency, Methodology

The dissertation mostly considers official correspondences and legal proceedings of the British colonial state as its main source materials. Undoubtedly, it might seem counter-intuitive to talk about writing histories of the marginalized Indian women performers in the colonial archive which is famously known to elide subaltern histories.[63]So much of the dissertation, hence, grapples with the absences and silences that the colonial archive, by its very logic, produces when (not) representing subaltern actors. Even the act of "recovering" the dancer-subject in the colonial archive seems to be fraught with multiple questions of how productive is the recuperative project might be; how can one read 'agency' into the dancers' acts of negotiations with the colonial state; would the history, thus produced, through the entanglement and daily interactions between the colonial state and the petitioning dancers be one of complete victimhood or subversive resistance and similar other methodological concerns.[64]

A lot of scholarly debate on the project of finding agency in the colonial archive has happened over the past few decades. Starting with the Subaltern Studies collective's urge to read the colonial archive "against the grain"[65] to Ann Stoler's emphasis on understanding and unpacking the logic of the colonial archive by reading "along the grain"[66]all grapple with the tension of understanding individual and collective subjectivities within the constraints of the

[63] I am considering most hereditary communities of women performers as "subaltern" in the sense that they did not belong to the "elite" section of the Indian society because of their gendered location and unconventional livelihood. Despite being prolific in arts and letter, they mostly remained at the margins of the society. Of course, hierarchies existed between various groups and degrees of subalternity varied in terms of economic opportunities, patronage, caste location and, sometimes, religion.

[64] Anjali Arondekar, *For the Record: On Sexuality and the Colonial Archive in India* (Duke University Press, 2009); Durba Mitra, *Indian Sex Life: Sexuality and the Colonial Origins of Modern Social Thought* (Princeton: Princeton University Press, 2019).

[65] Ranajit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (Oxford University Press, 2005); Douglas Haynes and Gyan Prakash, eds., *Contesting Power: Resistance and Everyday Social Relations in South Asia* (Berkeley: University of California Press, 1991).

[66] Ann Laura Stoler, "Colonial Archives and the Arts of Governance," *Archival Science* 2, no. 1–2 (March 2002): 87–109. Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton: Princeton University Press, 2009).

colonial archive. Much of the work that this dissertation, therefore, derives from studying the archive as a repository of knowledge, both in terms of its offerings as well as its silences, while also recognizing the ideology and the power imbricated within the very logic of its existence.

Drawing from this scholarship, the dissertation understands dancers' agency in not in actual accomplishments of their acts of negotiations with the colonial state but in the possibilities that such readings enable. It does not offer a victory narrative for the dancers (as opposed to the narrative of 'decline'), as it is impossible to imagine the dancers' lives without the constraints and power-struggles of imperialism and also because in most cases the dancers' petitions hardly succeeded. Rather, it explores questions of what possibilities reading 'agency' into the acts of dancers petitioning the colonial state offer and how that can enrich our understanding of the functioning of the colonial state in relation to marginalized groups of independent women performers in nineteenth-century India.

Such conceptualization of "agency" benefits from the works of Jessica Hinchy and Arunima Datta. In what Hinchy defines as "complex forms of agency" in her study on the Hijra community in colonial India, agency is conceptualized as occupying a middle-ground between the oppositional binary of complete submission on one end and explicit acts of resistance on the other.[67] Following James Scott, Hinchy foregrounds the importance of "everyday resistance" that challenged the colonial power through "small" and overt acts.[68]She further argues that the daily acts of subversion, which also sometimes included apparent collaboration with the powerful, were no less effective or important than expressive (often violent) forms of resistance.[69] Arunima Datta, in her study on Tamil plantation workers in South-East Asia, conceptualizes agency as

[67] Hinchy, *Governing Gender and Sexuality in Colonial India*, 196.
[68] Hinchy, 196.
[69] Hinchy, 197.

"situational" to account for the Tamil women's attempts to "escape victimhood," albeit temporarily and to "varying degrees of success."[70]Datta shows how Tamil indentured women utilized the racialized and gendered stereotypes of British Indian government, local Malay administrators, and Indian nationalists to strategically deploy them to their advantage in courts of law.[71]

The dissertation, therefore, frames the dancers' agency in the colonial archive as situational, fleeting, and complex, which keeps on shifting through multiple locations within the spectrum of complete victimhood on one end to absolute autonomous resistance on the other. Instead of focusing on the end goal of their negotiations with the colonial state in terms of success, it seeks to emphasize everyday acts legal petitioning as expressing dancers' agency, albeit incomplete and ephemeral. In this vein, the dissertation also draws upon and extends the "bottom up" approach of looking at colonial law. Instead of treating colonial law as a hegemonic instrument of empire, the "bottom up" approach highlights complexities and not-so-hegemonic nature of colonial law that provides spaces for maneuverings and negotiations for the colonized.[72] But, as Zoya Sameen points out, much historical works exhibiting the "bottom up" approach of the colonial law mostly concerned itself with the realm of English personal law.[73] This dissertation, instead, extends the understanding of translation of colonial law into implementation through acts of petitioning to everyday acts of its implementation, beyond the sphere of personal and religious laws only.

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[70] Arunima Datta, *Fleeting Agencies: A Social History of Indian Coolie Women in British Malaya* (New Delhi: Cambridge University Press, 2021), 17-18.
[71] Datta, 118-123.
[72] Elizabeth Kolsky, "Introduction," *Law and History Review* 28, no. 4 (November 2010): 973–78.
[73] Zoya Sameen, "The Scatter of Empire: Prostitution, Law, and Trouble in Colonial India" (University of Chicago, 2022), 8; Lauren Benton, "Colonial Law and Cultural Difference: Jurisdictional Politics and the Formation of the Colonial State," *Comparative Studies in Society and History* 41(1999): 563-588.
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Chapter outline

Chapter 1, "From 'Slaves to Prostitutes:' Mapping Indian Women Dancers in Colonial Abolitionist Discourses," explores how Indian women performers routinely disrupted colonial endeavors of categorizing and penalizing their kinship practices as slavery by lodging petitions in nineteenth-century Bombay Presidency. By the first half of the nineteenth century, the East India Company government along with contemporary abolitionist, ethnographic and European travel writings came to identify Indian women performers as communities that sustained through slavery. While much of the scholarship on South Asian performing communities has focused on the association of women performers with the debates on prostitution and Anti-Nautch movement in the late nineteenth and early twentieth centuries, colonial equation of dancers as communities practicing slavery remain unattended. Addressing this gap in the literature, the chapter highlights how the dancers and their idiosyncratic models of kinship and discipleship lay at the heart of the failure of abolitionist measures in the Bombay Presidency from the 1820s till the Delegalization of slavery in India in the 1843. Engaging with Judicial Department files from the Bombay Presidency, British abolitionist writings and Parliamentary Papers, this chapter demonstrates how the very presence of the dancers, with their supposedly questionable practice of 'purchasing' children as a method of adoption, troubled and challenged colonial ideas about Indian slavery—leading to inconsistent policy devising. This along with the dancers' contestations about the criminalization of their adoption practices and property rights, through legal petitions significantly contributed to the already fragile state of the Anti-Slavery measures of the British government in India.

Chapter 2, "Navigating Law and Reclaiming Identity: Dancers' Contestations against the Indian Contagious Diseases Act" seeks to place the dancers at the very center of the unfolding

official drama surrounding the implementation of the Indian Contagious Diseases Act in the Bombay Presidency in the 1870s. By the mid-nineteenth century, official category of slavery slowly disappears from the official archives and colonial description of the dancers as slaves or as engaged in the informal economy of slavery gradually transition completely into their criminalized association as "common prostitutes," in the wake of the implementation of Indian Contagious Diseases Act in the Bombay Presidency in the second half of the nineteenth century. But the criminal identification of dancers as prostitutes did not go unchallenged. Taking advantage of the internal problems that the Bombay government was already facing, dancers, especially from the Naikin community, repeatedly refused their association with prostitution by emphasizing their identity chiefly as professional performers and advocating for their sexually monogamous patron-client relationship with the local elites. The repeated petitioning of the dancers and their patrons, as this chapter further argues, compelled the administration to rethink the category of the "common prostitute"—thereby rendering the entire structure of the Indian CDA fragile. The continuous expansion and contraction of the scope of the "common prostitute" that ensued provided further spaces for other Indian women to also maneuver and subvert the law—leading to the suspension of the Act in Bombay in 1872. Even when the Act was reimplemented in 1880, the specter of the Naikins' argumentation as professional performers and sexually monogamous "kept women" continued to haunt the process of delineating the contours of the legal category of the "common prostitute" till the time it was finally abolished in 1888.

Extending the scholarship on subaltern maneuverings of Contagious Diseases Act, which has animated the scholarly discussion in recent years, this chapter seeks to focus exclusively on the dancers—who are often uncritically subsumed within the occupational category of "prostitutes" even in scholarship that seeks to destabilize it. Reading the dancers into the narrative

on the Contagious Diseases Act brings forth the various ways in which the dancers, as a community, variously distinguished them from the "common prostitutes" by emphasizing their professional identity as performers as well as their non-conjugal but sexually monogamous relationship with their patrons. While the dancers might have been one of the many groups of women who succeeded in subverting the surveillance measures of the CD Act, I read their contestation of colonial labels as a continuation of their efforts in surviving and making space for themselves, their art and livelihood amidst a rapidly changing political and socio-cultural landscape. In addition, the dancers' petitioning the state with their signatures reiterating their profession is all the more significant as very few women, that too from marginalized locations, actively challenged/negotiated with the state by utilizing state machineries. Unlike indirect forms of resistance, the dancers here, in contrast, were directly writing to the state, highlighting their identity as professional artistes.

Despite foregrounding the attempts of the Indian women performers in carving out spaces for themselves in their negotiation with the colonial state, it goes without saying that the colonial legislations on slavery and prostitution left significant impact on the lives and livelihood of dancers throughout the nineteenth century. While the anti-slavery legislation targeted kinship practices and existing customs of property inheritance, state regulation of prostitution directly attacked the income source and social respectability for certain groups of women performers. Of course, the impact of colonial legislation on dancing communities was not uniform across the subcontinent. In north India, certain groups of *tawaifs* continued to reinvent their careers taking advantage of the technological advancements brough about by the so-called colonial modernity whereas many,

especially from less socio-cultural capital and artistic skills, faced destitution and poverty.[74] Many moved places to find new avenues of patronage charting new narratives of mobility, both within the subcontinent and beyond.[75] Recent works on mobility of performers showed how dancers and musicians moved from large centers to smaller princely states and metropolises in search of patronage.[76]Performing in international exhibitions and similar spaces also emerged as another compelling and profitable option, mostly for itinerant and marginalized performing communities. However, despite the allure of foreign lands and high income, performing abroad came with its own set of challenges and precarity.

The final chapter "Piaree's Prayer: Glimpsing the Lives of Indian Dancing Women in Imperial Exhibitionary Spaces" charts one such story of a dancer, Begum Jehan and her troupe who went for several contractual performances in England at the end of the nineteenth century to never return and receive her dues. A few days later, her grandmother, Piaree Jehan, a dancer herself petitioned the Bombay government for justice. Through a close reading of Piaree's petition along with contemporary newspaper reports, this chapter documents the unfinished histories of Indian women dancers navigating the racialized and sexualized circuits of exhibition and performance. It shows how, despite profiting from the dancers' labor, the colonial and metropolitan states along with non-state actors like the British media remained non-committal towards remedying the plight of the traveling dancers. However, moving aside from the argument of passive participation of South Asian entertainers to the objectifying gaze of imperial display, the chapter 'reads against the

[74] Shweta Sachdeva, "In Search of the Tawa'if in History: Courtesans, Nautch Girls and Celebrity Entertainers in India" (Ph.D., England, University of London, School of Oriental and African Studies (United Kingdom), 2008).
[75] Richard David Williams, *The Scattered Court: Hindustani Music in Colonial Bengal* (Chicago: University of Chicago Press, 2023); Tejaswini Niranjana, "Music in the Balance: Language, Modernity and Hindustani Sangeet in Dharwad," *Economic and Political Weekly* 48, no. 2 (January 12, 2013): 41–48.
[76] Gianni Sievers, "Setting the Terms of Employment: Traveling Female Performers, Middlemen, and Patrons of the Arts in Colonial North India, c. 1857-1900" (European Council of South Asian Studies, Turin, 2023).

grain' to foreground the significance of Piaree's petition in reclaiming spaces for the dancers in an extremely precarious and exploitative network of imperial exhibitionary spaces.

The chapter documents how Indian women dancers asserted their claims as professional artistes within the exploitative logics of imperial exhibitions. Even though Piaree's granddaughters met with a tragic end, the chapter argues that the petition for justice as well as other evidence reveal how Indian women performers, sought to carve out their own niche. Despite the hurdles of adverse weather, hostile audience, untrustworthy showmen and overall governmental apathy towards their sufferings, dancers repeatedly challenged their sexualized portrayal in British media and official discourses and sought to establish their identity as laboring performing artists. By claiming unpaid wages, refusing indecent sexual offers, writing petitions, forging female-centric kinship ties and, most importantly, not changing their repertoire or costumes for the western audience, dancers foregrounded their self-expression as professional performers. Regardless of the fate, such attempts at self-expression of Indian women performers significantly shaped colonial encounters, both in the colony and the metropole, as well as exposed the exploitative logic and the limitations of the colonial culture of display at the end of the nineteenth century.

CHAPTER ONE

FROM "SLAVES TO PROSTITUTES:" MAPPING INDIAN WOMEN DANCERS IN COLONIAL ABOLITIONIST DISCOURSES

On 19th December 1833, a group of "Goojarattee Dancing Women" identifying as the "Kusbees" appealed to the Collector of the Kheda district within the Bombay Presidency.[77] They appealed that, owing to a new regulation passed by the Government in 1827, their age-old custom of "purchasing" girl children was at stake. Their practice of "purchasing"[78] girl children was prevalent during the time of the Peshwas and the Gaikwads—the earlier rulers of the place—and also continued in the early days of the British government. But since the passing of 1827 regulation that prohibited "importation of slaves for sale...of children above or under the age of ten into any zillah of Bombay," this practice had come to a standstill.[79]Since the law stipulated everyone engaged in the "selling and purchasing" of children to report to the Government, the dancers apprehended that their main source of maintaining artistic lineage and discipleship practices through the purchasing of children would be lost forever. Despite their ardent appeal, the Collector of Kheda, however, turned down their request. He stated that "the Government could not with propriety at any time erase the enactment from the Code and as a commission is about to be appointed to inquire into the state of slavery in India it would be improper to accede to the prayer

[77] Maharashtra State Archives, Mumbai, Judicial Department (Henceforth MSA, JD), 1833, 28, 327, 'Substance of a Petition Presented in Goojarattee to W. Stubbs Esquire Collector of Kaira, by the Dancing Women ("Paturs") of Kaira dated 19 December1833', 19 December 1833.

[78] The act of "purchasing" children has been written with quotation marks to denote the official position of the British government regarding this particular kinship practices of adopting children as disciples within several communities of Indian women dancers. The official position does not necessarily reflect author's position.

[79] The 1827 Act "prohibited importation of slaves for sale, of grown-up slaves and children above or under ten into any Zillah of Bombay…except in time of famine or with a magistrate's written permission." For details see, D.R.Banaji, *Slavery in British India*, 2nd edition (Bombay: Taraporevala Sons &Co, 1933), 304-305.

of the Petitioner."[80]As Regulation XIV of 1827 particularly prohibited purchasing children for the "purposes of prostitution,"[81] through this pronouncement, the Collector of Kheda categorized and criminalized the Kusbees on the grounds of slavery and prostitution simultaneously.

Identifying Indian women dancers as "slaves" and "prostitutes" were one of the several ways in which the colonial state categorized hereditary communities of women dance practitioners in the colonial Bombay Presidency. In the nineteenth century, not only the East India Company government but contemporary abolitionist, ethnographic and European travel writings also repeatedly associated Indian women dancers as communities that sustained through slavery and prostitution. In this particular petition, the "Kusbees" were identified both as practicing child-slavery—as testified in their statement of "purchasing" children—and implicitly as prostitutes.[82] The Regulation XIV of 1827 only applied to women if they purchased children "for the purposes of prostitution." By citing the 1827 regulation as the ground for rejecting the Kusbees' appeal, the Collector of Kheda, therefore, also implied Kusbees as "prostitutes" who purchased children to continue their 'immoral' practice. But what was at stake? Why was the colonial state so involved with Indian women dancers, in the first place? While the association of women dancers in the colonies as prostitutes was ubiquitous across the British empire,[83] what does this additional marking of Indian dancers as "slaves" in the legal discourses in the nineteenth-century Bombay Presidency signify? To what extent did such categorization as "slaves" and "prostitutes' impact

[80]By "Code," the Collector of Kheda implied the Regulation XIV of 1827 and by "Commission," he was referring to the Indian Law Commission established in 1834 to assess the state of slavery in India.
[81] Banaji, *Slavery in British India*, 305.
[82] While the association of the Kusbees with prostitution was not made explicit in this particular petition barring the title, the contemporary English dictionaries that several colonial officials relied on, equated "Kusbees" to "Public Women" and "prostitutes. For details see John Barthwick Gilchrist, *Hindoostanee Philology: Comprising A Dictionary, English and Hindoostanee; With A Grammatical Introduction: To Which is Prefixed a Copper Plate, Exhibiting a Comparative View of the Roman and Oriental Characters Used in the Hindoostanee Language*, (London: Kingsbury, Parbury and Allen, 1810), 508.
[83] Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (New York and London: Routledge, 2011).

the lives and livelihood of the dancers? How did the dancers cope with such invasive and criminalizing colonial interventions?

With these guiding questions in mind, this chapter shows how the categorization of Indian women dancers as "slaves" and "prostitutes" in the colonial discourses was fraught with inconsistencies. Engaging with Judicial Department files from the Bombay Presidency, British abolitionist writings and Parliamentary Papers, this chapter highlights the inherent tensions that accompanied the process of legally categorizing—and criminalizing—Indian women dancers. Owing to the non-normative sexual practices of the Indian women dancers—especially regarding their marriage with the temple deity or living with a wealthy patron—along with their matrilineal kinship networks and adoptive discipleship, the colonial state had a tough time placing them in appropriate boxes. This colonial anxiety led to inconsistent abolitionist policies which failed to convict the dancers on the basis of slavery alone. Therefore, the shaky identification of the dancers as "slaves" gradually transitioned to a more rigid association of the dancers as "prostitutes" by the second half of the nineteenth century. As British interests shifted from containing slavery to controlling venereal diseases in the subcontinent, this chapter argues, the dancers' identity as "public women" engaged in slavery transformed unilaterally into that of a "common prostitute." However, the top-down imposition of criminalized identities of the dancers did not go unchallenged. In the wake of such colonial interventions, several dancers started writing back to the state while contesting their state-imposed identities as "slaves" and "prostitutes." This chapter, therefore, documents how the failure of colonial anti-slavery legislations coupled with dancers' petitions delineate the limits of colonial control and helps us revisit the interlinked issues of individual and collective agency, sexuality, and colonialism in nineteenth-century Bombay Presidency.

The chapter is divided into four sections. In the first section, the chapter provides a general background about the different communities of "dancing girls" who existed in the nineteenth-century British India. In the next section, examining a set of colonial-legal sources from Bombay Presidency, Parliamentary Papers, and couple of writings on slavery by noted British abolitionists John Scoble and William Adam, the chapter explores how the dancers were represented as "slaves" in the colonial abolitionist discourse while focusing on the complexity associated with such categorization. In addition, this section investigates how the colonial administration dealt with issues of child-slavery and trafficking in the Bombay Presidency and adjacent Princely States in the first half of the nineteenth century. This discussion is important for understanding the larger context of colonial treatment of child-slavery—of which many contemporary dancing communities were a part of. The third section demonstrates how dancers (identified as slaves) were also identified as prostitutes in the colonial abolitionist discourses in the first half of the nineteenth century. This conflation of the categories of the "slave" and the "prostitute," I argue, became especially significant after the passing of the 1843 Indian Slavery Act which criminalized slavery in British India.[84]The second and third sections, therefore, demonstrate how such colonial categorizations and interventions into the kinship and community practices of Indian women dancers significantly inconvenienced them. This leads us to the final section of the chapter on the dancers' petitions defending their practice of 'purchasing' children, inheriting community property, while also protesting against the practice of obtaining permission for their performance.

"Dancing Girls" of Colonial India

[84] Detailed discussion about the Act V of 1843 is in the last section of the chapter.

"Dancing girls/ women" or "nautch" (a corrupt form of the Sanskrit-derived word "naach" or dance) were prominent cultural figures in the late eighteenth and early nineteenth-century British India. Many landed elites (*zamindars*), princely rulers, and East India Company officials often patronized these "dancing girls."[85]Given the highly diverse and fluid nature of functioning of women dance performers, it is difficult to arrive at a singular definition of them. In the colonial period, "nautch dancers" referred to a wide variety of women performers ranging from courtesans to temple-dancers to migratory performers comprising of girls who were often given away by their famine-stricken parents, rejected widows and daughters from *kulin* Brahmin families, and women slaves seeking escape from captivity.[86]While the Devadasis or the temple-dancers sustained themselves as dedicated performers at Hindu temples, the princely states provided patronage for the *Tawaifs* (or the courtesans).[87] Those who lacked a stable source of temple or royal patronage relied on travelling from place to place for dance performances. These itinerant dancers often sustained themselves through salon performances (commissioned by the local nobility), performances in local fairs and festivals as well as through prostitution.[88] The distinctions between the different dancing communities were not always stable or fixed. Apart from the Devadasi communities—whose dedicated status comparatively rigidified social mobility within the community—the social and economic statuses of the dancers were flexible and amenable to change. For instance, a courtesan or a *Tawaif* could very well be a salon performer and prostitute

[85] Andrea Major, *Slavery, Abolitionism and Empire in India, 1772-1843* (Liverpool: Liverpool University Press, 2012),110-111.
[86] Sumanta Banerjee, *Under the Raj: Prostitution in Colonial Bengal* (New York: Monthly Review Press, 1998), 30-31. While *generally* courtesans and Devadasis were Muslims and Hindus by religion, I do not suggest a strict binary of religion here. There were several sub-categories, irrespective of religion, in both the communities of courtesans and temple-dancers, which overlapped with one another as far as their performative occupations are concerned. In short, it is difficult to categorize the nineteenth-century dancers owing to their fluid socio-cultural identities.
[87]Amrit Srinivasan, "Reform and Revival: The Devadasi and Her Dance," *Economic and Political Weekly* 20, no. 44 (1985): 1870; Shweta Sachdeva, "In Search of the Tawa'if in History: Courtesans, Nautch Girls and Celebrity Entertainers in India" (Ph.D., University of London, United Kingdom, 2008), 15-17.
[88] Using the term "prostitution" in the context of its nineteenth-century usage.

and vice versa. Similarly, an itinerant street dancer could be included into the royal harem in a princely state as a concubine and enjoy political power and prestige.[89]

According to sociologist Sumanta Banerjee, despite the variety, women performers in the eighteenth and nineteenth-century British India can be categorized into two groups.[90]The first group consisted of the erstwhile courtesans and their descendants who lost their source of patronage due to the decline of the Mughal court and, therefore, began migrating from Delhi, Agra, Lucknow and Benares to other territories of British India, especially to Calcutta during this period.[91] Banerjee argues that this group formed the main attractions of the well-known "nautch" performances that were often organized by indigenous elites for company officials and other European residents, owing to their training in the "refined" North Indian (*Hindustani*) classical music and performance practices.[92] The second group, in contrast, comprised of dancers from humbler backgrounds who, faced with famines, displacement and loss of other means of livelihood, also migrated from place to place and survived mainly on prostitution.[93]

In the Bombay Presidency, a similar division among the dancing communities was discernible. As discussed in the introduction of this dissertation, major dancing communities in nineteenth-century Bombay Presidency constituted of the Kalavants, Naikins, Bhavins, Kasbins and Muralis.[94]Contemporary vernacular and colonial ethnographies notice a graded hierarchy among these dancing communities. While the Kalavants and the Bhavins occupied the upper ranks

[89] Ramya Sreenivasan, "Drudges, Dancing Girls, Concubines: Women Slaves in Rajput Polity, 1500-1850" in *Slavery and South Asian History*, ed. Indrani Chatterjee and Richard Eaton (Bloomington: Indiana University Press, 2006), 136-161; Indrani Chatterjee, *Gender, Slavery and Law in Colonial India* (New Delhi: Oxford University Press, 2001).
[90] Banerjee, 32.
[91] Banerjee, 32.
[92] Banerjee, 28.
[93] While Banerjee's study focusses mainly on Bengal, this division is quite helpful in tracking down lower-caste and Muslim migratory performers who are usually subsumed under the colonial category of the "nautch" or "dancing girls" along with the baijis and the devadasis in this period.
[94] R.E. Enthoven, *The Tribes and Castes of Bombay Volume II* (Bombay: The Government Central Press, 1922), 130.

of this hierarchy, the Bhavins, Kasbins and Muralis remained at the bottom. On the surface, otherwise, it seems that there were two main criteria of this gradation. First, the social status of a dancing group was determined by their religious association. For example, if a group was dedicated to a temple-deity or was directly associated with religious ceremonies like the Kalavants and Bhavins, that group enjoyed significant social privileges unlike the Kusbees, who lacked religious sanction. In a sense, the colonial census makers like R.E. Enthoven considered religion to be a valid conduit for maintaining social respectability for dancers. Second, the social location of the dancing groups in the existing caste-hierarchy determined their degree of respectability in the society. It is quite evident that the dancers who belonged to the upper-castes (like the Bhavins and Kalawants) enjoyed more privilege and honor than the dancers with ambiguous caste-status like the Kasbins or Muralis from Dalit backgrounds.[95]

Dancers as "Slaves" in Judicial and Abolitionist Discourses

By the first half of the nineteenth century British officials realized that a majority of Indian women dancers survived on an informal economy of purchasing children across the subcontinent. In a copy of the report from the Indian Law Commissioners, one colonial official observes that although importation of slaves did not take place into "Cuttack or into those districts of the province of Bengal which lie to the south of the Ganges… a few children are occasionally purchased in Cuttack and taken to the pagodas at Ganjam and Berhampore by the dancing girls attached to those pagodas."[96] In fact, the officiating judge of Cuttack in the Bengal Presidency states that the women children of a number of castes "are sold by their parents to Luleans and Mahareans, as public singers and dancers, and for purposes of prostitution."[97]Similarly, in the

[95] R.E. Enthoven, *The Tribes and Castes of Bombay Volume II*, 130.
[96] Parliament. House of Commons (1841) *Letter from Government of India*, 17.
[97] Parliament. House of Commons (1841) *Letter from Government of India*, 43. Maharis were prominent temple-dancers from Odisha from whom the neo-classical dance form Odissi developed in the twentieth century. For details

western part of Shahabad in the Bengal Presidency, one officer Dr. Buchanan mentions that "Gandharvinis"—the women gender form of the Sanskrit word "Gandharva," usually associated with skilled singers—"supply their numbers by handsome girls of any kind that they can procure."[98] Once again, the dancers were identified both as slaves and prostitutes.

In the Madras Presidency, among two types of prevalent domestic slaves "womens attached to companies of dancing women" constituted one. In both Tanjore and Trichinopoly, several Hindu temples were found which survived on recruiting young women as temple-dancers. One officer noted, "In Trichinopoly… The class of dancing girls are also in the habit of purchasing young girls, chiefly from the Kykullee or weaver caste, for the purpose of educating them in their profession; and the children of those girls, if women continue to form a portion of the company to which their mother was attached."[99]Similarly, A.D. Campbell, Secretary of the Board of Revenue at Madras, observed that while the "Hindoos" in Madras recognized slavery in both agrestic and domestic forms, there was hardly any prevalence for domestic slavery excepting for "women children…occasionally purchased by dancing women, for the purpose of bringing them up to their own unhappy profession of prostitution, or the dancing women themselves, attached to the several Hindoo temples."[100]

R.E. Enthoven also testifies the existence of slavery among the Kalavants within the Bombay Presidency.[101]He explained that women Kalavants often purchased girls from "outcaste" groups who were subsequently dedicated to the temple deity by performing the similar marriage

see, Ananya Chatterjea, "Training in Indian Classical Dance: A Case Study, *"Asian Theatre Journal,* 13, no. 1 (Spring, 1996): 68-91.

[98] Parliament. House of Commons (1841) *Letter from Government of India*, 44.

[99] Parliament. House of Commons (1841) *Letter from Government of India*, 125.It is also important to notice how a distinction is being made between "girls" and "womens" here.

[100] Parliament. House of Commons (1834) *Papers on Slavery in E.Indies*, vol.XLIV, no. 128, 34.

[101] The existence of slavery among the Kalavants or the Naikins is also registered. For details see, Parliament. House of Commons (1841) *Letter from Government of India*, 169.

ritual of *Shens*.[102] At the same time, Enthoven observed that, while the girls of the Kalavant community were dedicated to the temple deity, the male members or the Gans had to marry girls of "outcaste" people for Rs.100 to Rs.300— indicating the practice of purchasing brides within the Kalavants.[103] In the same vein, *Bombay Dancing Girls* mentions how the Kasbins hailing from the Kunbi caste were purchased as servants in their childhood and moved to Bombay from Goa.[104]

Concurring with the official reports, the British Abolitionists also wrote extensively on Indian women dance practitioners purchasing children in the nineteenth-century India. William Adam, a noted British reformer, observed in 1809 that all the 295 dancing women, present in Rungpoor (Rangpur) in Assam, were purchased as children, denoting their status as slaves.[105]Corroborating Adam's observation, Hamilton's *East India Gazetteer* mentions that 78 sets of women dancers and singers in Rungpoor "are called Nutti (presumably the corrupt form of Nati—the women noun of a dancer or an actress), and belong to the same kind of institution as the common prostitutes, and have the same religious guides."[106] However, unlike Enthoven, Hamilton identified the dancers as both slaves and prostitutes.

John Scoble, another noted British abolitionist, who wrote extensively on the need of abolition of slavery in British India, argued that two degraded "races" of dancing girls existed in India who were intrinsically linked to the system of slavery.[107] While one group bought "women children" and trained them for "public exhibitions" as courtesans, the other group was associated

[102] Enthoven, *The Tribes and Castes of Bombay Volume II*, 128.
[103] Enthoven (Bombay, 1922), 132. Although some form of monetary exchange accompanied such marriages, I am not sure if that would qualify as a slave-economy though.
[104] *Bombay Dancing Girls*, 10.
[105]William Adam., *The Law and Custom of Slavery in British India: In a Series of Letters to Thomas Fowell Buxton, Esq*. (Boston Weeks, Jordan and Company, 1840), 160.
[106] Parliament. House of Commons (1841) *Letter from Government of India*, 43.
[107]John Scoble, *Slavery and the Slave Trade in British India; With Notices of the Existence of These Evils in the Islands of Ceylon, Malacca and Penang, drawn from Official Document* (London: Thomas Ward and Company, 1841), 24-25.

with the dedication of women children to "obscene" and "idolatrous worship of the temple."[108] Scoble cites Sir John Malcolm, another noted colonial official, to stress this interlinked connection between slavery and dancing girls in Malwa. Malcolm notes that the "dancing women", all of whom he identified as slaves, were employed in the service of "Rajpoot" chiefs and landlords (*zamindars*) in Malwa. These women engaged in menial labor during the day and provided sexual services at night. While these women had the liberty to choose their partners, the maximum share of the profits earned from such sexual exchanges largely went to their masters or patrons. These "dancing women" were, therefore, not allowed to marry and their children borne of these sexual exchanges were naturally adopted as slaves, following their mother's line. Due to this unfair and oppressive system of sexual slavery, Malcolm noted, many women attempted to flee Malwa.[109] Another colonial officer, Richardson noted that when these "dancing women" passed the prime of their youth, they purchased women children and trained them into their practice to continue their livelihood.

For the second "race" of degraded women, Scoble stated that they "suffer under the worst slavery known either in ancient and modern times," as the girl children who were purchased by the priests of the temples were introduced to a life of debauchery in the name of religion. Scoble noted that not only the priests but also a "large class of men" earned their livelihood through child trafficking for the "Pagodas" or temples. These priests and other men who were involved in slave-trafficking evaded the law by purchasing children not as a slave but by making an "engagement for a long term of years."[110]

[108] Scoble, 25.
[109] Scoble, 25.
[110] Scoble, 25.

It is, however, important to be careful while using the word "slavery" in the context of Indian women dancers in nineteenth-century British India. As mentioned earlier, Indian dancers often relied on adoption of women children, who were seamlessly inducted within the family structure and enjoyed equal rights as dancers' own children. Not only the inclusion of more women members in a matrilineal society implied increased economic opportunities—be it through entertainment or sex—having a large number of trainees also guaranteed continuation of the artistic tradition.[111]So, in most cases, the colonial reporting of dancers "purchasing" children usually implied their informal adoption of children as trainees. However, the nature of such adoption remained opaque, which resulted in much confusion for the British administrators. Some form of transaction—be it in cash or in kind—usually took place when the dancers adopted a young girl.[112] In the colonial eye, therefore, both the commodification of the bodies and removal of children from parents qualified the dancers' practice of purchasing children as chattel slavery.

However, the framework of chattel slavery is hardly appropriate in this context—given the relative power, economic independence, and artistic training the children received from their adoptee "mistresses." Power-hierarchy indeed existed between the matriarch-mistress of the household and the newly inducted trainees. But the basis of power depended on the age, experience, and skill, rather than social and racial status. More often than not, in this practice of "purchasing" children, the "purchaser" and the "purchased" belonged to the same social status or similar caste backgrounds—implying the ironical situation of "slaves buying slaves." Moreover, the logic of forceful removal of children from their parents—parallel to what Orlando Patterson

[111]As Janaki Bakhle has pointed out, till nineteenth-century, practice of music (and dance) was restricted within hereditary practitioners. Therefore, it follows naturally that once made part of the kin provided the adopted child the opportunity of training and continuing the artistic legacy. For Bakhle's argument, please see Janaki Bakhle, *Two Men and Music: Nationalism in the Making of an Indian Classical Tradition* (New York: Oxford University Press, 2005).
[112]Enthoven (Bombay, 1922), 130.

argued as "natal alienation" in the context of Transatlantic Slavery—also did not hold in this case, as parents often voluntarily consented to such transactions.[113] Even if one accepts the "slave" status of the adopted dancer, their enslaved status was hardly fixed. As historian Indrani Chatterjee has aptly pointed out, much of the forms of South Asian slavery existed in informal kinship linkages which allowed upward mobility and property rights for the slaves.[114] As a result, the dancers, even when purchased, were often treated as a member of the kin; qualified enough, at times, to be even the head of the matrilineal family.[115]This space for upward mobility of the supposedly "enslaved" children within the kinship networks of the dancing communities, therefore, often rendered the colonial framework of upholding chattel slavery as the standard for devising anti-slavery law in India futile.

Inconsistencies Within

The flexible nature of "slavery" that the Indian women dancers practiced posed serious challenges to the colonial state as it endeavored to categorize them as "slaves." British officials and administrators in India, in fact, struggled to define what actually qualified a dancer as a slave. Some officials stated that, while indeed children were purchased to be dancers and singers, their form of enslavement was very different from other forms of domestic and agrestic slavery in India and also much milder in comparison the Atlantic versions of chattel-slavery. In one particular instance within the report of the Indian Law Commission on Slavery, one official mentions that the women attached to the dancing establishments, brought the purchased children with "great

[113]Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press,1982). This voluntariness, however, only implies the marginalized position of the parents—both economically and socially. It is their inability to provide for their children, especially girl children, both in terms of food and dowry that often led them to "sell" their daughters to groups of dancers and prostitutes.
[114] Chatterjee, *Gender, Slavery and Law in Colonial India*.
[115]Here I build upon Indrani Chatterjee's argument on how colonial intervention rigidified the slavery system prevalent within the Nizam household of Murshidabad in Bengal in the nineteenth century.

care, and treat them, it is said, with as much kindness as if they were their own children, and indeed commonly adopt them, and leave their property to them at death."[116]The only resemblance to slavery, that the officer observes,

> consists in the children being purchased by strangers, separated from their natural connexions (sic), and brought up in a manner to fix their destiny for life without a choice on their part. They are cut off from the charities of home and family relations, and are trained to a public profession, which but too surely involves them in a life of immorality, exposing them particularly to prostitution, which it *may* be said is their common lot.[117]

Therefore, it seems that the problem here was not so much with slavery—which was only restricted to the purchasing of children—but more with their possible association with prostitution.[118]

Other officials also shared the idea of the milder version of enslavement practices within dancing communities in India. For instance, J. Blackburne, the Magistrate of Madurai, on 21st January 1836 recorded how the "public dancing girls" tended the purchased "infants" with care till the early childhood, "which is passed more as a state of pupilage than slavery."[119]Similarly, G.S.Hooper, the Judge from Madurai, on 30th April 1836 noted that the women children from "better castes," who were purchased by "dancing women," after growing up, "claim equal right to the property of their mistresses as if they were their own daughters… perform funeral rites" and after the death of their mistresses "become entirely free." Thus, Hooper concluded that "to all intents and purposes," these purchased children were "on the same footing as adopted children."[120]

However, not all colonial officials were on the same page in this context. Certain sections of the colonial administrators, both in Britain and in India, aimed at abolishing slavery in India. In order to accomplish that, any form of slavery, especially slave-trafficking—irrespective of its

[116] Parliament. House of Commons (1841) *Letter from Government of India*, 153. Emphasis mine.
[117] Parliament. House of Commons (1841) *Letter from Government of India*, 153.
[118] I will come back to this issue later.
[119] Parliament. House of Commons (1841) *Letter from Government of India*, 460.
[120] Parliament. House of Commons (1841) *Letter from Government of India*, 456

nature—needed to be stopped. As is evident in the accounts of both John Scoble and William Adam, who were noted British abolitionists, the association of dancers as slaves (and prostitution) was strongly emphasized. Also, a particular instance in the Madras Presidency needs to be mentioned here. In 1825, when a debate was taking place regarding whether the practices of selling and purchasing children within dancing communities should be prohibited or not, the Madras government declined to interfere citing the reason that "loss of personal freedom is not among the consequences of being brought up to be a dancing woman" and such instances of immorality "is generally tolerated, in the most enlightened and highly-civilized nations of Europe.[121] However, the Indian Law Commissioner later overturned this logic by arguing that the Madras government failed to notice that often "child-stealing … is occasionally practiced under the pretense of purchase" and also aids in the continuation of trafficking in child-slaves across the neighboring territories of Travancore.[122] Therefore, finally the Foujdary Adawlut at Madras declared that the "selling or purchasing of children for the avowed purpose of prostitution" is an "offence punishable under the existing law."[123]

Some officials opted for a middle ground. On 27th May 1839, J.P.Grant, Officiating Secretary to the Government of India wrote to the Indian Law Commission that the "subservience of a dancing girl to her keeper, is perhaps not greater in India than that of the young prostitute to the panders of Paris and of London, and no magistrate in these days would construe it to be slavery."[124] While Grant rejected the characterization of dancers as slaves, he nonetheless

[121] Parliament. House of Commons (1841) *Letter from Government of India*, 153-54.
[122] Parliament. House of Commons (1841) *Letter from Government of India*, 154.
[123] Parliament. House of Commons (1841) *Letter from Government of India*, 154
[124] Parliament. House of Commons session 1 (1837-38) *Slavery (East Indies). Return to an order of the Honourable the House of Commons, dated 15 February 1841;--for, a continuation, to the present time, of the papers respecting slavery in the East Indies, which were printed by the order of this House on the 31st day of July 1838 (no. 697). East India House, 5 April 1841*, vol. XXVIII, no.238, 61-62.

advocated for the prohibition of trafficking for enslaved labor. It is important to mention here that the concepts of "slavery" and "slave trade" or slave-trafficking differed in the colonial Bombay Presidency. The distinction was deliberate given that separate entries were made for the two in the judicial archive. While instances of "slavery" may or may not involve trafficking of purchased people, "slave trade" usually implied coerced movement both within and beyond the delimited territories of the British government. So, instances of dancers purchasing children locally would be clubbed under "slavery" whereas importation of slaves from Africa or from adjacent princely states of Satara, Baroda or Hyderabad will be described as "trafficking" or "slave trade." Therefore, Grant was more interested in curtailing the trafficking of slaves in and out of the Presidency rather than investigate the practice of slavery among the dancers without the aspect of "trafficking." Needless to say, this stance sharply contrasted with the Abolitionists who wanted to curtail both "slavery" and "slave trade" in India.

Regulations and Child-Slavery

The dilemmas regarding Indian slavery in the British colonial mind also informed British abolitionist legal policies in India in the first half of the nineteenth century.[125] Starting from the 1793 regulation which prohibited external slave trade in the subcontinent, the British government, both in India and England, passed several acts and regulations till 1833—all of which failed to achieve its goal of eradicating slavery in India.[126]As historian Andrea Major argues, much of the

[125] The colonial confusion with Indian slavery was not restricted only to their discussion of Indian women dancers. In another instance, a lot of debate happened around what constituted slavery when several Sidi boys and girls were found to be in possession of Aga Khan, a prominent nobleman in Karachi. Apparently, Aga Khan bought these children as playmates—and not for some manual or sexual labor—for his son. After much deliberations, the governor general in council decided that since the children are brought to the household of Aga Khan without their agency, this can also be termed as a form of slavery. For details, see: MSA, JD, 1856, 85-86, 'Slavery: Importation of Certain Slaves in Kurrachee', 16 January 1856.

[126] Scoble mentions that it was Lord Cornwallis who withdrew the "legal authority for the possession of slaves in 1893" which was later misinterpreted by the authorities to continue with the native practices of slavery. For details, see Scoble, 9.

failure of colonial abolitionist policies in India can be attributed to the Company officials' own investment in the system. In fact, some of them also argued that slavery served as a "useful social function by providing a potential means of subsistence for the destitute" in the Indian subcontinent and, therefore, also supplied cheap domestic labor for the Company officials.[127]Nonetheless, thanks to the mounting pressure of the British abolitionists, on 1st August, 1833 the Parliament passed an Act that declared abolition of slavery throughout the British Empire followed by the Indian Slavery Act in 1843 which finally delegalized slavery in the Indian subcontinent.[128]

While it is debatable whether or not the 1843 Act was instrumental in obliterating slavery *completely* from the Indian subcontinent, it, nonetheless, introduced certain changes in the abolitionist policies. This shifting colonial attitude towards child-slavery was evident in the Bombay Presidency too.[129] The legal records from the Bombay Presidency demonstrate how the colonial administrators devised and implemented strategies to abolish slavery, especially child-slavery, both in the British territories within the Bombay Presidency as well as in the regions controlled by adjacent Princely States.

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[127] Major, *Slavery, Abolitionism and Empire in India*, xx.

[128] "3 &4 Will. IV c.73: An Act for the Abolition of Slavery throughout the British colonies; for promoting the Industry of manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves, 28th August 1833," William Loney-RN Background, accessed July 16, 2018, http://www.pdavis.nl/Legis_07.htm. The Act however did not include colonies under the jurisdiction of East India Company including the Indian Subcontinent, Ceylon and St. Helena; "Saint Helena Act 1833," legislation.gov.uk, accessed August 8, 2018, http://www.legislation.gov.uk/ukpga/Will4/3-4/85/introduction. For detailed discussion on the Charter Act of 1833, see Sir Courtenay Ilbert, *The Government of India: A Brief Historical Survey of Parliamentary Legislation Relating to India* (Oxford: Clarendon Press, 1922), 84-87.

[129] A discussion about legal records on enslaved children is important here since intricate connection existed between child-slavery and dancing communities in nineteenth-century Bombay Presidency. It is also important to note that all the references of rescuing child-slaves in the legal records that I am analyzing pertains to the 1833-1834 year. Given that the official announcement of delegalization of slavery throughout the British Empire was formally implemented on 1st August 1833, it is highly possible that the East India Company officials provided special attention to all recorded cases of slavery in the Presidency, albeit for one year, resulting in the documentation of large number of child-slavery cases.

One of the primary features of colonial approach towards child-slavery was the tension between the abolitionist goals of colonial policies, on the one hand, and the apparent stand of not interfering into Indian customs in the first half of the nineteenth century, on the other.[130]This dilemma was most evident in child-rescue policies of the colonial government. It is important to mention here that while ambiguity prevailed in abolitionist policies in matters of slavery, the colonial officials, in contrast, adopted a much stricter attitude towards child-trafficking for enslavement and especially for the purposes of prostitution—which often directly impacted dancers in colonial India. As a result, the colonial administration undertook prompt actions throughout British presidencies in detecting child-trafficking and simultaneous restoration of the child to her kin. For example, on 16th October 1827, G.M.Ogilvic, Magistrate of North Arcot reported to the Chief Secretary of the Government, Fort St. George in the Madras Presidency about an instance of child missing from her in-laws place. After investigation, she was rescued in Wallajahnugger from a person named Buddersamy Chitty who planned to sell her to Bogum, a dancing girl.[131]

Bombay Presidency

In the Bombay Presidency, two steps usually characterized the colonial process of recovering child-slaves in the first half of the nineteenth century. First, the colonial officials made sure that the rescued children were restored to the people from their own "caste" and second, arranged for remuneration for people helping in locating these children. For instance, on 6th of

[130] The policy of non-intervention became more pronounced in the second half of the nineteenth century after the Queen's Proclamation in 1858. But such logic was also resorted to in the first half of the nineteenth century, at least as an excuse to conceal colonial agendas, as it can be seen here. As Indrani Chatterjee argues the Company Government did not actually want to abolish the slavery but wanted to continue in a different form. Indrani Chatterjee, 'Abolition by Denial: The South Asian Example', in *Abolition and Its Aftermath in the Indian Ocean Africa and Asia*, ed. Gwyn Campbell, 150–68 (Abingdon: Routledge, 2005).
[131] Parliament. House of Commons session 1 (1837-38) *Slavery (East Indies)*, 88-89.

May/July (unclear in the source) 1834, the Magistrate of Ahmednagar (unnamed) in the context of rescuing a certain child, stated that five rupees or more would be awarded to the person able to track her down. At the same time, he emphasized that the child, in the best of circumstances, should ideally be restored to "one of her own cast (sic)."[132]The insistence on the same caste-status of the guardian reflects the colonial government's inclination, albeit on the surface, for non-interference into the existing social customs of India.

Despite the contradictions, the colonial administration in the Bombay Presidency did effectively apply abolitionist policies, especially in contexts where children were inducted as slaves in some households or communities. A legal record from January 1834 documents how a girl, aged between eight to ten years (as different letters stated her age differently), was rescued by a few East India Company officials in Ahmednagar.[133] Following this, the *Faujdar* (administrative head of the district) and the Magistrate corresponded over several months in order to reconcile her with her parents or, at least, someone belonging to her "caste." The record notes that after (possible) advertisement of remuneration of fifty rupees, one man from the Lingayat caste volunteered to accept the girl, albeit with a peculiar condition. He stated that he was ready to undertake the responsibility of the girl and would arrange for her marriage to anybody she chooses. However, if nobody agreed to marry her, then he would either keep her as a house-slave or offer a reward of rupees fifty to anybody who would want to "bring her up properly."[134] Sensing that this particular person was inclined to enslave her or sell her to the slave-market, the Magistrate decided

[132]MSA, J.D. 1834, 3, ½, 6 January 1834, 'To John Bax Esquire Secretary to Government of Bombay From Magistrate of Ahmednuggur.'.
[133] MSA, J.D. 1834, 28, 327, 17 January 1834, 'To the Magistrate of Ahmednuggur from Foujdar of Ahmednuggur, Government of Bombay.'This is an interesting case as it also brings to light the relationship between caste and slavery—an aspect which is beyond the scope of this chapter.
[134] MSA, J.D. 1834, 28, 327, 12 March 1834, 'To John Bax Esquire Secretary to Government of Bombay from Magistrate of Ahmednuggur.'

that the girl could not be allowed to go with this person as the "Government cannot allow the Girl to be given up as House Slave."[135] In this particular instance, the colonial government went all the way to assure that the child was not returned to slavery.

However, in certain cases, the colonial officials faltered in implementing their abolitionist goals as well, thereby, bringing forth the inconsistencies and contradictions embedded within the colonial abolitionist policies in India. When the first Assistant Collector in charge of the Bhiloda (probably present day Bhiloda municipality in Gujarat) Tallooka (*Taluk* or a sub-district within the Bombay Presidency) reported to the government, on 29th November 1834, about rescuing two boys from a "Bunjaran" (or itinerant performing community conceptualized to be inherently 'criminal' in the colonial eye) encampment at a village named Waree (unidentified), he was instructed to return the boys to the same group of the "Bunjaran." The logic that was put forward by the higher authorities in this case was that since "the Boys have lived for 6 or 7 years with the Bunjarrs and their Parents not being known Government sanctions their being returned."[136] In this case, the Company government upheld the policy of non-interference in native customs to continue the practice of slavery among the "Bunjarans." The very same reason for which the Magistrate of Ahmednagar refused to leave a child-slave to the man belonging to the Lingayat sect in the above-mentioned example was reversed in this context.[137]The decision in the case of the Bunjara community was curious as colonial officials were aware of the practice of purchasing children among them since the early decades of the nineteenth century. In 1819, William Wilkins, the Sub-Collector of Ahmednagar informed Captain H. Pottinger, the Collector and Magistrate of Ahmednagar about "Brinjaries" purchasing a large number of children and selling them to the

[135]MSA, J.D. 1834, 28, 327, 22 March 1834, 'To the Magistrate of Ahmednuggur.'
[136] MSA, J.D. 1834, 28, 327, 29 November 1834, 'To C.Norris Esquire Chief Secretary to Government of Bombay from the Collector of Ahmednuggur.'
[137] MSA, J.D. 1834, 28, 327, 9 December 1834, 'To the Collector of Ahmednuggur.'

"dancing girls" as slaves.[138] Since "promiscuous dealing in slaves" was not allowed in the Bombay Presidency—and that is exactly what the "Brinjaries" involved in—Wilkins deemed it fit to inform his superior. This instance, once again, points out the uneven nature of colonial implementation of abolitionist policies in matters of the trafficking and selling of children to the dancing communities in the first half of the nineteenth century.

Princely States

In the process of rescuing children from different networks of trafficking, the colonial officials also had to negotiate with the separate legal frameworks of the Princely States. A significant portion of the judicial entries on child slavery for the year 1834 alone constitute cases from the Princely States of western and southern India lying adjacent to the British colonial territories of Bombay Presidency.

It is important to reminisce here that Princely States were one of the principal sources of patronage for several dancing communities in the eighteenth and the nineteenth centuries. Several scholars have discussed in detail about the widespread presence of dancers in several princely courts in India since the precolonial period. For example, while Katherine Schofield has illustrated in her work how women dancers were "attached to the court" in Mughal India, Ramya Sreenivasan discusses in length about the slave performers in Rajput courts between 1500 and 1850.[139] Similarly, Anshu Malhotra, Veena Oldenburg, Doris Srinivasan and Karen Leonard have worked on the women dancers and courtesans associated with the courts of Ranjit Singh in Punjab, Awadh in Lucknow, Princely rulers in north India, and Hyderabad respectively.[140]Given the widespread

[138] Parliament. House of Commons (1828) *Correspondence on State of Slavery in Territories under Rule of East India Company, and Slave Trade*, House of Commons Papers, vol.XXIV, no. 125, 341.
[139] Katherine Butler Schofield, "The Courtesan Tale: Women Musicians and Dancers in Mughal Historical Chronicles c. 1556-1748." *Gender and History* 24, no.1 (April 2012): 150-171.
[140] Ramya Sreenivasan, "Drudges, Dancing Girls, Concubines: Women Slaves in Rajput Polity, 1500-1850," 135.

prevalence of child-slavery among several dancing communities in the eighteenth and nineteenth centuries in India, it is extremely likely that the courtesans associated with the Princely rulers adjacent to the Bombay Presidency also recruited their members by purchasing children who were sold as slaves both in and outside the jurisdiction of Princely States.[141]

The legal reports of child-slaves belonging to the Princely States expose the tenuous relationship the British administrators had with the Princely States regarding slavery and abolition. Following the introduction of Subsidiary Alliance between the British government and the Princely Rulers in the first decade of the nineteenth century, the Native Princes were promised independent control in their own territories, albeit limited, in lieu of political submission to the British.[142] From the colonial perspective, this Alliance was a significant step towards consolidating political control without territorial annexation which was, however, based on an assumption that the British would not interfere into the domestic affairs of these States. However, this delicate relationship between the British government and the Princely States was often disrupted when the colonial officials directly intervened in the domestic affairs of the Princely States, especially in the context of social reform, including questions of slavery.[143] A little glimpse of this tension is visible in the legal records on child-slavery discussed below.

On 10th February 1834, the Magistrate of Ahmednagar reported that a girl of 13 years of age, named Jankee, was discovered in a field by a "Coonbee" (or Kunbi, agricultural caste from Maharashtra) in the Pargana of Bhiloda. On enquiry, Jankee revealed that she belonged to the

[141] Karen Leonard, "Political Players: Courtesans of Hyderabad," *The Indian Social and Economic History Review* 50, no.4 (2013): 423-448.
[142] Major, *Slavery, Abolitionism and Empire in India, 1772-1843*, 167.
[143] Some argue that the colonial officials resorted to social reform when the direct political control was difficult. For example, the Rajputana Agency was created to curtail Sati in the Princely states of western India. Major, 172.

territory of the Nizam of Hyderabad—theoretically outside the jurisdiction of British control.[144] The Magistrate stated that upon receiving this information, he commissioned a search for her parents in the Nizam's territory. However, he also added that in case no body turned up he would offer a sum of Rupees fifty to whoever agrees to take care of the child. Interestingly, the Resident Highness Governor in Council (RHGC)—to whom the Magistrate was reporting—agrees to his proposed course of action provided she is restored to her own "cast."[145]That the Magistrate of Ahmednagar included this particular clause of alternative arrangement for the rescued child in the letter testifies to the palpable tension existing between Company government and native states where lack of response from the native states regarding child trafficking and slavery was common.

Similarly, on 14th July 1834, the Magistrate of Ahmednagar reported that he had addressed the Resident of Satara and Hyderabad regarding some children sold in the Town and submitted a copy of the letter from the Resident Officer on the subject. At the same time, he forwarded all the rescued children to the Magistrate of Sholapoor with a request to transfer then to Rajah's (probably the Raja of Sholapoor) authority at Akkalkote.[146] However, on 15th of October, the Magistrate at Ahmednagar reported that despite many attempts at reaching out, nobody turned up for claiming the child. On hearing this the S.W.H.Hathen, Secretary to the Government of Bombay instructed the Magistrate of Ahmednagar that if the latter did not receive any response within a month from the date of his announcement, he was "authorized to set them at liberty to go where they choose."[147]

[144]MSA, J.D., 1834, 5, ½, 10 February 1834, 'To John Bax Esquire Secretary to Government of Bombay from the Magistrate of Ahmednuggur.'
[145] MSA, J.D. 1834, 28, 327, 10 February 1834, 'To the Magistrate of Ahmednuggur.'
[146] MSA, J.D. 1834, 28, 327, 14 July 1834, 'To W.H.Hathen Esquire Secretary to Government of Bombay from the Magistrate of Ahmednuggur.'
[147] MSA, J.D. 1834, 28, 327, 30 October 1834, 'To Magistrate of Ahmednuggur from W.H.Hathen Esq. Secretary to Government of Bombay.'

In another instance, the Magistrate of Ahmednagar forwarded a copy of a letter from his assistant stating that three male children were rescued from three persons and search was initiated to locate their parents on 26th April 1834. While the search continued in Nagpur for their parents, on 29th July, it was communicated to the Magistrate of Ahmednagar that the Nizam of Hyderabad had sent a person to rescue the children as they were apparently stolen from the Nizam's territory implying that it was an issue of domestic affair of the state of Hyderabad.[148]

Colonial records mention several instances of child-rescue from other Princely States of Gaikwads and Satara as well re-emphasizing the widespread connections between child slavery and dancing communities in the first half of the nineteenth century. On 29thApril 1834, a court proceeding was initiated in Kheda against few people who were charged with "selling a women to a prostitute and for disposing of a slave and her two children at Baroda Gawcover [Gaikwad] jurisdiction."[149] The Sudder Adawlat, in response, declared that the two prisoners charged with the crime of selling children to prostitution, should be tried by the "ordinary tribunal of the Zillah of which they are the inhabitant."[150] While it is not clear what exactly is meant by ordinary tribunal, it can be inferred that the court refused to try these people at Kaira, possibly because they belonged to the Princely State territory of the Gaikwads.

Similar instances of children rescued from child-trafficking were noted in the princely state of Satara as well. On 29th July 1834, the Magistrate of Ahmednagar requested instruction on how to "dispose" of two children "illegally imported." He also suggested addressing the residents at

[148] MSA, J.D. 1834, 28, 327, 29 July 1834, 'To the Magistrate of Ahmednuggur.
[149] MSA, J.D. 1834, 28, 327, 29 April 1834, 'To the Secretary to Government of Bombay from the Magistrate of Kaira.'
[150]MSA, J.D. 1834, 28, 327, 21 May 1834, 'To Charles Norris Esquire Chief Secretary to Government of Bombay from Assistant Register, Bombay Sudder Foujdaree Adawlut.'

Satara about them and forward the children, for the time being, to Sholapur.[151] On another instance, on 25th of October 1834, the Magistrate of Pune, forwarded a list of persons guilty of being engaged in slave-trade of children who, apparently, were residents of Satara.[152] On 26th of November, as a follow up, one of the child "who was sold as a slave" was reported to be restored to his father who was also a resident of Satara. The presiding officers noted that the father, interestingly, "remonstrated" the Rajah of Satara to not encourage "selling persons into slavery."[153]

These instances suggest that palpable tension existed between the Company government and the Princely State rulers. Despite the apparent stand of non-interference of colonial officials— as articulated in the acknowledgement of the separate juridical regulations of the Princely States in the restitution process of child-slaves— the absence of and delayed communication regarding rules of child-slavery in the Princely States testify to the conflict-ridden relationship between the two. In fact, the instance of the father of a rescued child-slave remonstrating the Princely ruler of Satara point out the limited nature of colonial control over trafficking in child-slaves in the Princely States. He pointed out that as a subject of the Princely state of Satara, it seemed to be more reasonable for him to approach the Satara court on matters of slavery, instead of the Company officials. Also, discovery of several children as slaves in the British territories, who hailed from several areas of Princely State territories of Hyderabad, Gaikwad and Satara, demonstrate that internal slave-trafficking continued to thrive, despite the passing of the Regulation X in 1813,

[151] MSA, J.D. 1834, 28, 327, 29 July 1834, 'To W.H. Hathen Esq. Secretary to Government of Bombay from Michael Mullis the Magistrate of Ahmednuggur.'
[152] MSA, J.D. 1834, 28, 327, 28 October 1834, 'Extract from the Proceedings of Tovialle Marriott Esq. Session Judge of Poona dated Tuesday 28th October 1834.'
[153] MSA, J.D. 1834, 28, 327, 28 October 1834, 'Minute by the Right Honourable Governor in Council.'

Regulation XIV of 1827 as well as the 1833 Act which prohibited "the movement of slaves for sale, by land or the sea, into the British territories."[154]

Irrespective of the tensions between the British administration and the Princely state territories in controlling slavery, it cannot be denied that all these legal sources demonstrate the efforts of the colonial officials in containing slave-trafficking. Given that these records were compiled in 1834 following the 1833 Declaration, the colonial attempts of stopping child-trafficking as well as reconciling children to their parents, were not surprising. However, in these early colonial efforts in abolishing slavery in the 1830s, the dilemma between abolitionist goals and non-interventionist stance of the colonial government is visible. This predicament was also a result of the colonial struggle of identifying and categorizing "slaves," "dancers," and "prostitutes" in the context of the abolitionist policies in the first half of the nineteenth century. As Andrea Major has discussed how the colonial idea of slavery—derived from the Atlantic model of chattel slavery—created misunderstandings about the indigenous forms of Indian slavery. She demonstrates how due to the lack of adequate understanding of Indian slavery led to the falsified notion of the master's absolute ownership of Indian slaves which once forced a "dancing girl" named Jummia to relinquish her right to be a wife to return to her master.[155]Major argues that, the "dancing girls" enjoyed much more flexibility and autonomy regarding her life choices than American chattel slaves and it was absolutely possible for the former to marry on her own accord. So, despite being completely valid, as per local customs, the colonial officials rendered Jummia's marriage null and void.[156]

[154] Major, *Slavery, Abolitionism and Empire in India*, 167.
[155] Major, 129. Also see, *Correspondence on State of Slavery in Territories under Rule of East India Company, and Slave Trade,* vol. XXIV.1 1828, 371-373.
[156] Major, 129.

Dancers as "Prostitutes": The 1859 Sind Case

Akin to the dilemmas present within the colonial identification of dancers as "slaves," the image of dancers as "prostitutes" was also inconsistent in the first half of the nineteenth century. For instance, R.E. Enthoven, in his initial discussions on the Kalavants, separated "performance" and "prostitution" as two separate occupations of the Kalavants. While discussing the state of trafficking in the Bombay city in 1845, on another instance, the investigating officer described the Kalavants as "nautching establishments" as distinct from the prostitutes—despite their earlier association with prostitution in the records from previous years.[157] That the colonial officials hesitated in unilaterally identifying dancers as prostitutes is all the more evident when Mr. Colebrooke, another noted colonial official stated that "it might be going too far to presume the intention of prostitution [in case of dancing girls]; and to prohibit all instruction for purposes of exhibition of dances which the people are very partial to, and which are a regular part of their religious festivals and celebration."[158] However, this ambiguity gradually evolved into more rigid association of dancers as prostitutes by the middle of the nineteenth century as successive Acts of abolishing slavery in British India proved to be a failure.

After the passing of the Act V of 1843, identifying dancers primarily through the prism of their deviant sexuality as prostitutes emerged as an effective tool of abolition. This, however, does not imply that a sudden break in colonial policies happened before and after the 1843 Act. In fact, the case of the 1833 Kheda petition as well as various other examples from Enthoven's account demonstrate that the colonial officials often associated dancers with slavery and prostitution before the 1840s as well. The difference was that, after the passing of the 1843 Act, criminalizing slavery

[157]MSA, J.D., 1825, 13, 97, p.105-110, 'Slave Trade'; MSA, J.D., 1856, 85-86, p.175-213, 'Certain Instructions issued to the magistrates on the subject of Slavery.'
[158] Scoble, 41. Also see, Parliament. House of Commons session 1 (1841) *Slavery (East Indies)*, 312.

became all the more important for the colonial legislators. Since the colonial administrators struggled with identifying dancers as slaves, thereby, making the conviction of the dancers as slaves difficult, the colonial officials utilized the close association of the latter with prostitution as a qualifier for criminalizing the practice of purchasing and selling children within the dancing communities—which was suspected to be a prime conduit for slave-trafficking in British India.

The transition of colonial policies regarding the dancers and the simultaneous identification of "dancing girls" as "prostitutes" is most evident in an 1859 letter to Lord John Elphinstone, Governor and Resident in Council of the Bombay Presidency. In this letter, the presiding officer of a court case, who was investigating an instance of marriage between a girl from the community of "dancing girls and prostitutes" called "Kunjurs" and a man from the low-caste communities of sweepers and fishermen in Sind, pleaded for the conviction of everyone involved in this so-called marriage. He argued that any form of marriage which supported slavery needed to be abolished.[159] To quote him,

> In Sind, the Kunjurs [a tribe the women of which are dancing girls *and* prostitutes] are said to recruit their members by purchasing children from the Mohana [fishermen] Shikarra [sweepers] and other low castes, a form of marriage is gone through between the child and...man of the Kunjur tribe.[160]

This case did not end with the punishments though. Soon after, a Proclamation was also made by the Commissioner in Sind notifying that,

> Whereas it has been brought to notice that members of the Kunjur tribe, to enable them to obtain girls for the purpose of prostitution, go about the country, and under the semblance of marriage *purchased girls* from the Mohana, Shikarra and other tribes. It is hereby declared and made known that any Cazee indeed who may celebrate such a marriage between any man of the Kunjur tribe and a women of tender years, belonging to any other tribes is guilty of a Criminal offence and will on

[159]MSA, J.D. 1859, 89, 546, 17 February 1859, 'To the Right Honorable Lord Elphinstone G.C.H. Governor and Resident in Council from H.B.E. Frere Esquire Commissioner in Sind.'
[160] MSA, J.D. 1859, 89, 546, 'To the Right Honorable Lord Elphinstone G.C.H. Governor and Resident in Council from H.B.E. Frere Esquire Commissioner in Sind.' Emphasis mine.

> being convicted be liable to such penalty not exceeding [2] two years imprisonment with labor as the Court before whom he is tried may award.[161]

From this case, two observations can be made. First, although the officials used native laws (in this case, "Mahomedan" or Muslim laws) to prove their point of declaring the marriage of the Kunjur girl as void, a shift can be sensed from the earlier non-interventionist stance of the Company rule to a more assertive colonial authority. In this case, the officials were ready to criminalize a Qazee (Muslim priest or judge) for solemnizing such marriages between Kunjurs and Mohanas or Shikarras, despite being a native custom. One of the primary reasons behind this apparent shift in attitude can be attributed to the 1843 Act V. Giving in to the growing abolitionist tirades against slavery in the Parliament, Lord Ellenborough, the then Governor-General of India, passed the 1843 Act V on April 7 which had the following provisions:

> (i) It is hereby enacted and declared that no public officer shall in execution of any decree or order of Court or for the enforcement of any demand of rent or revenue sell or cause to be sold any person on the ground that such person is in a state of slavery…And it is hereby declared and enacted that any person, who may have acquired property by his own industry, *or by the exercise of any art calling or profession or by inheritance assignment gift or request shall be dispossessed of such property or prevented from taking possession thereof on the ground that such person or that the person from whom the property may have been derived as a slave*.[162]

Such was the effect of this regulation that R.E. Enthoven points out, in his discussion, that a prevalent marriage system within the Kalavant community declined. He explains that often the women Kalavants, adopted girls of "outcaste" people, who were purchased and dedicated to the temple deity. However, while this ceremony was earlier performed with great pomp, "after a certain High Court decision" which criminalized such marriages, the degree of expenditure was reduced, and marriage was only held once the girl attains maturity. The only Act that criminalized such marriages was the 1843 Act.

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[161]MSA, J.D. 1859, 89, 546, 11 February 1859 'Proclamation by the Commissioner in Sind.' Emphasis mine.
[162] Banaji, *Slavery in British India*, 403-404. Emphasis mine.

Second, the ground for conviction here was prostitution and not slavery. Unlike the implicit connection of the Kusbees with prostitution in the 1833 petition—where their appeal was rejected on the grounds of slavery—the Kunjurs were directly convicted for practicing prostitution under the garb of marriage. It seems the emphasis on practicing slavery became secondary in the conviction of the Kunjurs as prostitutes—just the opposite of the proceedings of the 1833 petition.

The unilateral association of dancers as "prostitutes" was a significant departure from the previous inconsistent association of *some* dancers as prostitutes. The transition of the "dancing girl" to a full-fledged "prostitute" in the colonial legal discourse in the mid-nineteenth century happened for two reasons—first, the failure of anti-slavery legislations in India and second, the spread of venereal diseases. As Indrani Chatterjee and Andrea Major have argued, much of the British colonial ideas about slavery was derived from chattel slavery, which when transported to the Indian scenario caused much confusion for the administrators.[163] Failure to untangle the interlinked systems of slavery, politico-social power, and flexible kinship networks prevalent within the dancing groups, led to more governmental emphasis on controlling slave-trafficking rather than disturbing the existing systems of "slavery" in India. It is the failure to criminalize dancers on the grounds of slavery that paved the way for their criminalization on the grounds of prostitution. As a result, a shift seems to have happened since the Kheda petition in 1833—where the dancers were punished for engaging in slavery—to the Sind court case in 1859 where the colonial state criminalized the dancers as prostitutes.

This development also paralleled re-employment of the Contagious Diseases Acts in Bombay during the mid-nineteenth century. As Philippa Levine and Erica Wald have argued,

[163] Chatterjee, *Gender, Slavery and Law in Colonial India*; Major, *Slavery, Abolitionism and Empire in India, 1772-1843*.

owing to the spread of venereal diseases among the East India Company officials by the middle of the nineteenth century, the colonial government wanted to devise policies that prohibited inter-racial sexual encounters as a possible deterrent.[164] As Levine demonstrates, in order to maintain racial purity as well as contain venereal diseases among Company soldiers, the British created the epistemic category of the "common prostitute" which, in effect, included all native women. By creating stringent surveillance system of the Contagious Acts to monitor "common prostitutes," the colonial government hoped to deter their soldiers from consorting with Indian women—the supposed carrier of venereal diseases. Erica Wald, however, argues that the failure of the same Contagious Diseases Acts in the first half of the nineteenth century led to the expansion of the category of the "common prostitute". Not only the expansion of the category of the "common prostitute" included women previously not associated with sex-work but also created a cleavage within the native society between "respectable" women and the "prostitute."[165]

As a result, Indian women of elite backgrounds, especially from dominant- caste backgrounds, were hardly the target of colonial surveillance, at least not in this particular instance. Given that women from Indian elite families remained mostly restricted within their households, the colonial officials were more concerned about the 'public women'—which included oppressed-caste women migrant workers, itinerant jugglers, and puppeteers, and, of course, different groups of musicians and dancers. These groups posed the maximum threat to the colonial state due to their itinerancy which often brought them in contact with the British soldiers in cantonments. Owing to their non-normative family structure, economic independence, and itinerancy, Indian women dancers became one of the prime targets of colonial sexual surveillance. Therefore, by the middle

[164] Levine, *Prostitution, Race and Politics*; Erica Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women: Sexual Relationships, Venereal Disease and the Redefinition of Prostitution in Early Nineteenth-Century India," *The Indian Economic & Social History Review* 46, no. 1 (January 2009): 5–25.
[165] Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women."

of the nineteenth century, the identity of the dancers solely as prostitutes took precedence over the association of dancers as slaves. Till the time the colonial impulse was to prohibit slavery in India, the inclination was more on proving the dancers as engaging in corrupt practices of slavery. However, as prohibiting inter-racial sexual encounters emerged as the need of the hour, the dancers transformed into prostitutes in the eyes of the colonial state.

Dancers' Petitions and the Failure of the Colonial State

Regardless of the extent of success of the colonial project of controlling slavery and prostitution in India, it can, nonetheless, be stated that these legal interventions adversely impacted the way dancers lived prior to the British rule. Especially, with the anti-slavery legislations, not only the practice of adoption (or "purchasing" per say), but the matrilineal inheritance of land and property of the dancers came under threat. As the dancers were criminalized on the grounds of slavery (and later on prostitution), they lost their rights to inherit intestate property (or the property of dead person) of members of their community which now directly went to the state. In response, the dancers started writing back to the state through legal petitions. In 1833, a group of Naikins from Pune demanded the restoration of the intestate property of one of their deceased members on the ground of not being "slaves." [166]They argued that it is their "ancient custom with their caste" to purchase girls with "the free will and consent of both parties." But since the Government has "obstructed this usage," they had to initiate them in "singing and dancing at an expense of some thousands of Rupees." Most importantly, the Naikins clarified that "such girls are not considered as slaves by their caste, but as Mistresses" After rejecting the "slave" label, the Naikins appealed to the Magistrate to restore another of their "ancient custom" that granted their community the

[166]MSA, J.D. 1838, 62, 506, 'Poona Dancing Girls.'

right to inherit the property of a dead member. Apparently, the government was not allowing the Naikins to follow this practice and, instead, usurped the property. Since this new development was "very injurious to them and attended with great losses," they appealed for its redressal.[167]

Following this petition, a lot of back and forth happened within the official circles. The usual debate surrounding the actual nature and profession of the Naikins followed. While some acknowledged the special position of the Naikins as the head of "dancing establishments"—and, therefore, accepted their exception to the "slave" status—others fumed at the absence of proper "law" in dealing with such "women of ill-repute."[168] Others took a cautious stance given that the customary practices of the Naikins had religious sanction and officially East India Company government could not intervene into the social norms of the Indian society. The judge of the Sudder Dewani Adawlut finally came to an interesting decision. While he did not accept the rejection of the "slave" status of the Naikins, he nonetheless restored the right of inheriting intestate property to them on the ground that no one wants the "wealth of the vice."[169]Nonetheless, the very fact that the Naikins' petition forced the colonial officials to reconsider their ideas, opinions and judgements tell us a lot about the potential of these petitions in challenging the colonial state.

In addition to criminalizing dancers as "slaves" and "prostitutes," the colonial government in the Bombay Presidency also started a "ticket" system for "nautch" performances. This meant that in order to hold a performance, the dancer needed to seek permission from the Magistrate. It goes without saying, that such day-to-day state interventions greatly inconvenienced the dancers as getting permissions from the local authority was not easy. In 1848, Rutun (Ratan) Kulwateen

[167] MSA, J.D. 1838, 62, 506, 'Poona Dancing Girls.'
[168] MSA, J.D. 1838, 62, 506, p. M-167-205, 'Poona Dancing Girls'.
[169] MSA, J.D. 1838, 62, 506, p. M-207, 'Poona Dancing Girls'.

(Kalavant) from Nassick, directly appealed to the government of Bombay to grant her permission to hold performances as the Sub-Collector of Nassick was not cooperating.[170]When the Joint Magistrate of Nassick was interrogated, following Ratan's petition, he interestingly stated that apparently her ticket was withheld temporarily because earlier she held a "nautch" performance without permission. But now her rights were restored again.[171]Once again, through direct negotiation with the state, the dancer restored her rights.

Besides the above, dancers wrote several other petitions to the colonial state throughout the nineteenth century on matters of property, ownership, identity, and performance. I argue that these petitions went a long way in forcing the colonial state to rethink their framings of Indian women dance practitioners—thereby exposing its struggles and shortcomings. While the non-normative sexuality of the dancers posed a threat to the maintenance of racial purity, dancers' contestations of state-imposed criminalized identities through these petitions posed additional challenges for the colonial state. In other words, dancers' rejection of "slave" and "prostitute" labels placed the colonial state in a tighter spot. The presence of considerable number of such petitions in an archive, where dancers' presence is marginal, testify to that. As Ann Stoler has argued, a colonial archive is constitutive of power relations.[172] Building on that, one can argue that the very presence of the petitions—despite the marginalized social location of the Indian women dancers—implies their disruptive impact on the colonial state. Irrespective of the outcome of the petitions, dancers' contestations, nonetheless, forced the colonial state to consider their perspective. As a result, once again, the colonial state fumbled in implementing their policies

[170]MSA, J.D. 1848, 99, 1472, p.243-250, 'Petitions Deckan: Rutun Kulwateen complains that the Joint Magistrate of Nassick has withheld his permission to her holding nautches.'
[171]MSA, J.D. 1848, 99, 1472, p.245, 'Petitions Deckan'.
[172] Ann Laura Stoler, "Colonial Archives and the Arts of Governance," *Archival Science* 2, no. 1–2 (March 2002): 87–109.

consistently. That is why, in the case of Poona Naikins, despite identifying the Naikins as prostitutes who practiced slavery—and, therefore, ineligible for inheriting property—the court ironically decides in favor of them inheriting intestate property. These inconsistent rulings coupled with the unstable categorization of dancers as "slaves" and "prostitutes" demonstrate the struggles of the colonial state in grappling with the lived realities of the dancers as well as disciplining them.

Conclusion

This chapter explores how the British colonial state categorized Indian women dancers as "slaves" and "prostitutes" in colonial Bombay Presidency. Instead of taking the colonial identities of dancers as "slaves" and "prostitutes" at face value, the chapter attempts to unpack the politics behind such categorization and demonstrate how colonial anxiety regarding 'deviant' sexuality and lifestyle of the dancers formed the core of colonial legislations on slavery and prostitution in the nineteenth century. Not only issues of morality, but administrative concerns also guided the colonial state to render the dancers 'legible' through multiple criminal categories. Despite several attempts, the process of categorizing—and therefore, controlling and disciplining—the dancers remained incomplete. Even though colonial legal interventions adversely impacted the dancers' lives and livelihood, dancers continued to negotiate with the state and reclaimed their property rights and artistic identity through repeated petitions. They deliberately used languages of "ancient custom and practices" to restore their rights as non-interventionist official policy of the Company government prohibited state interventions into the "customs" of the native people. This is, of course, not to suggest that the impact of colonial anti-slavery and venereal diseases legislations on the dancers was, in any way, less violent. Instead, this is an attempt to show how the colonial project of categorizing and controlling the 'deviant' bodies of the Indian women dancers through legislation exposed its loopholes and limitations.

CHAPTER TWO

NAVIGATING LAW AND RECLAIMING IDENTITY: DANCERS' CONTESTATIONS AGAINST THE INDIAN CONTAGIOUS DISEASES ACT

Introduction

This chapter seeks to place the dancers at the very center of the unfolding official drama surrounding the implementation of the Indian Contagious Diseases Act in the Bombay Presidency in the 1870s. The previous chapter ends at the point when the criminalized association of dancers as "slave-purchasers" was gradually waning with the delegalization of Indian Slavery in 1843. This chapter takes on from that point to document how, with the implementation of the Indian Contagious Diseases Act, the colonial state now began categorizing woman performers as "common prostitutes," severely affecting their lives and livelihood. However, much like the label of "slaves" and "slave-traffickers," the criminal identification of dancers as prostitutes also did not go unchallenged. Difficulty in defining the category of the "common prostitute" along with lack of funding posed new obstacles for the administration to implement the provisions of the Act effectively. Taking advantage of the internal problems that the Bombay government was already facing, this chapter demonstrates how dancers from various areas within the Bombay Presidency repeatedly refused to be included within the purview of the Contagious Diseases Act by denying their association with prostitution and reclaiming their identity as professional performers. It was the repeated petitioning of the dancers and their patrons combined with criticism of the native society that compelled the administration to rethink the category of the "common prostitute"—thereby rendering the entire structure of the Indian CDA fragile. The continuous expansion and contraction of the scope of the "common prostitute" that ensued, provided further spaces for Indian

women to maneuver and subvert the law throughout the entire tenure of the Indian CDA in the Bombay Presidency till it was finally abolished in 1888.

While the Contagious Diseases Act has been studied both in the context of the British empire broadly, discussions have mainly highlighted the thematics of politics, surveillance, medical history, and sexual deviance.[173]Moving on from the top-down approach, recent scholarship has started to foreground subaltern negotiations of the Act through covert actions of evasions of Indian "prostitutes."[174]Building particularly on this scholarship on subaltern maneuverings of law (in this case the Contagious Diseases Act), this chapter seeks to focus exclusively on the dancers—who are often uncritically subsumed within the occupational category of "prostitutes" even in scholarship that seeks to destabilize it. Reading the dancers into the narrative on the Contagious Diseases Act brings forth the various ways in which the dancers, as a community, distinguished them from the "common prostitutes" by emphasizing their professional identity as performers as well as their non-conjugal but sexually monogamous relationship with their patrons. While the dancers might have been one of the many groups of women who succeeded in subverting the surveillance measures of the CD Act, I read their contestation of colonial labels

[173]Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge; New York: Cambridge University Press, 1980); Kenneth Ballhatchet, *Race, Sex, and Class Under the Raj: Imperial Attitudes and Policies and Their Critics, 1793-1905* (St. Martin's Press, 1980); Philippa Levine, *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire* (New York and London: Routledge, 2011); Ashwini Tambe, *Codes of Misconduct: Regulating Prostitution in Late Colonial Bombay* (Minneapolis: University of Minnesota Press, 2009). Durba Mitra, *Indian Sex Life: Sexuality and the Colonial Origins of Modern Social Thought* (Princeton: Princeton University Press, 2019); Stephen Legg, "Stimulation, Segregation and Scandal: Geographies of Prostitution Regulation in British India, between Registration (1888) and Suppression (1923)," *Modern Asian Studies* 46, no. 6 (November 2012): 1459–1505.

[174]Padma Anagol, *The Emergence of Feminism in India, 1850-1920* (Hampshire: Ashgate Publishing Limited, 2005); Mridula Ramanna, *Western Medicine and Public Health in Colonial Bombay, 1845-1895* (Orient Blackswan, 2002); Zoya, Sameen, "The Scatter of Empire: Prostitution, Law, and Trouble in Colonial India" (Ph.D., University of Chicago, 2022).

as a continuation of their efforts in surviving and making space for themselves, their art and livelihood amidst a rapidly changing political and socio-cultural landscape.

In this endeavor, this chapter builds upon, extends as well as departs from the ongoing scholarly conversations on Indian CD Act and South Asian dance historiography in the following ways. First, discussions on subaltern manipulation of the CD Act have mostly focused on the covert or indirect forms of resistance—like escaping the Lock Hospital, getting married, claiming to be mistresses, bribing the dhais (or matrons) and police among many others.[175]In contrast, women performers, especially the Naikins—constituting the most prominent group of dancers in the Bombay region—were directly writing to the state, highlighting their profession as entertainers and creative workers. The Naikins' petition reveals how state machineries could also be used and legal loopholes capitalized directly to effectively seek exception from the law as well as jeopardize the colonial project of sexual surveillance of the Indian CD Act.

Second, the chapter argues that the Naikins' petitions played a significant role in the instability of the legal category of the "common prostitute,"—an aspect previously not addressed in the existing scholarship. Despite mentions of the Naikins' petitions in overall discussion of Indian women's resistance to the CD Act, they were mostly treated as inconsequential or argued to be a complete failure.[176] In my reading, however, the Naikins' petitions were not only successful in granting them exceptions but also was instrumental in creating confusion among the officials regarding the category of the "common prostitute." This fuzziness of this category along with the precedence of the Naikins' exceptions from the Lock Hospital regulations, provided more spaces

[175] Ramanna, *Western Medicine and Public Health in Colonial Bombay, 1845-1895*; Zoya Sameen, "The Scatter of Empire: Prostitution, Law, and Trouble in Colonial India."
[176] Levine and Mitra particularly argue that none of the petitions of women against the CD Act were ever successful. In fact, Levine claimed that while many women in India petitioned the state complaining about treatment of CDA, but "not one of these petitions survived in the archives." Levine, *Prostitution, Race and Politics*.

for other Indian women, performing or not, to subvert the law—thereby, contributing significantly to the ultimate failure of the Act.

Third, foregrounding the potential and important Naikins' petitions in subverting the CD Act criminalizing dancers as prostitutes pushes back against the narrative of passive victimhood of Indian women performers that had been dominant in the studies of dancers in colonial India. Scholars have long discussed how the criminalized association of hereditary and professional communities of women performers as prostitutes led to a degradation of their status within the Indian society, leading to the Anti-Nautch movement and the subsequent alienation of the performer from the art form.[177]In such a narrative, dancers' efforts had been analyzed mainly through the frame of their success—which, as time proved it to be, were mostly unsuccessful in preventing the change of their fortune. However, as recent studies are pointing out, there is more nuance to this narrative of 'decline' in the colonial period. Many women performers tapped into newer sources of professional opportunities and patronage to reinvent their careers, irrespective of their ultimate success in the long run.[178]Drawing upon this scholarship, this chapter demonstrates that the Naikins also did not accept their fate as given and fought back. While their success was short-term, it is important to recognize that their petitions were successful in at least granting them

[177] Amrit Srinivasan, "Reform and Revival: The Devadasi and Her Dance," *Economic and Political Weekly* 20, no. 44 (1985): 1869–76; Matthew Harp Allen, "Rewriting the Script for South Indian Dance," *TDR (1988-)* 41, no. 3 (1997): 63–100; Avanthi Meduri, *Nation, Woman, Representation: The Sutured History of the Devadasi and Her Dance* (New York University, 1996); Uttara Asha Coorlawala, "The Sanskritized Body," *Dance Research Journal* 36, no. 2 (2004): 50–63; Kalpana Ram, "Phantom Limbs: South Indian Dance and Immigrant Reifications of the Female Body," *Journal of Intercultural Studies* 26, no. 1–2 (February 1, 2005): 121–37; Veena Talwar Oldenburg, "Lifestyle as Resistance: The Case of the Courtesans of Lucknow, India," *Feminist Studies* 16, no. 2 (1990): 259–87; Regula Qureshi, "Female Agency and Patrilineal Constraints: Situating Courtesans in Twentieth-Century India," in *The Courtesan's Arts: Cross-Cultural Perspectives*, edited by Martha Feldman and Bonnie Gordon (Oxford University Press, 2006), 312–31.

[178] Shweta Sachdeva, "In Search of the Tawa'if in History: Courtesans, Nautch Girls and Celebrity Entertainers in India" (Ph.D., England, University of London, School of Oriental and African Studies (United Kingdom), 2008). Davesh Soneji, *Unfinished Gestures: Devadasis, Memory, and Modernity in South India* (Chicago: University of Chicago Press, 2012). Richard Davis Williams' recent book, in fact, argues for a continuation and sustenance of musical practices in North India throughout the nineteenth century, as opposed to a decline. Richard David Williams, *The Scattered Court: Hindustani Music in Colonial Bengal* (University of Chicago Press, 2023).

exemption from Lock Hospitals as well as provide precedents for other women to find creative ways of evading the law.

Most importantly, most studies looking at how colonial surveillance system of Indian CDA and the respectability politics of the Anti-Nautch impacted communities of women performers, have mostly been limited to southern and northern parts of India.[179]Addressing this gap, this chapter, hence, provides glimpses into how dancing communities in western India, especially the Naikins, were responding to the colonial interventions into the changing cultural scenario in the second half of the nineteenth century.

This chapter, therefore, foregrounds the impact of the surveillance politics of Indian CDA on this group of women performers from the Bombay Presidency and their negotiations with the same. Some of the research questions that this chapter seeks to explore are: how did CDA impact the dancers in particular? While works on CDA have documented how women utilized various forms of overt and covert resistance to subvert its legal arms, specific attention to women performers, as one of the foremost groups of independent women working professionally as artists, remains unaddressed. Focusing on the dancers, particularly, highlights how the politics of Indian CDA sought to clamp down the very modes of sustenance of this group of women performers, both economically and culturally. Second, how did the dancers respond? What arguments did they place to the fore while negotiating with the state apparatus using the legislative tools of petitioning? How did they mobilize their existing socio-cultural capital and patronage networks to buttress their arguments and seek exemption from the Lock Hospital regulations? By asking these questions, this chapter seeks to underline how, besides defending their idiosyncratic sexual practices, dancers,

[179] Anjali Arondekar in her new book has pointed out to such lack of studies in western India. Anjali Arondekar, *Abundance: Sexuality's History*, *Theory Q* (Durham, NC: Duke University Press, 2023), 15.

both directly and indirectly, articulated their identities as professional performing artists. Since much of the discussions on the women performers, in the context of the Indian CDA, had been imbricated within the discourse on sexuality, this chapter hopes to bring to light the oft-ignored aspect of the dancers' self-representation as professional performers and their aesthetic labor.

The chapter is divided into five sections. The first section delineates the contours of the Indian Contagious Diseases Act, its ideological motivations, and implications, and how it was implemented in the Bombay Presidency. The second section provides a brief background about the Naikins, the main protagonists of this chapter. The third section discusses the different ways in which the Indian CD Act impacted the lives of the Naikin communities in the Bombay Presidency—leading them to write petitions. The fourth section analyzes the arguments of the Naikins that sought to foreground their identity as professional performers, as opposed to "common prostitutes," while exposing the limitations of the Act in general. The last section documents the long-term impact of these petitions had shaping the category of the "common prostitute" and enabling other women to subvert the law.

Indian CD Act: Background, Reasons, Tools, and Problems

The Indian Contagious Diseases Act of 1868 institutionalized the informal process of regulating venereal disease in India that started since the beginning of the nineteenth century.[180] As early as 1805, the Assistant Surgeon Price of Trichinopoly in the Madras Presidency first noticed that out of twenty-three patients, eighteen soldiers showed symptoms of venereal diseases.[181] Presiding medical officers attributed this significant rise in the number of patients to

[180] However, the state was not so much invested in containing venereal diseases among Indian subjects nor regulate prostitution among them. Stephen Legg, "Stimulation, Segregation and Scandal:"1453. It is a different matter altogether that the native society also became affected in the process of implementation of Indian CDA.

[181]Trichinopoly district was part of the Madras Presidency division of British administration in the nineteenth century. Erica Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women: Sexual Relationships, Venereal

the increased sexual interaction of soldiers with local prostitutes. Throughout the first half of the nineteenth-century, informal and sporadic efforts were, therefore, made to control the spread of venereal diseases, but not to much success. All such preliminary efforts across the three Presidencies in India were suspended in 1831, only to be revived in three decades in the form of Cantonment and Indian Contagious Diseases Acts in 1864 and 1868 respectively.

The reasons behind the initiation of venereal disease legislations in India were twofold: logistical/material and ideological. The late eighteenth to early nineteenth century witnessed an increase in militarization of the subcontinent because of the significant challenges the Marathas and Tipu Sultan posed to the East India Company government in the western and southern parts of India respectively.[182]The 1857 revolt too exposed the fragility of the British military establishment—necessitating the enrolment of more European soldiers from abroad within the British army.[183]Such military challenges orchestrated the introduction of a large standing army which enlisted soldiers on temporary contracts and required them to move from place to place according to assignments. Regular movements precluded any possibility of forming long-term relationships with local women—as was the trend in the eighteenth century amongst British officials.[184]Hence, government support towards mixed-race relationships with Indian women in the eighteenth century shifted to encouraging short-term sexual relationships with local prostitutes residing in and around military cantonments in the nineteenth century.[185]This, in turn, would

Disease and the Redefinition of Prostitution in Early Nineteenth-Century India," *The Indian Economic & Social History Review* 46, no. 1 (January 2009): 9.

[182] C. A. Bayly, *Indian Society and the Making of the British Empire* (Cambridge University Press, 1987).

[183] Before the 1857 revolt, British army recruited a greater number of Indian soldiers than European ones. Since the revolt was spearheaded by Indian soldiers, government grew increasingly suspicious of them henceforth. As a result, attempts were made to increase the number of European soldiers in British army contingents in the post-1857 period—which implied increased costs too.

[184] Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women,"10-13.

[185] Durba Ghosh, *Sex and the Family in Colonial India: The Making of Empire* (Cambridge University Press, 2006).

facilitate greater mobility of the soldiers—thereby, enabling the expansion and consolidation of the British empire in the nineteenth century.

But officials soon realized the pitfalls of this short-term sexual engagement with prostitutes. As soldiers from working-class and non-commissioned ranks resorted to short-term sexual liaisons with local women, they started contracting venereal diseases in large numbers.[186] The government became concerned for two reasons. First, the increased military presence in India necessitated more stationed troops—which caused a considerable financial drain on the colonial government's budget.[187]For instance, to maintain one soldier stationed in India, the government needed to spend around 100 pounds per day.[188] As a result, losing a soldier to death via venereal disease or losing even a couple of weeks' worth of soldier's labor was not at all desirable to the government. Second, the aspect of morality, deep-rooted misogyny, class, and racial differences also factored in the official desperation of curtailing venereal diseases among its soldiers in India. Preponderance and prevalence of venereal disease, especially among lower-ranking soldiers, represented their lack of moral righteousness and their proclivity to bend and break rules.[189] The

[186] The same situation applied to European sailors who contracted venereal diseases as they moved from port to port within the British empire.

[187] In the *Medical History of the European Troops in the Bombay Command for the year 1881* composed by R. Gilborne, Surgeon General, H.M's Forces and W. Gray, Surgeon Major, I.M.D., Secretary, it is also stated that "the British soldier, as he lands in India is a very costly article, and I think it is only wise economy to leave no means untried for the preservation of his health and efficiency." Maharashtra State Archives, Mumbai, General Department (henceforth MSA, G.D.) 1882, 40, M-111, 'Proposed Extension of the Contagious Diseases Act to the town of Satara.'

[188] Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women,"12-13.

[189] As Judith Walkowitz argues, Contagious Diseases Act in Britain was essentially classist and gendered in character. The discourses surrounding the Act exposed the fear of the moral degradation of the working-class poor, especially women. Women from working-class backgrounds particularly posed a threat to the moral order of mid-nineteenth century Britain as they entered the public sphere to earn their livelihood, defying the gendered norms of domesticity usually applicable to elite British women. As Walkowitz further explains, the aspect of mobility and financial independence of working-class women made them prone to the assumptions of being covert prostitutes—who, as the elite British public feared, engaged in sex-work while hiding under the façade of menial jobs. Hence, nineteenth-century social commentaries hardly distinguished between poor women who engaged in odd jobs and those who engaged in sex-work. Walkowitz contends that the figure of the "working- class prostitute" was especially despised as it exposed the evils of industrial capitalism in mid-nineteenth century Britain. Walkowitz, *Prostitution and Victorian Society*.

class difference between the elite commissioned officers and soldiers from non-commissioned ranks, majorly coming from working-class backgrounds, was measured, and highlighted in the scale of sexual control. But, even in that difference, some form of naturality to the poor soldier's lack of self-control could be discerned. In other words, while the working-class soldiers' uncontrollable sexual urges reinforced the stereotypes of the poor as 'dirty,' 'morally lax,' it was only considered to be normal or was expected. The officers admitted that, while such behaviors were morally outrageous, nothing could be done as it was natural for the soldiers to behave in this way, given their upbringing.

Behind such tacit approval of non-commissioned soldiers' promiscuity were some strategic considerations. Soldiers constituted the backbone of the British empire. It is extremely important, hence, for them to be healthy and happy. Since mobility was the need of the day, given the expanding empire, allowing soldiers to have short-term relations with local prostitutes would provide them sexual satisfaction, while avoiding the risk of siring mixed-race progenies through long-term relations. At the same time, officers also believed that having a heterosexual outlet open for the young soldiers would deter them from engaging in masturbation and homosexuality—the two main vices that proper men should stay away from, according to nineteenth-century British moral sensibilities.[190]The soldiers could also not be left in discomfort. So, when periodic examination of soldiers started in Britain in the early days of the venereal diseases' epidemic, it could only continue for a few days. The authorities were quick to dismiss the procedure as apparently the soldiers felt humiliated and such acts of "shaming" would ultimately demoralize them.[191]

[190] Levine, *Prostitution, Race and Politics*.68.
[191] Walkowitz, *Prostitution and Victorian Society*, 3. However, one must state here that the issue of medically examining soldiers came up time and again, at least in the official proceedings surrounding implementation of CD Act

But such considerations of discomfort were not extended to women. Deep-seated moral prejudices about women's body and sexuality compounded with contemporary medical discourses surrounding venereal diseases squarely placed the blame on women, both in Britain and in the colonies. One of the key nineteenth-century medical beliefs regarding syphilis was that it directly originated from diseased prostitutes, leaving no room for the possibility that sometimes men could also be the source of similar infections.[192]To make matters worse, vaginal fluids of all kinds were thought to be "potential pollutants" of men, including menstruation.[193]

While discourses of morality regarding women's sexuality and medical knowledge surrounding venereal diseases shaped each other, the politics unfolded a little differently in the metropole and the colonies. The class and gender bias shaped the discourses surrounding CDA in Britain whereas racial differences played a significant role in the conceptualization of the Contagious Diseases Act in India.[194]As Philippa Levine argues, since the establishment of "civilizational difference" between the colonizer and the colonized formed the ideological basis of the British empire, women in the colonies represented the simultaneous appeal and threat of the

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in the Bombay Presidency. But the government typically disregarded such suggestions, which usually came from the Medical or Sanitary Departments. For instance, Sanitary Commissioner, J. M. Cunningham suggested examining the soldiers too along with the diseased prostitutes in the wake of introducing the CD Act in Bombay in 1870. While many of his suggestions were incorporated in the final devising of the Act, this particular suggestion was ignored. MSA, G.D. 1870, 3, 56, M-S-21, 'Contagious Diseases: Measures for giving effect to the Contagious Diseases Act within the limits of the town and island of Bombay.'. The issue of weekly examination of men again resurfaced in 1878 as the latest war office regulation recommended inspecting men whenever a new troop arrived at a port station. MSA, G.D. 1882, 40, M-36, 'Proposed Extension of the Contagious Diseases Act to the town of Satara.'

[192]Walkowitz, *Prostitution and Victorian Society*, 48.

[193]Walkowitz, *Prostitution and Victorian Society*, 55-56. For instance, till the 1870s, women could be arrested and retained in the lock hospitals in India for menstruating. In 1873, the Sanitary Commissioner of India had to remind officers that menstruating women could not be detained as menstruation is not a disease. Despite his advice, many menstruation women were given tickets for examination. Levine, 67. Such prejudice continued in 1880s too. MSA, G.D. 1884, 100, M-151-152, 'Annual Report on Lock Hospitals for 1883.'

[194]In nineteenth-century Britain, as Judith Walkowitz demonstrates, class bias, along with gender, shaped the discourses surrounding Contagious Diseases Act. The Act mainly targeted women from working-class backgrounds as they entered the public sphere to earn their livelihood, defying the gendered norms of domesticity usually applicable to elite British women. As Walkowitz further explains, the aspect of mobility and financial independence of working-class women made them prone to the assumptions of being covert prostitutes—who, as the elite British public feared, engaged in sex-work while hiding under the façade of menial jobs. Walkowitz, *Prostitution and Victorian Society*, 1.

racial "Other." As Levine elaborates, while all the conversations surrounding venereal diseases started with preserving the health of the military and the sailors, its significance went far beyond just the noble intention of remedying health. The controlling of venereal diseases, orchestrated though the regulation of prostitution, exposed the larger ideology of the empire which was always in the process of making and unmaking. On the one hand, preserving the health of the military was important as they formed the backbone of the empire; on the other, the issue of prostitution helped sustaining the logic of colonial 'difference' which provided the justification of the colonial rule. The intent and urgency of preserving the health of the British soldiers was shaped both by race and gender, unlike class and gender in the metropole. Venereal diseases were seen as more threatening in the colonies with colonized women as sinister seductresses who incessantly planned to lure and infect British soldiers, given the already degenerate status of the colonized society.[195]

Indian CDA: Tools and Provisions

The key tools of Cantonment and Contagious Diseases Acts were the Lal Bazaar (literally translated as "red market") or the regimental market and the Lock Hospital.[196] Lal Bazaar designated a dedicated space for regulating prostitution within the cantonment area, which included a Lock Hospital established for checking and treating infected women. Initially, Lock Hospitals were established in eighteenth-century London to treat leprosy patients and the term

[195] Levine, *Prostitution, Race and Politics*.43-44.

[196] By the mid-nineteenth century, the 1857 revolt in India and the Crimean war provided the final push towards a reimplementation of Lock Hospital regulations in a much more formalized set up of Cantonment Acts and the Indian Contagious Diseases Act. While the 1857 revolt necessitated the posting of more European troops in India—in order to tilt the ratio of European to Indian soldiers more in favor of the former—Crimean war showed the devastating impact of venereal diseases on the soldiers. The Revolt of 1857 was especially significant as it shook the British military establishment significantly. Before 1857, authorities had no reason to question the loyalty of the Indian soldiers, who, were very much in the majority as compared to the European soldiers. But the 1857 Revolt exposed the vulnerability of the army, which formed the very basis of the British empire. In order to balance the loyalty factor, as Indian soldiers could no longer be trusted, British authorities wanted to include more European troops—which meant more financial investment for the government. The need to maintain the health of the soldiers, hence, became all the more important.

"lock" implied the restricted condition of the patients under treatment.[197] In the context of the venereal disease regulations, both in Britain and in India, Lock Hospitals denoted hospitals that exclusively treated patients suffering from venereal diseases and were not open to treating any other forms of ailments. In addition, Lock Hospitals also conducted regular genital examinations of registered prostitutes settled in the regimental bazaar within the cantonment.[198]Each hospital included an Indian and a European doctor with a matron. The kotwal or the superintendent of police, attached to the Lock Hospital, was responsible for managing the affairs of registered women.[199]

The Cantonment Act of 1864 distinguished prostitutes into two classes- one who entertained European clients ("first class") and who did not (public prostitutes not so frequented.[200]Only the first group needed to be registered, given a "printed ticket" with a copy of rules of the Act, medically examined every month with results notified on their tickets. If any woman from the first group contracted venereal disease, she would be kept in the hospital till her cure. The Act also emphasized the need to maintain cleanliness and also prohibited public solicitation.[201]Most importantly, the Act sanctioned application of its provisions beyond the delimited territorial boundary of the army cantonment and encroached into civil territories—marking a departure from earlier informal system of Lock Hospital regulations. Officers believed

[197] Ballhatchet, *Race, Sex, and Class Under the Raj*.11.
[198] In India, the first "hospitals for diseased women" (the term "Lock Hospital" later came in vogue) were established in 1797 at Berhampur, Kanpur, Dinapur and Fatehgarh—all within military cantonments. Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women,"13, Ballhatchet, *Race, Sex, and Class Under the Raj*,11.
[199] Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women,"13-14.
[200] Ballhatchet, *Race, Sex, and Class Under the Raj*, 41.
[201] Unlike the metropole.

that, by doing so, the 'vagrant' population of local prostitutes could be effectively surveilled, registered and examined, which was not feasible earlier.[202]

But the workings of the Cantonment Act of 1864 seemed to be far too limited to account for all the prostitutes in the Presidency towns of Bombay, Calcutta and Madras. Hence, to make the rules stricter the Indian Contagious Act/ Act XIV of 1868 was passed. The Indian CDA, unlike its precedents, allowed local governments to tweak the law according to the local circumstances. The Act required registration of brothels, prostitutes, regular medical examination, and compulsory treatment of women infected and also allowed the provision of relocating prostitutes if needed.[203]

Though established as a colonial byproduct of the Contagious Diseases Act passed in Britain in 1864, the Indian Contagious Diseases Act differed from its metropolitan version to a considerable extent. First, in England, the Act was implemented on small towns with large garrisons but in India, it was implemented on large cities with small garrisons.[204]Second, while the police had the absolute authority in coercing women—deemed to be prostitutes—to register at the

[202] One of the main reasons contributing to the failure of the Lock Hospital system was attributed to the lack of authority in enforcing women to register for Lock Hospital examination. Unlike the metropole, the Lock Hospital regulation necessitated voluntary participation of women—which never yielded the desired results. Much akin to their counterparts in the metropole as well as in other British colonies, women subverted Lock Hospital regulations in both overt and covert ways. Police Department's lack of authority over enforcing women (whom they perceived to be prostitutes) in registering for the Lock Hospital only added to the woes of the administrators. Indian women's continued non-co-operation led medical officers and administrators advocating more stringent police regulations and surveillance. For instance, in 1825, the superintendent surgeon of Poona Division in Bombay Presidency suggested that two peons should be employed to bring diseased women to the lock hospital, and they should be paid a bonus for bringing each woman. While the Medical Board initially disliked the idea because of the apprehension of possible coercion, the proposal, however, was accepted by the Commander-in-Chief and gradually the numbers of special police services were increased. While such measures hardly translated into success, the issue of coercion remained a much-contested terrain within the different rungs of military, civil and political departments of the India Government in the following decades, much beyond the official abolition of the Indian CDA in 1888. Ballhatchet, *Race, Sex, and Class Under the Raj*, 44.

[203] MSA, G.D. 1870, 3, 56, M-S-159, 'Contagious Diseases: Measures for giving effect to the Contagious Diseases Act within the limits of the town and island of Bombay.'

[204] This is a point that the Pune Naikins would also be raising in their petitions. Levine, *Prostitution, Race and Politics*, 52.

Lock Hospital in England, the Indian version of the Act emphasized on the 'voluntariness' of Indian prostitutes in getting themselves registered.[205]Since the European prostitutes apparently readily submitted to medical examination for their own benefit, many officials thought that Indian women would also come forward to voluntarily register themselves. For instance, Dr. W. F. Knapp, Superintendent of the CD Act in Bombay emphatically claimed that he felt "sure that the native women of this country, so soon as they see that this Act will benefit their miserable condition, will put aside all prejudices of caste and race, and readily conform to the rules of those placed in Medical charge of them."[206]Corruption of the police was also cited as another reason to argue for self-registration.[207]Last, unlike the metropole, public solicitation and streetwalking were completely clamped down in the colonies along with brothel registration.[208]

One of the most important differences between the Cantonment and the Indian CD Act was that the former had the provision of levying tax from individual women coming for registration and examination.[209] The measure was introduced mainly to address the expenses of day-to-day workings of the Lock Hospital administration, as the issues of funding and expenditure remained

[205] In the early days of considering implementation of Indian CDA, the colonial officials often cited examples from England to argue for their case. For instance, on 14th May 1867, Commodore C.G. Hillyar wrote to John Lawrence, the Viceroy of India, informing him about the extent of venereal diseases among the sailors stationed in Bombay. In his argument for implementing CD Act in Bombay, he explained how the CD Act in England yielded favorable results in Plymouth and how women there "already understand that the measure is intended for their benefit as well as for that of the rougher sex, and that they readily submit to examination when called upon to do so, many even presenting themselves of their own accord, and that they gladly avail themselves of the arrangements made for their cure." MSA, G.D. 1867, 1, 514, M-S-164, 'Regarding the prevalence of syphilitic diseases among sailors.'

[206] MSA, G.D. 1870, 3, 56, M-S- 281. While one may think this aspect to be developed out of consideration for the feelings of Indian women, Levine argues, such a difference in attitude actually reflected the "different" assumptions British had about women in the colonies. Since they thought that prostitution was somewhat tolerated in India—and, therefore, would carry less shame, Indian women would be more comfortable in coming out voluntarily than their English counterparts. Levine, *Prostitution, Race and Politics*.3.

[207] Many officials argued that the Indian police and the matrons involved could coerce random Indian women as well as prostitutes to register for the hospital or extract bribes. MSA, G.D. 1870, 3, 56, M-S-174, 'Contagious Diseases: Measures for giving effect to the Contagious Disease Act within the limits of the town and island of Bombay.'

[208] Levine, *Prostitution, Race and Politics*.56.

[209] MSA, G.D. 1870, 3, 56, M-S-20, 'Contagious Diseases: Measures for giving effect to the Contagious Diseases Act within the limits of the town and island of Bombay.'

a thorny issue throughout.[210] But, interestingly, despite pressure from different quarters, the 1868 Indian CDA did not build the self-financing aspect into the system properly as officers were ambivalent about its effectiveness.[211]Police officers in Bombay, for instance, expressed apprehension that if the self-financing system was introduced or continued, the Act would become even more unpopular. It would further dissuade women who would have, otherwise, voluntarily acted according to the provision of the Act.[212]

But most importantly, in a marked departure from the Cantonment Act and previous regulations, the word "common" became added to the "prostitute" as the key category under surveillance of the Indian CD Act.[213]This administrative decision mainly stemmed from the apprehension of targeting the "wrong" group of Indian women, lest it enrages the native society.[214] As this chapter demonstrates, this 'wrong' group of women usually referred to the women performers, some of whom were engaged with the local elites in a system resembling concubinage. For instance, Mr. H. Stanbrough, the Health Officer to the Chief Secretary to the Government, on 15th April 1869 clearly attributed the reason behind adding the prefix "common" to the Devadasis or hereditary communities of temple-dancers in South India. Talking specifically in the context of the Madras Presidency, he argued that, given the diversity of population, social distinctions, and

[210] Some officials wanted to extract taxes from the Indian prostitutes in order to compensate for the inconvenience they were causing by spreading venereal diseases. For instance, in 1844, Captain Morgan, Superintendent of Police, Bangalore Cantonment in Madras Presidency, expressed the desire to institute a taxation of two annas for local prostitutes, including 'dancing girls,' to put a check to the increasing number of venereal disease patients in the Cantonment. Otherwise, he also proposed to include some form of coercive measures to bring women out for examination. Ballhatchet, *Race, Sex, and Class Under the Raj*, 26.
[211] Levine, *Prostitution, Race and Politics*, 49.
[212] MSA, G.D. 1870, 3, 56, M-S- 421-422.
[213] MSA, G.D. 1870, 3, 56.
[214] At least on paper, the government cited the policy of non-interference in native customs. As Nicholas Dirks argued, the policy never worked in reality as the officials hardly understood what constituted interference. The kinship and sexual systems present in both the hereditary communities of temple-dancers or high-ranking courtesans could easily be categorized into the genre of "native customs." In fact, this is exactly what the Naikins did when they argued for their exception from the Lock Hospital regulations. For discussion on the policy of non-interference, see Nicholas B. Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (New Jersey: Princeton University Press, 2011), 149-150.

religious practices of India where "concubinage is viewed with leniency, if it be not an established and recognized institution" it was important to specify the group the Act primarily targeted.[215]The word "common" added to the class of "prostitutes," Stanbrough believed, would make "the duty less complicated and difficult, to exercise…the utmost caution, especially in reference to 'dancing-girls attached to pagodas.'"[216]

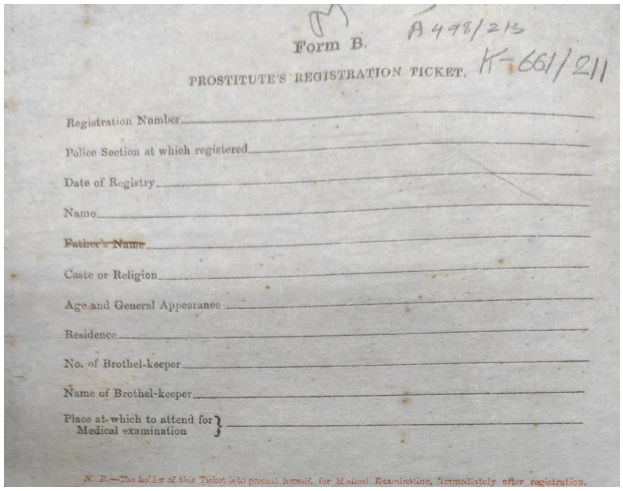
But then also the problem of defining the groups of "common prostitute" remained. Andrew Serjeant, Acting Advocate General to the Bombay Government, pointed out this conundrum on 8th April 1870, just few months before the CD Act was getting to be implemented in the city of Bombay. He stated that "common prostitute are[sic] that class of women who carry on prostitution as a business, and are open to receive either in brothels, their own houses, or elsewhere, all who choose to pay for their embraces. *The term is not defined by the act, and without some definition I fear the act is very likely to be abused*."[217]

Serjeant's anticipation was correct. The official category of the "common prostitute" remained a fraught and contested category between the colonizer and the women the Act sought to discipline throughout the entire tenure of the CD Act from 1868 to 1888. It is through the continuous daily interactions between the two that the category kept on getting made and remade—with the dancers playing a significant contribution to the process. As this chapter argues, dancers from the Bombay Presidency, especially from the group of Naikins, remained central to the conceptualization, definition, and implementation of the category of the "common prostitute," which went through significant negotiations and alterations from 1868 to the final abolition of the Indian CD Act in 1888. The repeated protestation of the dancers as non-prostitutes went a long

[215] MSA, G.D. 1870, 3, 56, M-S-159.
[216] MSA, G.D. 1870, 3, 56, M-S-159.
[217] MSA, G.D. 1870, 3, 56, M-S-365. Emphasis mine.

way in making officers wary of employing the blanket term of the "common prostitute" to criminalize all forms of non-conjugal sexuality. The dancers also utilized close ties with their patrons, coming from the elite sections of the Indian society, to strengthen their arguments. Support from the patrons amplified their voices both within the legal structure (through petitions) as well as forming public opinion (through newspapers) against the CD Act. Under the circumstances, the administration was forced to consider redefining the category of the "common prostitute" to exclude "kept" women or mistresses from the Lock Hospital regulations. The specter of the "kept" women or the "Naikins" continued to haunt the colonial psyche as more and more women, whether dancers (or Naikins) or not, sought recourse to the exception to evade the law—ultimately leading to its failure.

CDA in the Bombay Presidency


Form B.

PROSTITUTE'S REGISTRATION TICKET.

Registration Number

Police Section at which registered

Date of Registry

Name

Father's Name

Caste or Religion

Age and General Appearance

Residence

No. of Brothel-keeper

Name of Brothel-keeper

Place at which to attend for Medical examination

N. B.—The holder of this Ticket is to present herself, for Medical Examination, immediately after registration.

Figure 2.1: An example of a "ticket" issued to women for medical examination at the Lock Hospital. Courtesy: the Maharashtra State Archives, Mumbai

The Contagious Diseases Act came to be implemented in the Presidency town of Bombay in May 1870, discontinued in 1872, and again reimplemented in 1880.[218] The Act was implemented into the following areas: Colaba, Fort, Esplanade, Dhobi Talao, Market Mandvi, Bhuleswar, Khara Talao, Girgaum, Mahalaxmi, Walkeshwar, Parel, Kamatipura, Sewri and Mahim.[219]Under the Act, all the brothels had to be registered with the police and registered prostitutes needed to undergo regular medical examinations.[220]

The trouble started from Bombay itself. Soon after the introduction of the Act in Bombay, women stopped volunteering for the examination—which was a requirement for the Indian variant of the Contagious Diseases Act. As Dr. Knapp noted, initially women willingly registered themselves at the Lock Hospital; but the moment they realized that the burden of proof of prostitution fell on the police, more and more women started subverting the regulations.[221]Women started complaining about walking long distances, planting "false witnesses" who aided in their evasion, bribed the peon or the matron, and neglected summons among many others.[222]The issues of outrage of modesty and indignity, perhaps through word of mouth, spread among women—who started deserting the Cantonment areas in large numbers.[223]As women stopped registering and invented novel ways of manipulating the law in their favor—and the police could not find proof in most cases due to lack of evidence—the desired outcome of the Lock Hospital regulation could not be reached.

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[218]Much like London, the impetus behind the implementation of CDA in Bombay was the spread of venereal diseases among sailors mainly. MSA, G.D. 1867, 1, 514, M-S- 161-167, 'Regarding the prevalence of Syphilitic Diseases among sailors.'

[219] Mridula Ramanna, *Western Medicine and Public Health in Colonial Bombay, 1845-1895* (Orient Blackswan, 2002), 164.

[220] MSA, G.D. 1870, 3, 56, M-S-364

[221] MSA, G.D. 1870, 3, 56, M-S-391.

[222] MSA, G.D. 1871, 88, M-S-298, 302, 303.

[223] The *Dnyan Prakash* reported how the extension of Act III of 1871 made prostitutes in Pune flee the town in large numbers. MSA, G.D. 1871, 45, 58, 'Newspapers: Weekly Report by the Reporter on the Native Press Bombay.'

Implementing Lock Hospital regulations proved to be challenging for two additional reasons: lack of funds and inconclusive findings about their actual effectiveness in reducing venereal disease. No direct correlation between the operation cost and effectiveness in reducing the spread of venereal diseases could be obtained, leading to military, civil and medical authorities blaming each other—a feature that continued throughout the nineteenth century in both the informal and formal systems of controlling venereal diseases in India. As the results did not commensurate with the financial and logistical investments of Lock Hospitals the issue of funding also remained tenuous.[224]The split between military establishment and the administration became most pronounced in Bombay as the military and medical departments did not receive any assistance from the Bombay Municipality in implementing Lock Hospital regulations.[225]Since the government incurred considerable expenditure establishing and maintaining Lock Hospitals from the beginning, not receiving expected results led to the suspension of the Bombay CDA in 1871.[226]

However, the suspension of the CDA in Bombay did not stop its extension to other parts of the Bombay Presidency. Following the example of Bombay, the CD Act was extended to Poona and Kirkee Cantonment on 30th May 1871[227] followed by Ahmedabad and suburbs.[228] In 1873, it was also extended to Karachi in 1873.[229]By 1873, the CD Act was extended to Disa, Pune,

[224] As Erica Wald has shown these issues were rife during the informal implementation of Lock Hospital rules in the first half of the nineteenth century too. Wald, "From *Begums* and *Bibis* to Abandoned Females and Idle Women." 17-21.
[225] In case of Bombay, the Bench of Justices decided to not share the cost of the Lock Hospitals in Bombay citing lack of funds and for lack of results. MSA, G.D. 1873, 18, 3, M-S-63, 'Contagious Diseases: Closing of the Contagious Diseases Act in the City of Bombay.'
[226] The conflict between the Municipality and the Bombay government became more pronounced during the phase of reimplementation in 1880. The Bombay Municipality strongly objected to the compulsory character of the Act and pointed out that the Municipality was not required to contribute to the functioning of the Act in England. For details, see MSA, G.D. 1881, 35A, 27 Part II, M-156, M-165, 'Introduction of the Contagious Diseases Act into the City of Bombay.'
[227] MSA, G.D. 1871, 14, 517, 'Extension of Contagious Diseases Act beyond the limits of the Cantonment of Poona & Kirkee.'
[228] MSA, G.D. 1873, 18, 302, M-S-129, 'Extension of the operation of the Rules of the Contagious Diseases Act of 1867 to the City of Ahmedabad.'
[229] MSA, G.D. 1873, 18, 376, M-S-163, 'Contagious Diseases: Working of the Act at Karachi.'

Ahmadnagar, Kharki, Aden, Deolali, Belgaum, Karachi, Mau, Nimach, and Nasirabad.[230] This extension of the CD Act deep within the Bombay Presidency posed a stark contrast to its metropolitan variant which restricted the jurisdiction of the CD Act only to the port towns.[231] The reports from these different localities produced similar results as the Bombay town. No definite impact could be established between the workings of the Lock Hospitals and prevention of venereal diseases in most cases. For the year 1873, while Disa, Pune, Ahmadnagar, Kharki, Ahmedabad, Aden, and Deolali recorded decreasing numbers while Belgaum, Karachi, Mau, Nimach, Nasirabad recorded an increase with issues of women evading registration remained predominant in Kirki.

As the reports of the Lock Hospitals across the Bombay Presidency hardly matched the logistics and funding involved in their establishment, the concept of "clandestine prostitution" came up.[232]Officers increasingly came to believe that far too many prostitutes, beyond the jurisdiction of the CD Act, continued to consort with European soldiers. They, therefore suggested, two options: first, extend the Act beyond the Cantonment area and second, expand the category of the "common prostitute." For the first option, the government of Bombay required the cooperation of the Bombay Municipality to encroach into the civil areas. But the Bombay Municipality did not show much interest and, instead, remained agnostic about the project throughout. The second option was especially targeted towards the group of women claiming to be the "kept" or mistresses

[230] Assessments for one year of implementation was already done by 1873. MSA, G.D. 1873, 44, 59, M-S-351, 'Lock Hospitals: Reports by the Medical Officers in charge in this Presidency for 1871.'
[231] In Calcutta and Madras Presidencies too the Act was applied way beyond the port cities of Calcutta and Madras respectively.
[232] The concept of "clandestine prostitution" was not new in the colonies. As Judith Walkowitz has shown the specter of "clandestine" prostitute plagued the minds of British officials in England too. The concept of the hidden prostitute, as Walkowitz argues, was especially employed against the financially independent working-class women navigating the public sphere. Much like in India, in England too, it was believed that the number of clandestine prostitutes far exceeded the actual prostitutes who solicited in public. Walkowitz, *Prostitution and Victorian Society*.

of the local elites. Naikins or the high-ranking courtesan community of the Maharashtra region—and the protagonists of this chapter—also fell within this category. Most officials believed that this group of women were more dangerous as, unlike the registered prostitutes, they pursued other professions in public while engaging in prostitution in private. W.H. Knapp was the first person to express reservations about the Naikins. He stated these "women (were) of undoubted virtue and respectability, who merely gained their living by singing and dancing at the parties of the native gentry," should only be exempted from registration if they actually "gained their living in the manner above stated."[233]If anyone was found to combine "prostitution with dancing and singing would be compelled to register."[234]In other words, the administrators apprehended that many women, especially the Naikins, took advantage of the flexibility of the category of the "common prostitute" and less-than-ideal coercive police power to evade the law—making regulations ineffective.

The Naikins, in fact, exactly did the same. They utilized their socio-cultural capital, education, and close networks with their patrons to repeatedly petition the colonial government for exceptions. So, besides other groups of women who continuously refused to cooperate with the administration by using different measures of evasion of escaping the Lock Hospital, bribing officers, relocating to new places, sending imposters in their places, the administration now also had to face official contestations from the Naikins through legal petitions. Given the comparatively elite background of the Naikins and their close connection with the Indian elites, it was also

[233] Several instances of "dancing girls" getting registered were noted in the Calcutta Presidency, for instance. Less numbers of registered women led to an expansion of the category of the "common prostitutes" which led to the inclusion of women performers. One officer noted how "nautch girls" and "others of the higher class" who never "receive a visit from a British soldier" were mistakenly added to the list. In Faizabad, "dancing girls" constituted half the number of registered prostitutes, despite not consorting with the European soldiers. In Moradabad and Ranikhet too, most number of women who registered were dancers—and, therefore, had to be discounted. MSA, G.D. 1871, 14, 88, M-S-311; MSA, G.D. 1873, 44, 380, M-S-373, 380, 389, 391.
[234] MSA, G.D. 1871, 88, M-S-308.

difficult for the administration to ignore their pleas. The following section outlines how and why the three main petitions from the Naikins forced the state officials to concede to their demands. In addition, the petitions also altered the course of the implementation of the CD Act in the Bombay Presidency between 1871 to 1888 by narrowing down the legal category of the "common prostitute."

Naikins' Petitions

On 4th November 1871, Ganga Punekar Naikin along with 23 other women performers registered a petition to the Bombay Government stating that the implementation of Act III (might be Act XIV) of 1867 on the city of Pune had caused "great uneasiness and positive misery" to them and wanted it to be repealed.[235] Five days later, on the 9th of November 1871,a petition from another group of dancers led by Mybobjee Naikin also from Pune was lodged with the same appeal.[236] On 4th August 1872, ChinnaSwamy Naidu and others from Belgaum lodged another petition appealing for the exemption of the Naikins from jurisdiction of Indian Contagious Diseases Act.[237] While differing in terms of location, timing, and slightly different ways of argumentation, all the three petitions, lodged by and for the Naikins, criticized the extension of Indian CDA to Pune and Belgaum and wanted them to be either repealed or made exceptions for them. Reading the petitions closely and in relation to each other reveals how Indian CDA impacted the professional women performer group of the Naikins and how they, in collaboration with their patrons/elite Indians, were negotiating with the state and arguing for their exceptional status as respectable professional performers.

[235] MSA, G.D. 1871, 14, 87, M-S- 148, 'Contagious Diseases: Measures for giving effect to the Contagious Diseases Act within the towns situated in the Presidency of Bombay.'
[236] MSA, G.D. 1871, 14, 87, M-S-153.
[237] MSA, G.D. 1873, 18, 607, M-S-81. 'Contagious Diseases: Complaint of the Dancing girls of Belgaum against the act.'

Background

Naikins constituted one of the prominent groups of women performers in eighteenth and nineteenth century Bombay Presidency and its adjoining regions.[238] While the terms "Naikin" and "Kalavantins" were often used interchangeably, two things seemingly separated Naikins from Kalavantins: first, they were eligible to receive land grants from the government/state authorities and second, in some places, they had to undergo the process of *Seja* or *Shens*.[239] *Shens* signified the process through which a Naikin was dedicated to a temple deity.[240]The ritual included a marriage-like arrangement where a girl got married to another girl dressed as a groom—holding a coconut and a dagger in hand.[241] In some places within Goa where the Naikins were expected to serve the deity of a temple, conducting *Shens* was compulsory before any act of service could be executed.[242]

In nineteenth-century Bombay Presidency, the category of the "Naikin" usually referred to women performers of various origins, religions, languages, and professions, comparable to the *tawaifs* or high-ranking courtesan communities in eighteenth and nineteenth-century North India. Naikins also professed multiple religions and performed various religious and secular functions.[243]Spatially, groups of Naikins could be found in two areas within the Bombay

[238] Earliest mention of Naikins could be traced back to the Adil Shahi dynasty in the sixteenth century. They repeatedly received land grants throughout the eighteenth and early nineteenth century from the Peshwa, Satara and the Kolhapur state. The eighteenth-century court records described them as naykin-kalavantins. The other groups who receive mentions are Kalavantins (described above) and Nataksala (mostly concubines with a history of working as a dancer) referred to the other two groups of performing women. V.S. Kadam, "The Dancing Girls of Maharashtra," in *Images of Women in Maharashtrian Society*, ed. Anne Feldhaus (Albany: State University of New York Press, 1998),74, 75-6.

[239] While K. Raghunathji and V.S. Kadam referred to this process as *Shej*, Anjali Arondekar in her latest work described the process as *Shens*. Given that Arondekar's book is the latest work on the devadasi practices in Goa, I am choosing to use *Shens* to refer to the practice. Arondekar, *Abundance*.

[240] K. Raghunathji, "Bombay Dancing Girls," *Indian Antiquary* 13 (June 1884):167

[241] Arondekar, *Abundance*.14.

[242] Raghunathji, "Bombay Dancing Girls,"167.

[243] For instance, many Naikins organized and donated to religious and charity events.

Presidency and its adjoining regions in the nineteenth century. The first group, also known as Goekarins, hailed from Goa. In Goa, they were the only groups of women allowed to perform in public.[244] In some cases, Naikins also performed in the temples once their initiation through the *Shens* marriage was accomplished. With the onset of Portuguese rule in Goa, some of them were converted to Christianity and taken as concubines by the Portuguese officials.[245]As Bombay emerged as a thriving metropolitan center from the middle of the nineteenth century, many groups of Goan Naikins migrated there to enter the film industry at the end of the nineteenth century.[246] Owing to the rise of Bombay as the hub of emerging cotton and textile industries by the mid-nineteenth century, Bombay Naikins mostly received their patronage for the newly emerging class of Parsi and Gujarati businessmen. Arranging Naikin performances, as Padma Anagol argues, also became a marker of upward mobility for the business class in Bombay around this period.[247] Many Naikins benefitted from this new inflow of money and grew status conscious.[248]

Second group of Naikins could be found in Pune and its adjoining region, owing to their close ties with the Peshwa and Satara courts. In the eighteenth century, Pune emerged as the main center of patronage for singing and dancing, owing to the Peshwa rule. Numbers of Kalavantins tied to the Peshwa court, especially, increased during the rule of Peshva Bajirao II.[249] As per the Peshwa daftar records, Naikin-Kalavants received the highest form of patronage from the government.[250]All the other women performers and sub-groups within the Kalavant rank were

[244] Raghunathji, "Bombay Dancing Girls,"167.
[245] Raghunathji mentions that such interactions made the caste rules of interdining with foreigners relaxed for some groups of the Naikins. Raghunathji, "Bombay Dancing Girls,"168.
[246] Anagol, *The Emergence of Feminism in India, 1850-1920*.
[247] Anagol.125.
[248] Govind Narayan Madgavkar, a contemporary observer, reported about resplendent ceremonies organized by the Naikins in Bombay in N.R. Phatak (ed.) *Mumbaiche Varnan* as cited in Anagol, p.125. Naikins also performed the halad-kumkum ceremony (with turmeric and vermillion), a popular Maharashtrian festival usually observed by women, to display their wealth. Anagol, 139.
[249]Kadam, "The Dancing Girls of Maharashtra,"65.
[250] Kadam, 74-76.

situated under the aegis of the Naikin-Kalavant. Not only they earned their livelihood through cash payments (*bidagi*), land grants and clothes, but they also entered the royal seraglio as concubines, yielding considerable political power.[251]They were affluent enough to wear Kashmiri shawls, muslins, various forms of ornaments as well as had slaves/servants to cater to their daily needs.[252] They were well-versed in reading and writing and were capable enough to write letters to the government.[253] While the late nineteenth century witnessed the gradual eclipsing of the power of the Princely States—signifying a corresponding decline in artistic and cultural patronage—Pune, the erstwhile seat of Peshwa power, however, retained its position as the main center of cultural patronage for the Naikins.[254] The fact that two out of three petitions against the Contagious Diseases Act emerged from Pune Naikins demonstrate the considerable influence the Naikins still exercised on Indian society even around the time of political decline.

Impact of CDA: Patronage, Respectability, Profession

All the three petitions protested against the extension of the Indian CDA to Pune and Belgaum respectively for various reasons. Combining the objections raised in the three petitions, the reasons can be clubbed under four headings: threat to the existing patronage system, social ostracization and loss of respectability, and declining professional opportunities.

Threat to patronage

[251] Chhatrapati Sahu II of Satara (1778-1808), for instance, had Dhuda Naikin as his concubine. Even after his death, Dhuda and her dependents continued to live in the palace—implying their acceptance within the royal family. Kadam, 64, 75.
[252] In 1824, Gendai Naikin appealed to the government in Satara to get hold of two of her female slaves (or kunbinis), Raji and Gaji. Soon, they were found in Kolhapur and were brought back to Satara. Kadam, 76.
[253] Raghunathji, "Bombay Dancing Girls."167. Much like the Baroda court, the Bhosle court at Satara maintained an official register of dancers employed by the court, including the Naikins, detailing their terms of service and remunerations. Kadam, "The Dancing Girls of Maharashtra,"67.
[254] Kadam, "The Dancing Girls of Maharashtra,"76.

The implementation of the Indian CDA threatened the relationship that the Naikins had with their patrons. While the anxiety of losing their patronage is more palpable for the Pune Naikins, Belgaum petition, on a different note, hinted at a similar possibility. When Mybobjee Naikin and her group filed their petition (the 2nd Pune petition), they described the existing patronage system in Pune in details.[255] They stated that Pune had been the "important residence" of a large number of "influential and respectable natives" who patronized "respectable" prostitutes.[256]But because of the implementation of the CD Act, such "ancient" practice of patronage had come under threat.[257]The Naikins apprehended that since the native patrons of the prostitutes were well-connected and respected in society, they would probably be unable to come forward to protect their "mistresses from the exposure and punishment" of the CD Act. Losing the support of their patrons, therefore, these women would have no other way to become "similar to the class of prostitutes in Military cantonments."[258]The only way to avoid this situation would be repealing the "detestable" CD Act.[259]

From the petition, it looks like this group of the Naikins belonged to the Naikin-Kalavantins of the Peshwa court, who drew their patronage from the Brahmin nobility based in Pune.[260] As K. Raghunathji mentions, Naikins typically came under the patronage of a single man throughout the

[255] It is important to mention here that the second Pune petition of Mybobjee Naikin and her group included male members too. The last four lines of signatures at the end of the petition included masculine-sounding first names of Habibjee, Rahimanjee (possibly Rehmanjee), "Haleemjee" to be followed by the group name of "Naikin." Since the term Naikin also applied to the male members of the family, it is highly possible that these signatories actually belonged to the family/community of professional performers. Typically, the male members of the Naikin community function as musicians and accompanists in performance and, in absence of a female biological heir, were eligible to inherit property. Since the female members of the community were mostly responsible for earning livelihood, it is understandable if the male members too felt concerned and lent their support to their fellow kin-members in their petition against the CD Act. K. Raghunathji, "Bombay Dancing Girls."168.
[256] It is difficult to discern if the Naikins themselves used the vernacular equivalent of the term "prostitutes" as it is an English transcription that I am reading.
[257] MSA, G.D. 1871, 14, 87, M-S-153-4.
[258] MSA, G.D. 1871, 14, 87, M-S- 154.
[259] MSA, G.D. 1871, 14, 87, M-S-154.
[260] Explained in the previous section as the second group of Naikins.

life—practicing sexual monogamy. In a sense, they lived their lives mostly as a married woman, without the social and legal recognition and protection of heterosexual marriage. Unlike 'respectable' women in a traditional system of marriage, however, Naikins could earn their livelihood independently of their patrons. Their patrons did not have any right over their money, and they were free to spend their money as they pleased.

It is important to note here that the caste status of the Naikins, however, depended upon their patrons, despite not depending on them financially. If the patrons changed, the caste status of the Naikins changed accordingly. So, if a Naikin moved from a Parsi, Hindu Brahmin and Muslim patrons in her lifetime, her caste-status would also change from being a Parsi to a Brahmin to a Muslim respectively.[261]In this sense, the patronage system that existed between the Naikins and their patrons resembled marriage —where, typically, the caste and gotra status of the woman got determined by their husband's social status.

While not much is known about their personal equation with their patrons from the contemporary sources, it was usually believed that the Naikins were more loyal to their patrons than the wife—indicating the closeness and trust in their relationship with the patrons.[262]However, the apprehension of Mybobjee Naikin and her group in the petition throws light to the fragility that was present even in such close relationships. It looks like that despite the practice of sexual monogamy, the alliance of the local elites with the Naikins lacked the social respectability that a marriage enjoyed. Given the insecurity expressed, it seems that while the relationship of a Naikin with her Brahmin patron was an omnipresent secret in nineteenth-century Pune, it was neither socially pronounced nor endorsed loudly. It also meant that some form of societal acceptance of

[261] Raghunathji, "Bombay Dancing Girls."165. Although, Muslim is not a caste.
[262] K. Raghunathji notes that Naikins were known to be more loyal to their patrons than their own wives. Raghunathji, 170.

such relationship was present—which now came under direct attack due to the CD Act as the latter sought to criminalize every form of non-conjugal sexual practices. But even in this 'respectable' equation, it seems that the women had to prove their loyalty, maintain their purity (possibly by not going for the examinations) and also defend their identity (as well as their patrons) in the face of the invasive legislation of the CD Act. It seems that the Naikins had to suffer twice because of their gendered location under the dual patriarchies of the native elites as well as the colonial officials. The anxiety of getting abandoned by their patrons, who might not come to support them in such a critical moment for the fear of losing respectability, is palpable. While they keep on arguing on the grounds of respectability, stating they could not "see the necessity, of such an abominable and vexatious procedure being established amongst a very large number of respectable native inhabitants," it is their fear of losing their livelihood that is significantly discernible.

The Belgaum petition captured the implicit sense of threat/loss of the existing patronage relationship between the Naikins with the local elites from the perspective of the patrons. (Belgaum image below) Unlike the Pune petitions, where women performers from the Naikin community mainly led from the front, men from the warrior caste of Naidu (referred to as "Telugu" caste in the petition) were writing the petition. Given their investment and insider information about the practices of the Naikins —as demonstrated in the petition—these men seem to form the main clientele of the Naikins in Belgaum. But the fact that petitioners from respectable sections (Naidus, as a warrior caste, would belong to the upper three varnas) were petitioning, on behalf of their Naikins, demonstrates the apprehension they had about the adverse

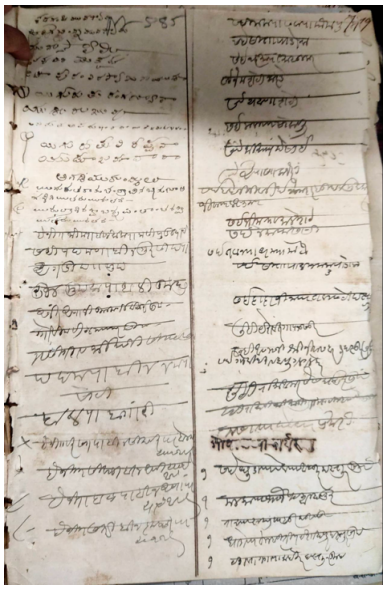


Figure 2.2: The Signatures of the Belgaum Petitioners. Source: the Maharashtra State Archives, Mumbai.

impact of the Indian CDA on them. They were, for instance, deeply troubled by the fact that the state officials clubbed the Naikins in the same group as the "Cusbeens" (or the common prostitute).[263] Comparing the Naikins with the "ballet dancers" of France (with "perhaps a little more loose in morals"), they argued that the "girls" only maintained relations with the "Sowcars"—thereby, emphasizing their sexual monogamy as well as non-European clientele, much akin to the argument of the group of Ganga Punekar Naikin from Pune.[264]

The Naidus concern for the Naikins might have stemmed from personal reasons or for larger goal of social reform or for issues of respectability or a combination of all the factors mentioned. Personally, given the close relationship the Naikins often shared with the patron it is possible that the patrons were genuinely caring for these women performers, who, if categorized as "common prostitutes," would have to undergo the invasive process of Lock Hospital examination. Another reason could be the larger goal of social reform. As far as the native newspaper reports on the implementation of the Indian CDA was concerned, the elites of the Indian society were mostly against it. They felt that the CDA discriminated against Indian women and often subjected 'respectable' women to police surveillance and humiliating medical examinations, while yielding no results in the long run. The arguments that Chinnaswamy Naidu and others were proposing resembled a lot with the larger critical discourse against the Indian CDA around that time. Hence, it is possible that raising the issue of how the Indian CDA impacted the 'respectable'

[263]Marathi literature of the late eighteenth and early nineteenth century referred to Kasbins as singer/ prostitutes. As far as the records are concerned, no distinctive marker between a kalavantin and a kasbin was discernible, at least in the first half of the nineteenth century. Kalavantin performed phadavarci *lavani* or love poems in public place and Kasbins performed *baithakici lavani* in front of a close group of male audience/patrons. But Kadam notes that such developments happened during the reign of Peshva Bajirao II, and his perusal of eighteenth-century records did not yield any mention of Kasbins. Also, kalavantins were sometimes referred to as "kasbi lok" too or as people with kasab or skill. Kadam, "The Dancing Girls of Maharashtra."65.

[264]It is, however, not very clear from the sources the relationship between the Naidus and the Sowcars, in terms of providing patronage to the Naikins.

group of women performers from Belgaum, they wanted the colonial administrators to reconsider their decision of extending the Act to the city of Belgaum and provide justice to them. Finally, while not stated directly, subjecting the Naikins to the category of the "common prostitute" would mean their demotion in the social standing. Continued association with them, therefore, would imply a corresponding decline in their social standing too—an apprehension shared by Mybobjee Naikin and her group too.

Issues of caste purity

One of the central concerns of the Naikins—that was also connected with the theme of loss of respectability threatening their existing patronage networks—against the CDA was the issue of caste purity. For instance, the Ganga Punekar and her group, argued that undergoing medical examination at the Lock Hospital would mean losing their caste-status through as they feared they would be examined by European doctors. They contended,

> That though your Excellency's petitioners are already low in the social scale they have not gone down so low as to be unwomanly enough to think of subjecting their bodies to examination. Their sense of shame is not so far rooted out and therefore if the Act to be extended to this City they will have to go out to villages & places where the arts of singing have no value and thus will have to die of mere starvation and misery.[265]

This quote and its underlying implication require further unpacking. Naikins argued that, even though they might be from lower ranks (in terms of working as "dancing girls") to let their bodies (and especially their sexual organs) be examined by outsiders. The aversion to bodily examination by European doctors, I argue, derive from the concept of *Saucha* (pure) and *Asaucha* (impure) attached to Indian varna-jaati system. This concept of purity and pollution, that the Naikins were drawing upon, traces its origin to the *Dharmasastras* or Hindu legal treatises, mostly composed

[265] MSA, G.D. 1871,14, 87, M-S-148.

by the priestly class or the Brahmins.[266] Originally conceptualized in response to the rise of non-Brahminical religions, like Buddhism and Jainism, in the 6th century BCE onward, the *Dharmasastras* provided a "model for" religious law.[267]The *Dharmasastras* mainly aimed at prescribing ideal code of conduct along Brahminical lines. The concept of purity and pollution, hence, was constructed to mark the superiority of the Brahmins by establishing distance from the other three varnas (Kshatriya, Vaishya, and Sudra) and the Chandala caste."[268]The line of purity, by extension, also excluded tribal communities or Adivasis and "mlecchas" (loosely translated as "foreigners"), who existed outside the varna-jaati system.[269]As a practice, the line of purity or concepts of *Saucha* and *Asaucha* applied to daily habits as eating, sleeping, having sex, menstruation to communitarian practices of birth and funeral rites.[270]

The fear of Europeans touching the Naikins during the medical examination was connected with the purity-pollution rule regarding intermixing with the "mlecchas." According to Aloka Parasher, in early India, the term "mleccha" applied to outsiders who did not follow the orders of

[266] The most important one among them is the *Manusmriti*. The other notable ones are by Yajnavalka, Visnu, Narada, and Parasara. Patrick Olivelle and Donald Richard Davis, eds., *Hindu Law: A New History of Dharmaśāstra*, The Oxford History of Hinduism (Oxford University Press, 2018). 26.

[267] Patrick Olivelle makes a distinction between the Dharmasastras acting as a "model for" and "model of" social behavior in ancient India. Olivelle and Davis, 4.

[268] According to the Dharmasastras, the Hindu society comprised of four "varnas": the three upper classes (Brahmins, Kshatriyas and Vaishyas), also known as "twice born" or "dwija," and "once born" Sudras. Only the upper three social classes could participate in rituals, undergo initiation, read Vedic texts. Sudras did not have these rights. Each of these varnas comprised of innumerable castes called "jaatis." Besides these, there were mixed-castes or "varnasankaras;" out of which, Candala caste (typically thought to be the product of Sudra men and Brahmin women) is considered to be the lowest and "untouchable." The "mlechhas" and tribal communities/ Adivasis existed outside this system. Mikael Aktor, "Social Classes: Varna," in *Hindu Law: A New History of Dharmaśāstra*, ed. Patrick Olivelle and Donald Richard Davis, *The Oxford History of Hinduism* (Oxford: Oxford University Press, 2018), 63-64. It is important to remember here, hence, that the English term of "caste" does not really capture the complexity of this graded inequality of Indian varna-jaati system. For the purpose of convenience though I am going to use the term "caste system" instead of the "varna-jaati" system.

[269] Aloka Parasher, "The Designation of Mlechha for Foreigners in Early India," *Proceedings of the Indian History Congress* 40 (1979): 109–20.

[270] Mikael Aktor, "Impurity and Purification: Āśauca, Śauca," in *Hindu Law: A New History of Dharmaśāstra,* ed. Patrick Olivelle and Donald Richard Davis, *The Oxford History of Hinduism* (Oxford: Oxford University Press, 2018).

the elite class, mostly the Brahmins.[271]The central tenet of this understanding stemmed from the intention of upholding the "Dharma" (or law), upheld through the norms prescribed in the Dharmasastras. In a broader sense, anyone who did not follow the norms of "Dharma" could be regarded as "mlechhas."[272]But, the category of the "mlechha" had a geographical connotation too. According to Manu,[273] anything beyond the land between the Himalayas in the North and the Vindhyas in the South was considered as foreign territory in the first few centuries of Common Era.[274]If people from the upper three varnas encountered people from the region beyond this territory, they would be considered as defiled through touch.[275]Throughout the course of Indian history, as the geographical territory of this Brahminical 'sacred land' shifted, the category of the "mlecchas" also underwent corresponding changes. Whenever the Brahminical class perceived threat to their values, world view and supremacy, the concept and discussions of purity surrounding "mlechhas" were invoked.[276]By the nineteenth century, the term "mleccha" came to incorporate Muslim rulers to European traders, including the British. Hence, the caste-rules surrounding "mlechhas" should also be applied to the Europeans.

According to the *Dharmasastras*, intermixing, inter-dining and cohabiting with "outcastes" would be considered as a serious sin, resulting in the demotion or ultimate banishment from the caste-order.[277]In the given framework of graded hierarchy in the *Dharmasastras*, Europeans (as

[271] Aloka Parasher argues that the term "mlechha" did not connote "foreigners" as much in the sense of "barbarians" in early India, based on speech, language, country, and community. Parasher, "The Designation of Mlechha for Foreigners in Early India." 109.
[272] Parasher. 109.
[273] Manu is the sage who is generally regarded as the composer of *Manusmriti.*
[274] Aktor, "Social Classes: Varna,"60
[275] Aktor, "Social Classes: Varna,"63.
[276] Despite its origin between 800 and 500 BCE, the term "mlechha" only gained more prominence in the first few centuries after Common Era begins. During that time, the collusion between the Brahmins and Kshatriyas suffered along with a prevalence of foreign invasions. More emphasis on the Brahminical norms and customs of exclusion became noticeable. This is the time also when "mlechhas" came to refer to both people outside the varna system, Parasher, "The Designation of Mlechha for Foreigners in Early India."112-113.
[277] In fact, it is considered to be one of the five major sins that the people from upper three varnas can commit.

"mlecchas") would, therefore, be considered as "outcastes. In the Naikin community, the caste-status of the patron determined the Naikin's caste.[278]Hence, the caste-rules that the patron followed would automatically be applied to the Naikin. Therefore, if their patrons followed the line of purity in social behaviors, it would be expected that the Naikins tied to them would also follow in their footsteps. Therefore, consorting with the Europeans or letting them touch their bodies would be considered as "polluting." This, in turn, would result in the loss of the caste-status or complete excommunication as well as losing the support from their patrons.

Besides the caste angle, Naikins' claim to respectability, especially through their sexually monogamous relationship with their patrons, when contextualized, also implied such notions of bodily purity. Letting the body, especially the private parts, examined would rupture the aspired notion of respectability derived from sexual monogamy as, now, another person had already accessed and touched it. In another sense, medical examination of the body would actually remove their basis of seeking respectability, both in the eyes of colonial officials and the native society. While not stated explicitly, such intrusion of privacy could also be considered as a breach of sexual exclusivity and damage their relationship with their patrons—ultimately leading to a loss of livelihood and social respectability. The fact that they mentioned that in case they had to undergo such humiliating process of medical examination, they had to leave Pune city out of shame and live in the villages where nobody appreciated art—directs towards such possibilities.

I would also suggest that the Naikins employed such notions of bodily purity because of their knowledge of the invasive and painful process of the venereal disease examination. In nineteenth-century Britain, medical professionals inserted speculum—a metal device to dilate the

[278] Raghunathji, "Bombay Dancing Girls." 165.

walls of vagina and cervix—to check symptoms for venereal diseases.[279]In Britain, the repeal movement in 1869 and 1870, led by Josephine Butler's Ladies National Association pitched the violation of female body through the speculum exam as one of its key issues for opposing the Contagious Diseases Act. In fact, many protested against the usage of speculum as its implementation imitated rape—thereby, implying the government to be complicit in state-sanctioned sexual violence against its women.[280]J.J. Garth Wilkinson's *The Forcible Introspection of Women for the Army and the Navy by the Oligarchy, Considered Physically*, one of the key texts of the repeal movement, also included many passages of bodily pain experienced by women undergoing speculum exam.[281]

In India, much like in Britain, such examinations were conducted by men with assistance from nurses and dhais or matrons. While the sections of the Indian CDA across the three Presidencies mentioned conducting the examination with due respect provided to the feelings of the examinee, in reality, the process was hardly pleasant for women. For instance, in 1870, a woman named Kadu sent someone else in her place for examination in Chitpur, Calcutta to avoid undergoing a medical examination. Once she was found out, police arrested her and made her undergo the same examination she dreaded.[282]Such was the dread of the medical examination that a local newspaper from Mysore in the Madras Presidency reported that in 1872 several women committed suicide just anticipating the possibility of men touching their genitals.[283]The only thing

[279] Since nothing in particular has been stated about any different method used in the Indian context, one can safely assume that speculum was used in India too during the tenure of the Indian CDA.
[280] Walkowitz suggests that such an association was mainly due to the association of sexual morality/sexuality with the medical procedure. It was looked like a violation/intrusion into a woman's private part and especially the womb/uterus. Walkowitz, *Prostitution and Victorian Society*. 55-56.
[281] Ellen L. O'Brien, "The 'Medical Plot Thickens': Bad Medicine and Good Health in the Contagious Diseases Act Repeal Campaign," *Literature and Medicine* 39, no. 1 (Spring 2021).
[282]Appendix B: Statement of women and others on various matters connected with the working of Act XIV, No. 6, IOR/P/674, 176. Cited in Sameen, Zoya, "The Scatter of Empire: Prostitution, Law, and Trouble in Colonial India."1.
[283] *Ab-i-Hayat-i-Hindi,* 1 May 1872, Indian Newspaper Reports, IOR/L/R/5/45, 226. Cited in Sameen, 85.

that distinguished concern of women in India and England was that they seemed to be more concerned with the aspect of shame than the painful experience; but, given the nature of the sources, it is difficult to know the exact experience or fear of women undergoing such examinations anyway.

Drawing upon this information and awareness about the venereal disease examination, I argue, the Naikins developed the caste-centric logic of purity-pollution to avoid the pain that came with the venereal examinations. Zoya Sameen recently argued in her dissertation how routinely women evaded the Lock Hospital examinations by gathering knowledge about the Act.[284] She argues that the "popular knowledge of the slaw, information-sharing, and collective coordination among Indian women" constituted the "trouble" that lay at the heart of the project of Indian CDA.[285]It was indeed shocking for the administrators in Bombay to notice how fast women learnt about the details and loopholes of the law to successfully evade them.[286]Given the existence of such informal information-sharing networks, it is quite likely that the Naikins also knew about the invasive process of venereal disease examinations and also its voluntary nature.[287]The ground of

[284] Zoya Sameen, "The Scatter of Empire: Prostitution, Law, and Trouble in Colonial India." Padma Anagol too has also argued about informal sharing of information among various groups of Maharashtrian women in the second half of the nineteenth century. Anagol, *The Emergence of Feminism in India, 1850-1920*.

[285] Sameen, 37. In fact, the officers in Bombay soon realized that, in contrast to the early days of the implementation when women volunteered for the medical examinations, women started subverting the law by moving to places, bribing the police, and finding loopholes in the law to seek exemptions. This would not have been possible without minimum awareness of the law itself. When the police and the medical establishment continued with the Lock Hospital regulations even after the final repeal of the Indian CDA in 1888, women refused to comply as they got to know quite soon that the Act was no longer implemented. While this led to a lot of frustration among the official circles, women's refusal and subversion only testified the presence of the informal information-sharing networks present among them.

[286] For instance, Dr. Knapp noticed how the moment women got to learn that the medical examination sought voluntary participation, they started leaving the area under Bombay town to move to places where the Act did not apply. MSA, MSA, G.D. 1871, 88, M-S-303.

[287] Lack of faith in the foreign medical treatment was also one of the reasons that many women avoided registering for the Lock Hospital. *Loka Kalyanechu*, the local Marathi newspaper from Pune, for instance, reported that the CD Act forced women to take recourse in a medical treatment "in which they had no confidence." Report on Native Papers, 1871, *Loka Kalyanechu*, 4 November. As cited in Ramanna, 166.

purity-pollution provided an opportunity to avoid the unnecessary and invasive process of venereal examinations mandated by the Indian CDA.

Lack of professional opportunities

The Belgaum petition laid out in clear terms how the Indian CDA might impact the Naikins materially and on a day-to-day basis. For instance, the petitioners clearly articulated how the CDA might harm the dancers professionally. They argued,

> That of those girls be compelled to register their names, was great injustice is being done. They will be excommunicated (?) by their "Gooroos" and "Swamis" (?) and deserted/directed of their "chellangee" or little bells, and then prevented pursuing/persecuting their legitimate profession which will deprive them of their little income, and cause them much distress. [288]

The petitioners were arguing that once the Naikins were registered as a "common prostitute" under the Indian CDA, they could no longer learn from their Gurus or teachers. They would be compelled to surrender their *Chalangi* (four or five lines of ankle bells stitched on a cloth or similar materials) and would not be allowed to pursue their profession as dancers. In the life of the Naikins, the Gurus played a significant role. According to the contemporary observer K. Raghunathji, the Naikins started learning singing and dancing since the age of five under the tutelage of their Gurus or "Vastadjis." Most often, the Gurus belonged to the same dance-caste as the Naikins belonged and they charged a fee ranging from Rs. 50 to 500.[289]Under the guidance of their teachers, a Naikin needed to train for at least four hours a day, starting before daylight till evening—thereby, demonstrating the significant of time and labor spent in honing the skills of a performing artist.

[288] MSA, G.D. 1873, 18, 607, M-S-84.
[289] Raghunathji, "Bombay Dancing Girls." 168. Although, it is highly likely that dance-masters also hailed from other communities too. Raghunathji's discussion here mainly pertained to the Naikins coming from Goa. Providing a contrary example, the employed state musicians from hereditary backgrounds often reluctantly provided musical training to the Kalavants tied to the Baroda court, as Janaki Bakhle has shown. Janaki Bakhle, *Two Men and Music: Nationalism in the Making of an Indian Classical Tradition* (New York: Oxford University Press, 2005).

Even after gaining expertise, the Naikins were expected to remain in touch with the Guru throughout their life in case they needed further training or guidance on certain genres of music and dance.

Unfortunately, the existing sources do not say much about the exact nature of discipleship that the gurus and the Naikins shared with each other. But, given the apprehension shared about the Naikins losing the status of being a student of the art they trained in over years, the aspect of respectability seemed to be also part of this relationship. Getting criminalized as a "common prostitute" for the Naikin, therefore, not only meant losing the support from the patrons but also experiencing the loss of their student-teacher relationship with their Gurus—a vital part of their life as a performer.

Delineating the adverse impact of CD Act on the profession of the Naikins, the Belgaum petitioners further stated that,

> since the duration of the act, at Belgaum, Petitioners have not been able to obtain their services at their marriages etc (?) which has caused them much inconvenience. This was an old established custom, and Petitioners sincerely trust that Your Excellency will be pleased to restore to them/hear, by causing these girls, under the circumstances set forth, who exempt from the operation, a favor (?) they shall esteem most highly [290]

This evidently points out that how the criminalizing nature of the CD Act directly framed the act of dancing and performing in public in a negative light. One of the key sources of Naikins' came from performing at social events like birth ceremony, weddings, and religious festivals.[291]As mentioned earlier too, organizing a Naikin's performance also implied upward social mobility and economic affluence of the host.[292]However, since the time the Naikins were brought under the

[290] MSA, G.D. 1873, 18, 607, M-S-84.
[291] Raghunathji, "Bombay Dancing Girls." 166, 170.
[292] Anagol, *The Emergence of Feminism in India, 1850-1920*.

purview of the Indian CDA, which implied their association with common prostitution, people no longer seemed to be inclined to hire them for performances. Not receiving such commissions for a continued amount of time would result in delivering a significant blow to the income and economic status of the Naikins.

"We are not prostitutes:" Legal Awareness, Sexual Monogamy, and Purity-Pollution

Given the negative impact of the Indian CDA on the lives and livelihood of the Naikins, it is understandable why the Naikins would be desperate to seek exemption from the Act, much like other Indian women unfairly subjected to the surveillance apparatus of the Indian CDA. In their rebuttal, hence, the Naikins and their patrons pointed out the follies and inadequacies of the Indian CDA in the following way: pointing out the incompetence of the Act in general in curtailing venereal diseases, distancing from the label of "common prostitute" by highlighting their practice of sexual monogamy and using the caste-centric language of purity and pollution as well as their professional identity as performers to establish their exceptionalism.

Legal Awareness

First and foremost, the Pune Naikins questioned the rationale behind applying the Indian CDA in Pune as well as raised suspicion towards its efficacy—thereby, demonstrating their legal and overall awareness about the Act. The Ganga Punekar Naikin group directly questioned as to why an Act meant for the military population be extended to the civil areas in Pune. They argued that the city of Pune, despite its proximity to the military cantonments, had a population of ninety thousand "non-military" people with almost no "intercommunication" between the civil and military populations. In such a case, extending the Act to include civil areas in the city would be grossly unfair.

The group of Mybobjee Naikin also pointed out the incongruency of applying a military Act to the civil population of Pune in their petition. In addition, however, they went further to point out that the "operations under this Act are far from being, satisfactory."[293]The failure of the Act in Pune, the Naikins argued, was orchestrated mainly because the government did not realize the difference between the Presidency town of Bombay and Pune. An Act that might work for a cosmopolitan space like Bombay that "presents a mixture of all classes, caste, and creed, the Army, and the Navy, and the permanent settlement of Foreigners" might not work for an "ancient" place like Pune.

By placing such arguments, the Naikins demonstrated that they were well aware of the public discussions that were happening both in the official as well as in the Indian circles regarding the efficacy and implementation of the Indian CD Act in Bombay and adjoining areas. Since the time the CD Act was implemented in Bombay, questions regarding its efficacy were already in the air. Within a year, official correspondences within the different rungs of the Bombay administration were rife with confusion regarding the lack of conclusive evidence on the effectiveness of Lock Hospitals in controlling venereal diseases. Simultaneously, debates on the ethics, logic, and efficacy of the Indian CDA started featuring prominently in the native newspapers. People, mostly the western-educated Indian elites, started pointing out different problems with the CD Act, ranging from issues of modesty and respectability to funding to the actual intention of the government to its overall efficacy. For instance, *Native Opinion* lashed out against the moral hypocrisy of only examining Indian women and not the European soldiers whereas *Yajdan Parast* questioned the extravagant arrangements of implementing CD Act in

[293] MSA, G.D. 1871, 14, 87, M-S-153.

Bombay given the poor turnovers at the Lock Hospital.[294]*Jam-e-Jamshad*, on the other hand, argued for its abolition as this regulation exercised apparently only let immorality to flourish.[295]The failure of the Indian CDA was further pointed out by the *Times of India* which advocated for a complete stop to the "farce of the CD Act."[296]Some also emphasized the adverse impact the CD Act had on the native women, especially the 'respectable' ones. *Jam-e-Jamshed* mentioned how "Native public women" refused to comply, pointing out to the desertion of women in large numbers. Lokahitawadi led *Dyan Prakash* reported, almost reiterating the argument of the group of Ganga Punekar Naikin, how the extension of the Act into the civil areas forced many prostitutes in Pune to flee the area.[297] They also included an editorial against the Act in 1871.[298]Given these overlaps between the arguments of the Naikins as well as the opinion pieces in the native newspapers around the same time, it is evident that the Naikin were well aware of the proceedings surrounding the CD Act. It also points out their close connection with their patrons, who often belonged to the elite sections of the native society and were one of the frequent contributors to the vernacular news media.

Sexual monogamy

Besides pointing out the general limitation of the Indian CD Act, the Pune Naikins counter argued that they practiced sexual monogamy and were averse to prostitution in general—which did not make them qualified for the Lock Hospital regulations. The common theme that ran through both the sets of their argument was the repeated emphasis on their distancing from "common

[294] MSA, G.D. 1871, 45, 58, M-S-53, M-S-114-15, 'Newspapers: Weekly Report by the Reporter on the Native Press Bombay.'
[295] MSA, G.D. 1871, 45, 58, M-S-196-7.
[296] Ramanna, *Western Medicine and Public Health in Colonial Bombay, 1845-1895*.167.
[297] MSA, G.D. 1871, 45, 58, M-S-367.
[298] MSA, G.D. 1871, 45, 58, M-S- 341.

prostitution." "Common prostitute" was the official category used to mark women actively soliciting for prostitution, as per the 1868 Indian Contagious Act. As the Indian CDA came to be implemented and re-implemented, the category of the "common prostitute" proved to be an empty and flexible category that was made and remade through the acts of negotiation and resistance by women deemed as prostitutes, including the Naikins. Utilizing the lack of a legal definition of the Act, the Naikins resisted their inclusion into the category of the "common prostitute" by emphasizing their practice of sexual monogamy.

For instance, in the case of the petition from Ganga Punekar Naikin and her group, they clearly articulated that they were "bound to one man" and "some of them" were "under the protection of the same men for dozens of years."[299]Based on such an arrangement, they "cannot be called prostitutes." [300]In fact, "the higher ranks of them (the Naikins) have (this may perhaps not easily be believed) as great an aversion to prostitution as any others have."[301]Chiming along, the petition of the Mybobjee Naikin and her group also established their sexually monogamous relationship with the 'respectable' elites of the Pune society, which had now come under threat because of the Indian CDA.[302]The Naikins reclaimed respectability—which they apprehended of losing because of their association with "common prostitution"—by stating that they refused to "keep open brothels" and did not "cohabit with any save the person who clothes, feeds and keeps them."[303]Hence, under no circumstances, the 'prostitutes' of Pune could be brought within the ambit of the CD Act.

[299] MSA, G.D. 1871, vol. 14, no. 87, M-S-147.
[300] MSA, G.D. 1871, vol. 14, no. 87, M-S-147.
[301] MSA, G.D. 1871, vol. 14, no. 87, M-S-147.
[302] The earlier section of this chapter has discussed this point.
[303] MSA, G.D. 1871, vol. 14, no. 87, M-S-154.

Why was establishing sexual monogamy so important for the Naikins? In the early iterations of the Cantonment and Indian Contagious Diseases Act, it was proposed that only those women who consorted with Europeans should be brought under the purview of the Lock Hospital regulations. Such a measure also seemed to make sense as the idea was never to regulate prostitution at a general level in the Indian society but was more motivated with the idea of maintaining the health of the European soldiers while establishing racial boundaries between the ruler and the ruled. When the Naikins were establishing their sexual monogamy with their patrons, this is what they were appealing for. Given the ambiguity of the word "common prostitute" and confusion surrounding the conceptualization and implementation of the CDA, the Naikins utilized the opportunity to advocate for their deviant lifestyle to seek exemption from the regulations of the Lock Hospital.

By repeatedly emphasizing that they were only tied to their patron and did not entertain multiple people by opening brothels, the Naikins also utilized the issues of respectability in their favor. Not only the issue of sexual monogamy with their non-European and 'respectable' men in the Pune society made them immune from being subject to the allegation of "common prostitution" it also restored them their respectability by alluding to the "almost marriage" situation with their patrons. That is why their emphasis on monogamous loyalty to their patrons also included simultaneous distancing from the morally dubious/promiscuous figure of the "common prostitute" punishable in the eyes of the law via the CD Act.

As Padma Anagol argues, the second half of the nineteenth century was also the period when the issue of 'respectability' gathered steam amongst the Indian middle class. To be respectable, one needed to participate in socio-religious reform, maintain certain behavioral conduct in public, emphasize on cleanliness both within and beyond household, and abiding by

the law among many others.[304]When extended to gender relations, the issue of 'respectability' raised questions about the need for women's education and insisted more on their domestic duties. Husbands were also encouraged to pay attention to their wives and discontinue practices of concubinage or having mistresses. Any spaces of free interaction between genders, like public ceremonies like *Shimga* and public performances or *Nach*, were frowned upon for their supposed association with immorality.[305]

Increasing hostility towards public performance and concubinage within the native society directly targeted the Naikins/Kalavantinis who earned their livelihood through public performances and also maintained relationships with local elites as concubines. Despite their accomplishments as performers, Kalavantinis increasingly came to be considered as prostitutes, even within the native sphere.[306]Placed at the tenuous intersection of the colonial CD Act and the emerging 'respectability' movement of the Indian middle class, the Naikins faced double attacks on their lives and livelihood. Hence, one can definitely understand why the Naikins needed to repurpose the connotation of 'respectability' in their favor in their argumentation against the Indian CD Act.

"Purity-Pollution"

Naikins also used the caste-centric thematic of "purity" and "pollution" to strengthen their argument. In the earlier section, we have seen how maintaining caste-purity was one of the central

[304] Anagol, *The Emergence of Feminism in India, 1850-1920*.123.
[305] Anagol.123-124.
[306] As Padma Anagol documents, middle-class women were especially invested in the demonization of Naikins as such degradation of the social status of the woman performer would make them less alluring to their men who would now possibly start paying more attention to them. As a following act, many middle-class women started learning musical and performative arts, to replace the role of the Naikins in their husbands' lives. This was the beginning of a cultural appropriation of arts that came to its fruition in the twentieth century. While the art lived on, original practitioners faced discrimination and disenfranchisement in the hands of the colonial state as well as the Indian elites. Anagol.126.

concerns of the Naikins while undergoing venereal disease examination by European doctors at the Lock Hospital. They argued that since Europeans were foreigners ("mlechhas") they did not belong to the same "caste" as the Naikins or the patrons they consorted with, if they inter-mixed with them or they allowed their touch, it would cause them to fall from their status — in a typical fashion of caste demotion. Expanding the same line of argument, the Naikins, this time, therefore, contended that given that consorting with Europeans would negatively impact their social standing, Naikins would hardly volunteer to have sexual relations with Europeans. Much like the issue of being "touched" by a "mlechha," consorting with a European would also have the possible punishment of losing patronage from the elite Brahmin men who followed caste-rules quite stringently. To quote from the petition of Ganga Punekar and her group,

> That many of your Excellency's petition earn enough to live upon from their fees as professional songstresses & are not therefore, under the necessity of polluting themselves, as they believe, by admitting Europeans or other soldiers into their houses…there is no temptation for your Excellency's petitioners even clandestinely to practice things calculated to bring about loss of caste. Indeed they are so very confident of this that they do not hesitate to say that they will be ready to submit themselves to any severe punishment if the Europeans or other inhabitants of the Cantonment be found in their houses.[307]

But distancing from the Europeans was not sufficient. Naikins also sought to reiterate their respectable status by distancing from women from lower-caste and marginalized backgrounds. They argued that if any intermixing between Indian women and European soldiers was happening, it was primarily done by Kolhati and Mahar women, belonging to marginalized indigenous nomadic tribes and "untouchable"/Dalit communities respectively.[308] Since, unlike the Naikins,

[307] MSA, G.D. 1871, vol. 14, no. 87, M-S- 148.

[308] Kolhatis (derived from the Kannada term meaning "rope dancer") referred to the indigenous/Adivasi nomadic tribe community (which was later designated as "criminal tribes" by the colonial state) in the southern parts of the Bombay Presidency. Mahars were considered to be constituting the "untouchable"/ Dalit caste. Both Kolhatis and Mahars would be considered as people outside the varna-jaati system. B.R. Ambedkar, the main person behind India's constitution, hailed from this caste. V.S. Kadam notes, that while eighteenth century Marathi records do not mention Kolhatis, they, along with Mahar women became the main performers of the North Indian and Maharashtrian singing

Kolhatis and Mahars already belonged to lower echelons of the society (and were considered to be "polluted" anyway), women from these communities were not afraid of "losing their caste" in consorting with the Europeans. But since the Naikins belonged to the "higher ranks," they could not even entertain such a thought.

It needs to be pointed out that much like the Europeans, the Kolhatis (tribe/Adivasi), Mahars ("untouchable"/Dalit) would be considered as "outcastes."[309]Given that the line of caste-purity seemed quite important for their patrons, it is not surprising that the Naikins would also want to distinguish themselves from lower-caste and indigenous women. In a similar fashion of the graded inequality of the Indian caste system, therefore, the Naikins employed the stereotype of sexually promiscuous and 'impure' lower-caste women—who apparently neither cared for moral nor caste-rules—to seek exemption from the Lock Hospital regulations.

I argue that the Naikins' employment of the argument of purity and pollution had two goals in mind—personal and strategic. Personally, Naikins feared loss of social respectability as well as their relationship with their mostly Brahmin patrons—as I have discussed in the earlier section. Strategically, the Naikins presumably sought exemption from the Lock Hospital regulations on the basis of the supposedly non-interventionist official policy of the British government towards Indian caste system. From the late eighteenth century onwards, the British administrators engaged in the orientalist project of gathering knowledge about the Indian society through studying its customs, rituals, and language. Considering written sources as most credible, the colonial officials placed a lot more emphasis on Brahminical sources written in Sanskrit, including the prescriptive

and dancing genres of Nautanki and Tamasha in the twentieth century. In fact, most of the bar dancers in contemporary Maharashtra still hail from these two communities. Kadam, "The Dancing Girls of Maharashtra."82.

[309] Refer to footnote 92.

legal texts like Manusmriti and the other Dharmasastras, as providing the most authentic insights into Indian life and society.[310]They also relied on Indian intermediaries —mostly Brahmins, for the interpretation of Hindu law. Over-reliance on prescriptive religious texts, therefore, created an idea of India that was more Brahminical than real. Simultaneously, the law and state policies, thus generated, hardly matched the complex realities of the Indian society.[311]

One of the pitfalls of such colonial endeavors was the conceptualization of caste as the only analytic of understanding Indian society. Caste as an unchanging system of hierarchy—hinging on the notion of purity-pollution—proved India's civilizational 'backwardness' leading to the justification of colonial rule. Nicholas Dirks shows, how such understanding of caste as a "foundational fact of Indian society" led to the formation of the "ethnographic state" in the second half of the nineteenth century which employed the modern technologies of enumeration and surveys to further rigidify the caste system.[312]As a result, much of the fluidity and heterogeneity of the pre-colonial caste system gave away to the creation of rigid *Dharmasastra*-based system of social hierarchy.[313]The option of not following Sastra-based moral codes on a day-to-day basis was largely eradicated through the colonial tools of census and gazetteers from the second half of the nineteenth century.[314]

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[310] The texts and its concepts of purity-pollution, hence, underwent a resurgence in the nineteenth century. For a discussion on resurgence of canonical texts as basis of interpreting Indian society, see Nicholas Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (New Jersey: Princeton University Press, 2011).

[311] Bernard Cohn argues that the differences between colonial representation and the actual existing social systems in India, which he terms as "mutual miscognition" was a deliberate ploy of the colonial state to reify the power hierarchy between the colonizer and the colonized. Further, colonial collection of knowledges of India functioned as an apparatus for control which invented a fixed and unchanging notion of Indian "tradition." Bernard S. Cohn, *Colonialism and Its Forms of Knowledge: The British in India* (New Jersey: Princeton University Press, 1996).

[312] Dirks, *Castes of Mind*, 41.

[313] Dirks.

[314] The census from the Bombay Presidency utilized broad varna categories to classify the entire Hindu population. Dirks, 204. While it is debatable how far the notion of purity-pollution (for example), as ordained by the *Dharmasastras*, actually impacted everyday realities of non-Brahminical people in pre-colonial South Asia, colonial reorientation of Indian society—through law and other policies—along Brahminical lines made it absolutely

Given the dominance of Brahminical worldview in colonial policy and law-making—where everything was determinable through caste customs, especially in the second half of the nineteenth century, it is quite strategic for the Naikins to employ the language of purity and pollution to make their argument. The Queen's Proclamation of 1858—that signified transition of power from the East India Company government to direct rule—officially would not interfere into the religious customs of the native society.[315]While such official non-interventionist stance proved to be a sham, as Dirks argues, caste was "invented" as a form of civil society pertaining to the private domain of the religion that remained separate from the political sphere. By relegating caste —as an unchanging hierarchical system emblematic of decadent Indian religious life—to the private realm, the colonial state derived the logical basis for its continued dominance.

I argue, however, the Naikins, while citing the logic of purity-pollution, twisted the "backwardness" logic of the caste system to their favor. If caste belonged to the sphere of religion separate from the realm of the political, then it would automatically be immuned from state intervention. Since state supposedly could not enter the realm of the religious, on the official grounds of non-intervention, Naikins would have a greater chance of success in seeking exemption from the Lock Hospital examinations (or at least that was what they perhaps thought). Given the prominence of the language of caste—especially in its most conservative Brahminical form—

impossible to transgress such codes of conduct. Scholars of pre-colonial South Asia are not unanimous about the actual implication/efficacy of these injunctions in every-day life—given these were texts mostly conceptualized Brahmins and not all forms of life functions in South Asia could be dominated by Brahmanical notions of purity and pollution. However, with the onset of British colonial legal regime, such Brahmanical texts again rose to the prominence. Too much reliance on the Brahmin intermediaries and, later on, the Brahminical texts in forming 'investigative modalities' to understand Indian society that went a long way in establishing the concept of purity and pollution in the psyche of both the colonizer and the colonized, this time at the level of practice too. Aktor, "Social Classes: Varna," 64.

[315]As Dirks aptly points out, such official stance towards non-interference proved to be a sham as the British hardly knew what fell under the framework of Indian religion and customs. As a result, instead of naked imperial annexation of territories that characterized the previous decades, the second half of the nineteenth century witnessed the tying together of the distorted orientalist understanding of Indian society with the modern technologies of surveys and enumeration. Dirks, *Castes of Mind*, 149-150.

within the different spheres of colonial discourses in the nineteenth century, it is highly probable that the Naikins felt that their abstaining from interacting with Europeans on caste grounds would have more chances of acceptance.[316]So, if the argument of sexual monogamy did not work, their 'respectable' status and adherence to caste-rules would definitely help.

The Naikins' consideration of cohabiting with European men as "polluting" further posed a counter-narrative of the colonial discussions surrounding the spread of venereal diseases in colonies. One of the pervasive notions surrounding the egregious spread of venereal diseases among British soldiers across colonies was the ever-alluring figure of the colonized woman. In such a framing, the entire blame for spreading venereal diseases was placed on villainous native women who, apparently, were always seeking to seduce European men, in both covert and overt forms. But Naikins' emphasis on how consorting with Europeans would actually "pollute"' them and make them lose their "caste"' completely spins this colonial logic on its head. Instead of the expected eagerness of Indian women to consort with European men (as per the colonial discourses), Naikins, showed reluctance, if not, rejection of the possibility of even coming in contact with Europeans. Their assertion was very clear; irrespective of whatever the government officials might think, the Naikins had no interest in consorting with multiple partners and that too with Europeans. They earned sufficiently as independent performers and even if any financial needs arose, they, under no circumstances, would "pollute" themselves by consorting with European men. Therefore, the officers need not worry so much.

Articulating Professional Identity

[316] And it proved to be successful too, although the exact reason can only be speculated in the absence of direct citation of the cause.

Another way in which the Naikins and their patrons distinguished themselves from the "common prostitute" was by repeatedly asserting their identity as professional performers. While the Ganga Punekar group and the Mybobjee Naikin group used the descriptors of "professional songstresses" and "professional dancing and singing girls" respectively, ChinnaSwamy Naidu's group addressed the Naikins as people whose "hereditary office was Nautching" as opposed to the "Cusbeens" who practiced common prostitution.[317]It is, of course, difficult to decode how the word "professional" might have been described in the original language of the petition, given that we are only able to access these petitions through the language of the Oriental Translator for the court. But some markers of earning livelihood through performance must have been conveyed even in the vernacular rendition, so that the word "professional" remained constant in the translations; or the oriental translator (who usually was a local Indian person employed by the legal office) already associated the word Naikin with professional performers, based on prior knowledge.

I argue that the Naikins expressed their professional identity by utilizing certain markers of performance in their signatures at the end of the petitions. While groups of Ganga Punekar Naikin and Mybobjee Naikin signed their names in Marathi, that revealed their place of origin, professional specialization, and group affiliation, the Belgaum petitioners included tax documents that further fleshed out the professional nature of the "work" of the Naikins.

Such practice of including community and profession in names had precedents. Much akin to their late-nineteenth century counterparts, Kalavantins (including the Naikins), in the eighteenth-century sources from the Peshwa court, often included their first name, depicting the region they hailed from as well as the profession they were engaged in. For instance, the famous

[317] MSA, G.D. 1873, 18, 607, M-S-83.

Kalavantin, Venkat Narsi used the suffix "Karnataki" (implying her region of origin/occupation) as her surname. In the early nineteenth century, a list of thirty-six troupes of Kalavantins was discovered in Pune which contained the names of the performers along with the place of their origin.[318]Similarly, the name of the Kalavantin Ganga Pakhvaji conveyed the information that Ganga played *pakhvaj*, a percussion instrument that commonly accompanied singing and dancing performances.[319]

For instance, let us take the signature of the group of Ganga Naikin into consideration. Written in the Modi script of the Marathi language, thirty-seven Naikins signed their names in columns beneath the petition. Ganga seemed to be the leader of this group as this petition was officially registered in her name and she also was the first signatory of this petition. Her full signature reads like this: नि।। बांगडी गंगा पुणेकरीण हिचे हाथची (Nee.. Bangdi Ganga Punekareen Hiche Hathchi). Here, the word "Ganga" is the first name of the Naikin, "Punekareen" means she was originally from Pune, "Nee" is the short form of "Nishani" or symbol, "Hiche Hathchi" means "in her hands" and "Bangdi" means bangles. Put together, it reads as "this is the signature of Ganga Punekareen whose symbol are the bangles (in her hands) or who is represented by the bangles in her hands." Interestingly, the word "Naikin" does not feature here (which does in other groups–as we would see for the next petition). In other cases, mentions of self-attestation were made in signatures. For instance, Salu Naikin's signature looked like this: नि।। बांगडी साळू पैठणकरीण द।। खु (Nee.. Bangdi Salu Paithankareen Da Khu). Here, "Nee" means signature, "Salu" is her first name, "Paithankareen" implies that she was originally from Paithan in the Marathawada region,

[318] For instance, Nura Naikin from Pune and Phundan from Satara. Kadam, "The Dancing Girls of Maharashtra,"78-79.
[319] Kadam, 65.

"Bangdi" means "bangles" (which was her symbol) and "Da Khu" is the shortened form of stating "self-signed" or "self-attested" (दस्तरखुद/ dastarkhud) which also demonstrates her literacy.

Going by the regional associations in almost all the signatures of the Naikins in this petition, this group drew performing women from a wide range of places in and around modern-day Maharashtra and Gujarat—demonstrating the migratory nature of the Naikins.[320]Among all the places, Pune remained the most prominent place of origin with twelve Naikins hailing from there–Ganga, Banu, Yamuna, Saku, Yesujee, Jamna, Kashi, Chandra, Radha, Goda, Bhima and Bhagu. Four Naikins–Vita, Chandra, Yesu and Banu–hailed from Satara; Kashi and Bhima Naikin originated from Pandharpur while Ambu (Amba?) and Cheema Naikin came from Baroda. Salu, Chanda, Kashi, Ganga, Krishna, Jasi, Gaya and Gawra hailed from Paithan, Solapur, Junnar, Wai, Nasik, Newas, Khed and Kolhapur respectively. One unnamed (undecipherable) Naikin also came from Panvel and another Naikin with the name Krishna possibly came from Bombay.[321]

Most importantly, almost all the signatures of this group of Naikins included the symbol of "Bangdi" or bangles, barring one, demonstrating their professional identity.[322]Given the consistency of this symbol used, it looks like that this group of Naikins identified "bangles" to be

[320] I have discussed this in the earlier part of this chapter.

[321] Repetition of name was quite common. Mentioning place of origin along with the name helped in distinguishing one from the another. The regional distribution of this group hints at the possible route of mobility of women performers like the Naikins throughout the Bombay Presidency and beyond in the second half of the nineteenth century. It looks like that the dancers moved in and out of British territories, moving between princely courts of Baroda, Gwalior, Satara, and Kolhapur—an area of research that needs to be taken up in the future. Such possibilities of mobility were quite plausible given that the cultural scenario at the Baroda court was at its peak and dancers came for performances from places as south as Tanjore, as discussed in Janaki Bakhle's work. Bakhle, *Two Men and Music*.

[322] Only Cheema/Bheema Kokani (meaning "from Kokani/ Konkan") had "ring" (अंगठी/ Angathi) as her symbol in the signature. While it is difficult to discern the exact significance of this symbol in particular, it appears that Cheema/Bheema originally came from a different community. Given that her name includes Konkan, it is highly likely that she came from the coastal regions (much like the Goan Kalavants) of modern-day Maharashtra and Karnataka and had a different symbol of identification.

the symbol of their professional community of "songstresses."[323] Ambu Naikin, for instance, directly used the word गाणारीण (Gaanareen) along with her symbol of "bangles" to convey her profession as a singer ("Gaan" means song). This is especially significant as the group of Mybobjee Naikin, despite using the same group title of "Naikin" chose the symbol of "ghunghroo" (or ankle bells) to designate their community. The only thing that distinguished the two groups was their professional identification; while one identified as singers the other identified as both dancers and singers. Hence, it is plausible that the difference in the symbols used also indicated the differences in the particular genre of performing art practiced, even within the umbrella-group of the Naikins.

The petition of Mybobjee Naikin and her group consisted of twenty-seven performers and members of their community. Written also in the Modi script, their names included "ghungroos" or ankle bells as the symbol for their profession and community. For instance, the signature of Krishna Naikin read like this: निशान कृष्णा नायकीण याची निशानी घुंगरू द खू (Nishan Krishna Naikin Yachi Nishani Ghungroo Da Khu). The term "Krishna" designated the name of the Naikin, "Naikin" designated the community, "Nishan" and "Nishani" meant symbol, "Ghungroo" meaning "ankle bells" was the symbol of Krishna Naikin and "Da Khu" meant self-signature of self-attested (as a shortform of Urdu/Persian "Dastakhat"). "Yachi" meaning "whose" serves as a clause here. The name, therefore, stands as "here is the self-signature of Krishna, the Naikin, whose symbol is the ankle bell." Another example would be Yamnajee Naikin with a longer signature than Krishna. Her signature stated: हे निशानी यमनाजी नायकीण याचे हाथचे निशानी घुंगरू असे. It meant that "this signature belonged to Yamnajee Naikin whose symbol is the ankle bell." It is interesting to note

[323] K. Raghunathji has noted, Naikins were known to be wearing ample gold ornaments including *Bangdi* or bangles. Another way of interpreting the usage would be to flaunt their affluence and social status, as Anagol has argued for Bombay Naikins. Raghunathji, "Bombay Dancing Girls,167.

here that this set of Naikins' names did not have place markers as they did for the Ganga Naikins group. The absence of the place markers in the names probably implies their multiple origins and peripatetic lives; or that their names and professional identity took precedence over their place of origin.[324]

Work

Placing more emphasis on their professional identity, this group provided more information about the nature of their work as professional performers and why their work had no overlaps with prostitution. They repeatedly stated that "your Excellency's humble petitioners" were "professional Dancers and Singers," who participated in "performances in Durbars, Cutcherries, Courts, Marriage processions, and on other public festive occasions, by which they earn a honest livelihood, and do not, as a general rule, indulge in habits (?) at must be termed, unlawful and unbecoming..."[325]They argued that, given their occupation, they would hardly "come under the denomination of prostitutes, but are far more respectable and much more."[326]Continuing in the

[324] Looking at the first names from this petition, in particular, it seems that the category of the "Naikins" applied to women performers from both Hindu and Muslim backgrounds. While it would be anachronistic to suggest religious divisions within the performing communities along the much more modern constructions of the identities of the "Hindu" and "Muslim," the diversity in the names, nonetheless, point out the variegated backgrounds of the dancers. As a result, we have more Sanskrit-derived names of "Chandra," "Heera," "Krishna," "Nainajee," "Yamnajee" on the one hand, and Urdu/Hindustani-derived names of "Ameerbala" (meaning the daughter of an "amir" in Urdu or someone from the nobility), "Habibjee," "Rahimanjee," "Haleemjee," on the other. Possibly, the category of the Naikins included both the local performers as well as women from courtesan communities migrating from the Princely territories of Nizam and, sometimes, from North India too. Especially after the decline of the Awadh court after the 1857 Revolt, many courtesans and women performers moved westwards too, while a large retinue followed Nawab Wajid Ali Shah to Calcutta. The western group later sought patronage amongst the Gujarati mercantile class in the Bombay city as well as princely states of southern Maratha country. For westward migration of dancers, see Tejaswini Niranjana, "Music in the Balance: Language, Modernity and Hindustani Sangeet in Dharwad," *Economic and Political Weekly* 48, no. 2 (January 12, 2013): 44.

[325]MSA, G.D. 1871, 14, 87, M-S-155-6.

[326] MSA, G.D. 1871, 14, 87, M-S-155-6.

same vein, they also mentioned that they were, in general, "tired of the Society of the Male Sex, unless they are called upon to perform according to their vocation and calling."[327]

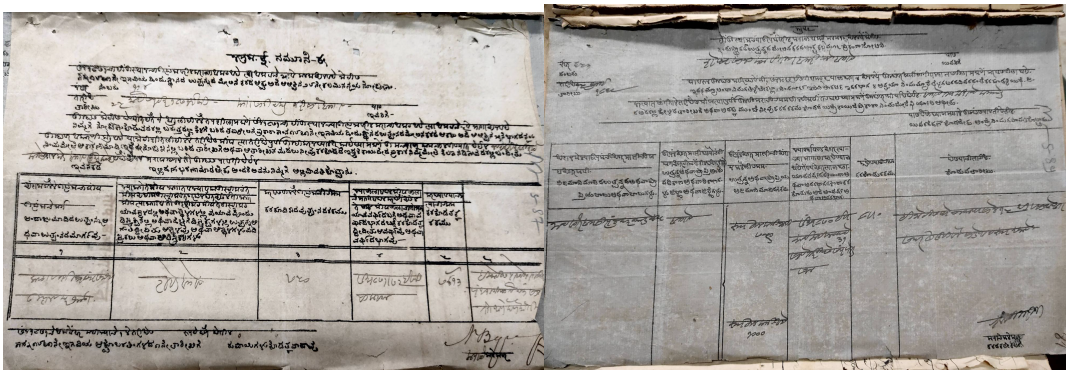
So, the Naikins contended that they earned enough by performing in courtly and social gatherings to follow an "honest" life and did not have to resort to prostitution. Once again, the issue of respectability emerges as the key point here in the distancing of the Naikins from the work of prostitution. Besides, distinguishing themselves from the criminalized label of the "common prostitutes," they also wanted to maintain their distance from the "Society of the Male Sex" too, until and unless they had to interact because of professional obligation. It seems that both Indian, as well as European men, were posing enough troubles for the Naikins around this time: the former possibly by not coming forward in their support and the latter for devising a regulation that criminalized the basis of their livelihood through the CD Act.[328]

In a similar petition around the same time, another group of Naikins led by Papjee Naikin from Belgaum claimed exception from the Lock Hospital regulations on the basis of being "stage dancers."[329]While unlike the three petitions that this chapter focuses on, this petition, unfortunately, does not contain the main text. Instead, only the government resolution of the petition was stated. Much like the other petitions, here also, the government stated that as long as the dancers were not practicing "common prostitution" and were actually "stage dancers," they should be exempted from the CDA. This instance, once again, demonstrates how the Naikins continued to use their professional identity to distance them from sex-work and bypass the law.

[327] MSA, G.D. 1871, 14, 87, M-S-155-6.
[328] While there might be other reasons too, I am mostly referring to the apprehension of the Naikins in this petition about losing the support of their patrons if they were criminalized under the Indian CDA.
[329] MSA, G.D. 1873, 44, 380, M-S-410-420, 'Lock Hospitals Belgaum: Stage Dancers exempted from the operation of the rules.'

Taxes

Most importantly, the professional identity of the Naikins as performers was further established through the tax documents that the Belgaum petitioners attached with their petition. They attached three official tax documents from the year 1869 and 1871 (see images below) which demonstrated the annual income of the Naikins as generated through नाच (Naach) or dance and the amount of tax they needed to pay to the British government. By doing so, the dancers demonstrate their primary self-identification as professional performers, and also their claim to be considered as good citizens who execute their duties to the government by paying taxes due to them. Their emphasis on paying taxes for performance could also be read as a push towards recognition of dance as legitimate form of work, as it was not recognized as one at that time.



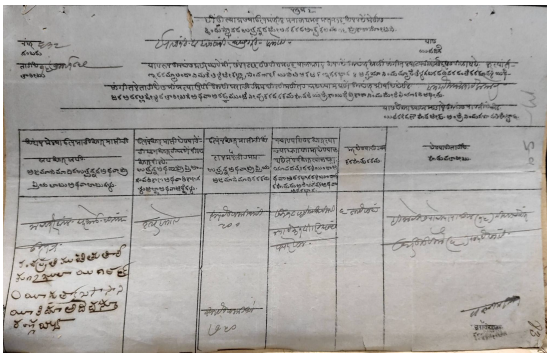


Figure 2.3: Images of the three tax documents attached with the Belgaum Petition. The Image consists of columns on the community taxed, their occupation, rate of taxation, tax owed, and deadline for tax submission. Source: the Maharashtra State Archives, Mumbai.

In all the documents, the first column recorded the source of the estimated income for the group getting taxed followed by columns on place, annual income, rate of tax to be paid and the due date for the tax payment. All the tax documents were issued under the directives of the Indian Income Tax Acts of 1869, 1870 and 1871 respectively.[330]The tax issued needed to be paid within fifteen days of receiving the notice and failure to do so would result in legal punishment. The first tax document generated on 15th July 1869 stated that the two groups of Kalavantinis from Belgaum earned an annual income of less than Rs. 750 and Rs. 1000 respectively.[331]Hence, they had to pay an annual tax of Rs. 8 and half annas. The second tax document, dated 25th September 1871, recognized the source of income as कलावंतीणी धंदा उत्पन्न भाडे or "income generated from the business of the Kalavantinis." The tax for this group of Kalavantinis for the year 1871 was assessed between Rs. 7 and 13 annas out of an annual income of Rs. 750.[332]The third tax document, assessed for a different group of Kalavantinis for the year of 1869, assessed the source of their income as

[330] MSA, G.D. 1873, 18, 607, M-S-87-91.
[331] MSA, G.D. 1873, 18, 607, M-S-87.
[332] MSA, G.D. 1873, 18, 607, M-S-88.

"नाच वगैरे...घरभाडे" or "room rent generated from dance etc." The corresponding tax assessed for an annual income of Rs. 500 and Rs. 700 (probably for two groups) was Rs. 6.[333]

It is indeed significant to note that the Kalavantinis (here interchangeably used with the "Naikins") of Belgaum paid taxes to the British government. Given that officially the profession of the Naikins was recognized as Naach or dance in the tax documents, it is evident that "dance" as a profession was eligible to be subjected to income tax to the British government. It also gets to show that the, to the eyes of the British official (at least as far as generating tax documents were concerned), the Kalavants and the Naikins were recognized as groups that performed dance (and rented house for performances) professionally. That is why, the Belgaum petitioners legitimately asked that how come the Naikins of Belgaum, who were "in one instance, charged as "Dancers," were also "treated as common prostitutes."[334]If the Naikins were "assessed on their income as Dancers, they must be connected as of that class, and consequently not amenable to the act."[335]

While this possibly might be the only official evidence of obtaining income tax from hereditary communities of women performers in the western India, collecting taxes from "dancing and singing girls" was very much in vogue in North India around this time. As Veena Oldenburg demonstrates, several tax ledgers from mid-nineteenth century documented *tawaifs* (high-ranking courtesans from North India) belonged to the highest tax paying bracket with the largest individual incomes in some of the cities.[336]Besides the British officials—who, particularly, targeted the *tawaif*s because of their connection with the 1857 Revolt—general public opinion among Indian elites also favored taxing the "dancing girls," especially in the second half of the nineteenth

[333] MSA, G.D. 1873, 18, 607, M-S-91.
[334] MSA, G.D. 1873, 18, 607, M-S-83.
[335] MSA, G.D. 1873, 18, 607, M-S-83.
[336] Veena Talwar Oldenburg, "Lifestyle as Resistance: The Case of the Courtesans of Lucknow, India," *Feminist Studies* 16, no. 2 (1990): 259.

century. For instance, the *Akhbar-i-A'm* from Lahore recommended levying taxes on dancing girls instead of shopkeepers at the Chiragan fair held at Shalimar Garden in Lahore.[337]Similarly, the newspaper titled *The Hindustani* published from Lucknow reported on the Municipal Board of Hardoi, near Delhi, decided to start levying tax from dancing girls from October 1892.[338]

In western India, however, such instances of collecting taxes from women performers seemed to have no precedence. In the earlier era, Kalavantinis tied to the Peshwa, Satara and Gaikwad courts were exempted from the government taxes—much in contrast to the succeeding British rule.[339]But taxation as professional performers should have exempted the Kalavantinis/Naikins from the ambit of the CD Act—which, ironically, did not. So, on the one hand they continued to pay income taxes from their performance remuneration while being subjected to the surveillance apparatus of the Lock Hospital regulations. Such contradictory attitude of the colonial state—as rightly called out by the Belgaum petitioners—only reveals the hypocrisy of the colonial state.[340]It did not hurt to benefit from the hard-earned money of professional women performers while simultaneously subjecting them to the moral diatribe against prostitution and invasive medical procedures of the Lock Hospitals—much in line with the 'politics of convenience' argument that I make in the third chapter of my dissertation.

Aftermath: Assessing the Impact

[337] *Akhbar-i-A'n,* April 7, 1883. It was not always unanimous though. For instance, in June 1886, the *Akhbar-I-Alam'* Meerut edition protested against the levying of the income tax from the dancing girls, as apparently done in Delhi.
[338] *The Hindustani*, August 24, 1892.
[339] Kadam, "The Dancing Girls of Maharashtra,"67.
[340] Veena Oldenburg also argues that taxing the "dancing and singing girls" while uttering moral diatribes against the profession revealed the hypocrisy of the colonial state in North India, post 1857. She mentioned how the state never hesitated to obtain taxes from the *tawaifs* while continuing to choose beautiful "specimens" from the kothas to entertain their soldiers in the army cantonments. Oldenburg, "Lifestyle as Resistance," 1990, 265-266.

In all the three cases, the government resolution favored the Naikins and their patrons. In all instances, the government exclaimed that, if the Naikins truly worked as entertainers, consorted with a single man, and did not engage in prostitution, the regulations of the Indian CDA would not apply to them. Such exceptions, however, proved to be detrimental to the government. The space of negotiations offered through the petitions of the Naikins also paved the way for other women, of less fortunate backgrounds, to manipulate and maneuver their ways around the Lock Hospital regulations. Women started claiming to be in "kept" status and continued to insist their ineligibility for the Lock Hospital regulations—creating difficulties for the officers to subject them under the Indian CD Act. In fact, one of the key factors behind the incommensurability between the number of prostitutes registered at the Lock Hospital and the numbers of venereal patients recorded could be attributed to such covert attempts of Indian women, including the Naikins, to avert the law. This factor along with the conflict between the Military, Government of Bombay, and the Bombay Municipality on the grounds of insufficient turnouts and lack of funding led to the temporary suspension of the CD Act in Bombay in 1872.[341]

As conversations on the reimplementation of the Indian CDA was in the making throughout the 1870s, the issue of "kept" women and the Naikins continued to haunt the minds of colonial officers.[342] During the reimplementation of the CD Act in Bombay in 1880, the Government Resolution (dated 23rd June 1880) clearly instructed that,

> The Commissioner of Police should be informed that care should be taken not to interfere with or to attempt to demand the registration of *kept women or the mistresses of well-to-do persons*. Such women though not of altogether virtuous character are not 'common prostitutes' in the ordinary

[341] Ramanna, *Western Medicine and Public Health in Colonial Bombay, 1845-1895*, 168-170; MSA, G.D. 1871, 88, M-S-197.

[342] Most officers believed that the lack of a proper definition of the "common prostitute" provided a lot of leeway to the Indian women, who negotiated with the category to prove themselves as not-prostitutes—leading to the failure of the CD Act in the first phase. At one point, a police officer frustratingly said that, given the current state of the regulation, it is almost impossible to convict anybody unless she was caught in the actual act of sex with multiple men.

> acceptation of the term, and whilst no useful object would be gained by requiring their registration the opposition to the working of the Act would be likely to be intensified if minute inquiries regarding women of this class and their paramours were instituted and ground was afforded for apprehension of any interference with them on the part of the Police or the officers generally appointed to carry out the provisions of the Act.[343]

This is one example how the argumentation of the petitions of the Naikins and their patrons impacted future legislation of the Contagious Diseases Act in India. However, it seems that, unlike getting convinced by the logic of loss of respectability, the officers were more troubled by the possibility of angering the native elites. Given the increasing hostility towards the Act—as expressed in several opinion pieces in the vernacular newspapers—the government was extra cautious of not alienating the Indian elites any further. It was becoming clearer to the government officials that a certain section of the Indian elites actively patronized the Naikins and, therefore, targeting the latter would risk antagonizing the former. The Belgaum petition also testified to the close connection that the Naikins shared with their patrons. Alienating the Indian elites would imply rising public antagonism towards the Indian CD Act, as most of them contributed regularly to the opinion pieces in vernacular newspapers and was capable of shaping the public opinion against the CD Act.[344]

The impact of the Naikins' petitions could be also seen in the exception that women performers managed to obtain in other parts of the Bombay Presidency, even in the 1880s. While the reimplementation of the Act only happened in Bombay after the temporary suspension in 1871, the precedence set by the Naikins seemed to impact official policies surrounding the same in other parts of the Presidency. For instance, the annual report of the Lock Hospital registrations for the

[343] MSA, G.D. 1880, 25, M-278, 'Revival of the Contagious Diseases Act into the city of Bombay Part 1.'
[344] It could also mean more difficult negotiations with the Bombay Municipality in terms of extending the Act into civil areas for better effectiveness. The Bombay Municipality board—which consisted of several Indian men, in the board. Given how the Bombay Municipality was ambivalent about the CD Act since the very beginning, losing the support of the Indian elites would mean further loss of funding—leading to the possibility of abolishing the Act again.

year of 1880, reported that while twenty "dancing girls" were present within the cantonment area in Neemuch (Nimach), they were not included in the register, despite being treated in the Lock Hospital.[345]In a similar fashion, the report from Mhow stated that "dancing girls" had been "specially exempted from registration, and they do not present themselves for examination of treatment at the Lock Hospital."[346]In 1884, when question of registering "dancing girls" was brought to the notice in Karachi, the Government Resolution dated 26th November 1880 was cited stating that only women who consorted with Europeans needed to be registered.[347]

The above examples demonstrate how the exception of "kept" women increasingly constrained the legal scope of the "common prostitute." When the category of the "common prostitute" first came into being—to qualify it from other forms of non-monogamous practices of sexuality—the idea of who actually fit into the category was vague. Given that the lack of numbers for the Lock Hospital resulted in an expansion of the category, (giving rise to the idea of "clandestine prostitutes") Indian women performers, both high-ranking and itinerant ones, were clubbed under the same bracket. But repeated written articulations from the groups of "dancing girls,"—mostly from the Naikin community—often on lines of sexual monogamy and caste-purity the officials to reconsider and tweak the meaning of the category.

[345] MSA, G.D. 1880, 44, 99, M-15, 'Reports of registration of public women at stations where Lock Hospitals are maintained.'
[346] MSA, G.D. 1880, 44, 99, M-16.
[347] MSA, G.D. 1884, 100, M-142, 'Annual Report on Lock Hospitals for 1883.' This logic of only criminalizing those who consorted with the Europeans (as originally intended in the 1868 version of the Indian CD Act) was not uniform throughout the Bombay Presidency. For instance, in response to the Belgaum petitioners, the government resolution mentioned that the petitioners were misled into believing that this Act was only applicable to those who did not consort with the Europeans. The reality was that it pertains to everyone engaging in prostitution. But here in this instance, the dancers were getting exempted for not consorting with the Europeans. Such unevenness and confusion lay at the heart of Indian CDA and only points out to the fragile nature of the colonial state which was further aggravated through the non-cooperation and subversion of Indian women.

The argument of sexual monogamy, for instance, provided a template for other women (non-dancers) seeking to evade the law. Once the exception for "kept" women was made, anybody could claim to be in a relationship of concubinage with a single man. The case became stronger if they could also arrange for a paramour, real or imposter, to justify their claims. As the Officiating Surgeon General W. Moore frustratingly conveyed in his letter to the Secretary to the Government of Bombay,

> Under present circumstances it is I believe easy for a woman to avoid registration. She has only to make it appear that she is a kept woman or "Naiqin," and she may continue prostitution under this shield. The matter is confessedly difficult and delicate, as it is not deniable to interfere with that class of kept women who receive only the person in whose keeping they may be.[348]

It is quite evident that Mr. Moore seemed to be cognizant of the fact that the Naikins were considered to be respectable and had close ties with the powerful in the Indian society—and the government would, hence, not like to poke any further. However, the conceding of exception on the basis of supposed sexual monogamy of the Naikins, in Moore's views, was providing a leeway for a lot of women to evade registering for the Lock Hospital.

In June 1882, Mr. J. Foard, Inspector of the CD Act in Bombay attributed this problem directly to the vagueness of the legal connotation of "common prostitute." Since the word "common prostitute" was not defined adequately in the Act, as he explained, officers found it to be "very difficult to adduce evidence to prove a woman to be a prostitute." Mr. P. Murphy, the Chief Medical Officer of Bombay also explained that the problem of recognizing prostitutes became all the more complicated when it came to "kept mistresses," as many seemed to take advantage of this exception.

> That the concession, exempting the kept mistresses of the well-to-do classes, has been greatly abused and has become a cloak for the majority of common prostitutes. Many of these…practice

[348] MSA, G.D. 1881, 35A, 27 Part II, M-139, 'Introduction of the Contagious Diseases Act into the city of Bombay.'

> clandestine prostitution, and have always at hand, "paramours" to come forward and declare…that they are their mistresses, these allegations being most difficult to disprove. Furthermore, it is difficult to discriminate between the kept mistresses of the richer and those of the poorer classes, as it frequently happens that men in receipt of very small salaries come forward and say that certain women are under their private keeping.[349]

The fact that Indian men, from different economic backgrounds, supported the women further puzzled the officials, most of whom typically believed Indian women to be conniving and manipulating beings who were default liars by nature. Men's testimony in support made it difficult for the officers to dismiss women's pleas, as the underlying assumption seem to be that even if women could lie having sex with one man, a man would typically not tolerate 'his' woman to have multiple sexual relations. So, if a man was coming forward to write petitions or recording statements in favor of these women, there must be some truth to it.[350] This, in turn, would lead the presiding officers to grant exceptions to these women.

Ironically, while the category of the "common prostitute" reduced in scope, the exceptional provision for the "kept" women (or the Naikins) also paved the way for distinguishing Indian women, performing or not, based on caste-hierarchy. In order to exclude the Naikins and "kept women" from the ambit of the Indian CDA, the category of the "common prostitute" increasingly came to represent women from the lower echelons of the society. For instance, the Government Resolution of 1880 (quoted above), outlined that the Act should categorically exclude the "mistresses" and instead "should reach are the common strumpets who are the most fertile sources of disease."[351]As the succeeding annual reports of the Lock Hospitals in the Bombay Presidency

[349] MSA, G.D. 1883, 57, 27, M-161, 'Contagious Diseases Act Bombay Part I.'
[350] This also shows how much of an importance that these "paramours" and patrons had on the outcome of these pleas and petitions. This preference over a man's narrative over a woman's, sometimes, went against the women itself. For instance, in one case, one of the 'paramours' actually reported to the police that while his mistress was loyal to him, she had recently started going out with another man; hence, she should be brought under the jurisdiction of the Indian CDA. This is an argument I would like to develop in the further revisions of this chapter.
[351] MSA, G.D. 1880, 25, M-278, 'Revival of the Contagious Diseases Act into the city of Bombay Part 1.'

reveal, these "common strumpets" mostly came to represent women from the lower caste communities Mahar, Dhed and Mang as well as Ghattee and Kharwai castes from Cutch and Kathiawar.[352]Interestingly, the defaulters, who were caught transgressing the regulations, also reportedly belonged to the same caste groups.[353]

Conclusion

This chapter demonstrates how the Naikins utilized the state machinery of legal petitions to successfully seek exemption from the regulations of the Indian CD Act. While the provisions of the Indian CDA adversely impacted the lives and livelihood of the Naikins on different aspects, they repeatedly pushed back against the criminalized label of the "common prostitute" to foreground their identity as professional performers. In this endeavor, they demonstrated legal awareness, capitalized on their close relationship with the local elites, and utilized the concepts of caste-purity and respectability to their advantage. While the very structure of the Indian CDA was fraught with internal problems Naikins' petitions rendered it more fragile. The arguments of the petitions went a long way in the contraction of the scope of the "common prostitute" which provided further spaces for Indian women to maneuver and subvert the law throughout the entire tenure of the Indian CDA in the Bombay Presidency till it was finally abolished in 1888.

[352] The annual reports of 1880 Lock Hospitals in the Bombay Presidency state that the majority of women registered as "common prostitutes" belonged to the "Mhar and Dhed castes, a few to the Ghattee caste, and some few to the Kharwai caste from Cutch and Kathiawar." MSA, G.D. 1881, 35A, 27, Part II, M-423. In the 1882 annual report, the registered prostitutes for Bombay recorded 152 women, 5 women and 3 women from Mahar, Dhed and Mang communities. MSA, G.D. 1883, 57, 27, M-177, 'Contagious Diseases Act Bombay Part I.'
[353] MSA, G.D. 1883, 57, 27, M-161, 'Contagious Diseases Act Bombay Part I.'

CHAPTER THREE

PIAREE'S PRAYER: GLIMPSING THE LIVES OF INDIAN DANCING WOMEN IN IMPERIAL EXHIBITIONARY SPACES

In October 1895, sisters Begum Jehan (age 24) and Vajir Jehan (age 16), Indian women dancers based in Bombay, went on a tour to England on a contract for six months. A few months later, Piaree Jehan, their grandmother and also a dancer herself, learnt about the death and disappearance of Begum Jehan and Vajir Jehan respectively. In 1896, Piaree filed a petition to the Bombay Police Commissioner seeking justice.[354]

Centering on the tragic death and disappearance of Begum Jehan and Vajir Jehan respectively, this chapter documents the unfinished histories of Indian women dancers navigating the racialized and sexualized circuits of exhibition and performance. Through a close reading of Piaree's petition along with contemporary newspaper reports, this chapter makes two intersecting arguments. The chapter first analyzes the proceedings surrounding Piaree's petition to highlight how the colonial and metropolitan states along with non-state actors employed a certain politics of convenience in treating Indian women dancers abroad. As Indian women dancers started touring European and American venues for contractual performances in the second half of the nineteenth century, British officials, impresarios, and media selectively sexualized Indian women dancers to generate economic benefits and political mileage. The opportunistic politics of the colonial state and its allies is brought into sharper relief when, despite profiting from the dancers' labor, the state

[354] Maharashtra State Archives Mumbai, Judicial Department (henceforth MSA, JD) 1897, 184, 945, p. 235-327, 'Petitions: Bombay. From Piarei Jehan—stating the circumstances under which her two granddaughters Begum Jehan and Vajir Jehan were taken to England as dancing girls by a Mr. Guest and praying that the Secretary of State for India may be moved to enquire into circumstances connected with the sudden death of Begum Jehan and that enquiries may also be made regarding the detention of Vajir Jehan and that she may be brought back to India.'

remained non-committal towards remedying the plight of the traveling dancers. While the non-interventionist stance of the British government was also applied to other South Asian migrants and travelers, specifically analyzing governmental apathy towards dancers reveals another aspect of the relationship with Indian performing women with British colonialism in the second half of the nineteenth century.

Second, by bringing Indian dancers to the forefront of the politics of imperial exhibitions, the chapter documents how Indian women dancers asserted their claims as professional artistes within the exploitative logics of imperial exhibitions. Even though Piaree's granddaughters met with a tragic end, the chapter argues that the petition for justice as well as other evidence reveal how Indian women performers sought to carve out their own niche. Despite the hurdles of adverse weather, hostile audience, untrustworthy showmen and overall governmental apathy towards their sufferings, dancers repeatedly challenged their sexualized portrayal in British media and official discourses and sought to establish their identity as laboring performing artists. By claiming unpaid wages, refusing indecent sexual offers, writing petitions, forging female-centric kinship ties and, most importantly, not changing their repertoire or costumes for the western audience, dancers foregrounded their self-expression as professional performers. Regardless of the fate, such attempts at self-expression of Indian women performers significantly shaped colonial encounters, both in the colony and the metropole, as well as exposed the exploitative logic and the limitations of the colonial culture of display at the end of the nineteenth century.

Historiography and relevance

Early works on world fairs and exhibitions have elaborated how cultural displays from the colonies were essentially connected to imperial ambitions of the colonizing states of western

Europe and North America. Mostly, the expositions served as a visual representation of the grandeur of the empire–while laying bare the civilizational logic of colonialism. The idea was threefold: to decontextualize objects from the colonies to provide an illusion of organization and systematization as a cover to the chaotic and fraught process of colonialism; to legitimize colonial expansion on the logic of Social Darwinism where the 'civilized' colonizers displayed native 'savages' from the colonies; to justify the cost of imperial expansion to the home crowd as well as facilitate academic pursuits.[355] In recent years, scholars have moved on from the top-down approach, that foregrounded passive participation of the displayed people, to modes of individual and collective trouble-making that disrupted the very project of objectification and profit-making of imperial exhibitionary spaces.[356]

In recent years have also witnessed a spurt of scholarly writings regarding South Asian presence in the imperial exhibitionary spaces in the second half of the nineteenth century. Yet, specific attention to Indian women dancers remains lacking.[357] This is mainly because, unlike other South Asian participants, archives on colonial exhibitions are mostly silent about the dancers.[358] While human labor in generating revenue for exhibits and shows had been discussed, the contribution of the dancing body of Indian "nautch" dancers in succeeding imperial exhibitions

[355] Paul Greenhalgh, *Ephemeral Vistas: The Expositions Universelles, Great Exhibitions and World's Fairs, 1851–1939* (Manchester: Manchester University Press, 1988); Peter H. Hoffenberg, *An Empire on Display: English, Indian, and Australian Exhibitions from the Crystal Palace to the Great War* (Berkeley and London: University of California Press, 2001); Carol A. Breckenridge, "The Aesthetics and Politics of Colonial Collecting: India at World Fairs," *Comparative Studies in Society and History* 31, no. 2 (April 1989): 195–216.
[356] Sadiah Qureshi, *Peoples on Parade: Exhibitions, Empire, and Anthropology in Nineteenth Century Britain* (Chicago; London: University of Chicago Press, 2011); Saloni Mathur. "Living Ethnological Exhibits: The Case of 1886." *Cultural Anthropology* 15, 4 (2000): 492–524; Rosie Jensen, "India in London: Performing India on the Exhibition Stage 1851-1914," Ph.D. (University of Exeter, 2018); Prarthana Purkayastha, "Decolonising Human Exhibits: Dance, Re-Enactment and Historical Fiction," *South Asian Diaspora* 11, no. 2 (July 3, 2019): 223–38.
[357] Satyasikha Chakraborty, "'Nurses of Our Ocean Highways': The Precarious Metropolitan Lives of Colonial South Asian Ayahs," *Journal of Women's History* 32, no. 2 (2020): 37–64; Amy Elizabeth Robinson, "Tinker, Tailor, Vagrant, Sailor: Colonial Mobility and the British Imperial State, 1880-1914," PhD diss., (Stanford University, 2005);
[358] Purakayastha, "Decolonising Human Exhibits":5.

remains inadequately addressed. Moreover, the lack of first-hand accounts of performers compelled most narratives to rely on official correspondences, reports, and media representations to reconstitute the everyday realities of South Asian performers in western exhibitionary spaces. Piaree's petition, despite being located in the colonial archive, instead provides a rare insight into the workings of colonial exhibitions, from the perspective of the Indian woman performer—who is often assumed only as a passive victim of the exploitative framework of colonial exhibitions. By imagining the Indian women dancers' lives in these imperial circuits of performance through Piaree's petition, the chapter offers a novel interpretation of the racialized and gendered politics of the colonial state regarding Indian dancing women in the late nineteenth century.

This chapter shows that the experience of Indian dancers while overlapping with other South Asian participants in Britain, followed a different trajectory due to their gendered social location as well as their fraught relationship with the colonial state. Unlike other non-dancing performers from the subcontinent–mainly consisting of male artisans, craftsmen, jugglers, snake-charmers– Indian dancing women were particularly vulnerable to the controlling and surveillance apparatuses of the colonial state because of their non-normative lifestyles.[359]Unlike other Indian participants—who were predominantly male—Indian dancing women led contractual negotiations and determined the logistics of performance on their own, given their matrilineal kinship

[359] While it is difficult to ascertain the caste-status of these dancers, more often than not, Indian dancing women who performed in these exhibitions or similar places usually belonged to the marginalized caste locations and Muslim backgrounds. Usually, street-dancers or itinerant dancers, lacking a stable source of institutional patronage (religious or secular) participated in these networks. One may argue that the experience of Indian dancers could have been similar to the communities of "jugglers" and "snake charmers," belonging to similar marginalized social backgrounds. But these groups never really received the attention and popularity that the dancers were bestowed with, thanks to the latter's appeal as 'oriental' sensual performers in western media and literature. Some of the dancing communities also fell under the group of "criminal tribes" by the end of the nineteenth century. Jessica Hinchy, *Governing Gender and Sexuality in Colonial India: The Hijra, c. 1850-1900* (Cambridge: Cambridge University Press, 2018).

structures.[360] Moreover, given their financial independence and public performance as a profession, Indian women dancers posed considerable threat to the colonial state which was quite wary of their interactions with European soldiers and officers—an aspect that continued since the eighteenth century. As the previous two chapters of my dissertation show, it is this 'deviant' lifestyle as well as their proximity and availability to the European men that formed the grounds for their continuous criminalization, as "slaves" and then, as "common prostitutes."[361] However, despite such defamation, Indian dancing women ironically remained very much in demand in England by the end of the nineteenth century. Such contradictory attitudes imply that trajectories of Indian dancing women's encounters in the intra-imperial performance circuits deviated from other Indian performers and requires further scholarly attention.

Some of the questions that this chapter, therefore, poses are as follows: why did the same dancers, whose non-normative sexuality posed a threat to the colonial state in India, prove to be a 'sensation' in England by the end of the nineteenth century? How come the colonial officials–who were bothered about the demoralizing effect of Indian "nautch" dancing on British society–suddenly turned a blind eye towards numerous "nautch" shows happening at the heart of the empire? What happened to the dancers when they reached and performed at the metropolitan spaces? How did the dancers adjust, negotiate, and cope with the different and precarious circuits of imperial performance spaces?

[360] Indian women dancers were one of the very few women performers participating in these intra-imperial networks of performance. The male members, although involved in these deliberations, played a secondary role. Even when they negotiated for a performance or a contract, it was always on behalf of the performer herself or the matriarch of the household. For instance, in Begum Jehan's case, Syed Imam Hussain, her lover, negotiated with Arthur Fernandez, W.H. Guest's agent. As mentioned in Piaree's petition, Imam Hussain was expected to provide a copy of the contract to Begum Jehan and also keep her updated about further developments—which, apparently, he did not and which led to complications later. I discuss this in more detail in later sections.

[361] Similar ideas about the dancers were abound in missionary, Indian nationalist and social reformist circles too. All these impulses against the dancers culminated in the Anti-Nautch movement by the 1890s.

Reading the Petition

Petitions are neither random nor singular in their historical significance. In the much-celebrated essay titled "Chandra's death", Ranajit Guha argues that traditional historiography, while focused on larger events and institutions, tends to obfuscate the everyday histories of people. A critical historiography, instead, bends "closer to the ground" and maps the "traces of subaltern life,"[362] especially when broader historiographical practices fail to do so. I argue that Piaree's petition provides such "traces of subaltern life."[363] In an archive where dancers are conspicuously present in their absence, fragments, traces and glimpses become all the more important.[364]

On the methodology of microhistory, Italian historian Edoardo Grandi argued that microhistories focused on the "extraordinary normal"—which referred to idiosyncratic documents and events that revealed general trends on examination.[365] While initially the particular document or event may stand out from the general narrative, on closer reading, it produces information that is relatable and relevant to a larger population, besides producing extraordinary stories as well. Building on this, I propose to read the 1897 petition as an "extraordinary normal" document to demonstrate how it is simultaneously extraordinary and normal, both in its content and claims.

While petitioning may have been a "common" phenomenon for Indians to negotiate with the colonial authorities in the second half of the nineteenth century, Piaree's petition was

[362] Ranajit Guha, "Chandra's Death," in *A Subaltern Studies Reader, 1986-1995*, ed. Ranajit Guha (Minneapolis & London: University of Minnesota Press, 1997), 36.
[363] Guha, "Chandra's Death," 36.
[364] Anjali Arondekar argues how the very absence of sexuality in the colonial archive testifies to its ubiquity but also cautions against the desire to uncover it as the true fact. Arondekar, *For the Record*.
[365] Francesca Trivellato, "Is There a Future for Italian Microhistory in the Age of Global History?," *California Italian Studies* 2, no. 1 (2011), II.

"extraordinary" on three accounts.[366] First, while more and more people started petitioning the state—ranging from businessmen to the working class to people from oppressed caste and Muslim backgrounds—petitions from women remained comparatively less. Even among women, it is usually the Parsee women—usually the most educated and from elite backgrounds—who regularly bothered colonial officials regarding inheritance and property disputes.[367] In contrast, direct petitions of dancers, who belonged to the marginalized section of society were very few in number.[368] Second, as per my findings, no other petition from dancing communities in the Bombay Presidency required official intervention from London. Unlike the earlier petitions of the dancers, discussed in other chapters of this dissertation, which were resolved locally, Piaree's petition was taken up to the London authorities for adjudication. As a result, in comparison to other petitions, a lot more emphasis was placed on the official proceedings of the event. Most importantly, the very presence of Piaree's petition in the colonial archive is extraordinary. Given the ever-elusive presence of the dancer in the archive—barring sporadic mentions in the legal discourses surrounding slavery and prostitution—colonial discourses hardly record dancers' narratives. But

[366] While in the first half of the nineteenth century, petitions in Bombay (the city, not the entire Presidency) were polite requests for grievance redressal, the nature and tone of petitions significantly changed in the second half of the nineteenth century. Going against the long-held view of colonial-era petitions upholding the hierarchy between the colonizer and the colonized, Prashant Kidambi shows how petitions went beyond their expected documentary protocols to actually voice the concern of the aggrieved. As petitions gradually transformed from polite requests to complaints, Kidambi argues, the division between the society and the state collapsed. Petitions became overtly "political" so much so that petitioning complemented actual acts of resistance against the colonial state—as seen in the working-class strikes happening in late nineteenth-century Bombay. For more details see Prashant Kidambi, "The Petition as Event: Colonial Bombay circa 1880-1914," *Modern Asian Studies* 53, no. 1 (2019): 203–39.

[367] In my scanning of the "petitions" entry of the Bombay Presidency Judicial Department files in the Maharashtra State Archives from 1819-60, almost every file had at least one petition from Parsee women appealing for property and inheritance rights.

[368] The terms of marginalization of Indian female dancers require elaboration. The marginalization of Indian female dancers in colonial India was in terms of their social status and not so much due to their financial conditions or numerical strength. In other words, comparative financial affluence often did not amount to social respectability. That is why, *tawaifs* (courtesans) and certain groups of Devadasis (hereditary communities of temple-dancers), who belonged to upper echelons of Indian dancing communities, faced similar form of societal marginalization, despite being comparatively economically well off and intellectually superior to most of their dancing and non-dancing 'respectable' counterparts.

here, Piaree Jehan—a dancer herself was directly writing to the colonial state, seeking justice for her two granddaughters—one dead and another missing—at the heart of the British empire.

However, post-colonial and Subaltern Studies' critique of colonialism has rightly pointed out the problem of looking for "agency" of the marginalized in the colonial archive. As explained in Spivak's path-breaking work, any attempt to recover the voice of the "subaltern" from the official archives will end up in failure, as its unmediated form can never reach us.[369]Even if the subaltern voice can be located, finding the subjectivity of the subaltern in the colonial discourse will never be a complete success as it is first mediated through the colonial registers and then through the researcher whose positionality may not match that of the "subaltern"—thereby facilitating its erasure and marginalization, second time over. Tracking the agency of minoritized "oriental" people—situated at the lower end of the skewed power hierarchy of the colonial performance circuits— will never be "authentic." Rescuing or the desire to rescue the subaltern in and from the colonial archive would, therefore, imply subjecting the subaltern to an additional degree of epistemic erasure—the first one done by the colonial archive itself.

Yet, the official archives also allow places of negotiations and grievances addressed by the marginalized. By assuming the impossibility of recuperating the subjectivity of the subaltern in the colonial archive, one seems also to elide the possibilities and moments of individual and collective resilience offered, even within the violent logic of the colonial archive.[370] Analyzing

[369] Spivak, G.C. "Can the Subaltern Speak?" in P. Williams, & L. Chrisman (Eds.), *Colonial Discourse and Post-Colonial Theory: A Reader* (Hertfordshire: Harvester Wheatsheaf, 1994), 93.

[370] A lot of scholarly debate on the project of finding agency in the colonial archive has happened over the past few decades. Starting with the Subaltern Studies collective's urge to read the colonial archive "against the grain" to Ann Stoler's emphasis on understanding and unpacking the logic of the colonial archive by reading "along the grain" to recent interventions in sexuality studies in South Asia in terms of cautioning against the recuperative project of locating the subaltern in the colonial archive–all grapple with the tension of understanding individual and collective subjectivity within the constraints of the colonial archive. Building up on this existing scholarship, this chapter mainly aligns with Antoinette Burton's suggestion about the "trouble" that Piaree's petition caused in exposing and limiting

those moments of negotiation of the subaltern, nonetheless, points out the different loopholes of colonialism through which the subaltern may leave their marks. Therefore, instead of seeking to restore the voice of the marginalized in all its authenticity, this chapter, through Piaree's petition, seeks to record, albeit in glimpses, the gendered and racial projects of colonial exhibitions in the late nineteenth century, from the vantage point of the colonized women.

Given the logic of the colonial archive—as aptly pointed out by postcolonial studies scholars—it is nearly impossible to know the exact experience of the Jehan sisters in England. Given that Piaree's petition was probably first narrated orally (as her thumb impression instead of a signature possibly betrays her lack of literacy) to a *Dubash* scribe (adept in both local vernacular and English) and then translated into English—already permits multiple layers of erasures and misinterpretations. Therefore, instead of viewing Piaree's petition within the binary of victimhood on one hand to absolute subversive resistance on the other, this chapter closely and, sometimes, speculatively reads official proceedings and newspapers to offer the possibilities of glimpsing Indian women dancers' negotiations with the empire.[371]

Therefore, drawing upon a motley of research methodologies of postcolonial studies, gender and sexuality studies, microhistory and speculative history, this chapter seeks to weave an unfinished history of the Indian women dancers' experiences in the imperial exhibitionary circuits at the end of the nineteenth century. Placing Piaree's petition at the center as a pivot, this chapter will simultaneously zoom in to tease out the implications of the finer details of the petition as well

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the imperial agenda of imperial exhibitions in the second half of the nineteenth century. Antoinette M. Burton, *The Trouble with Empire: Challenges to Modern British Imperialism* (New York: Oxford University Press, 2015).

[371]It is also true that the dancers are entering the archive in moments of precarity and misfortune. Satyasikha Chakraborty cautions against treating these moments of precarity and suffering of the marginalized in the colonial archive as the generalized experience of everyone. At best, the moments can offer a glimpse of the challenging experiences subaltern women experienced abroad. I agree with Chakraborty's assertion. For details, see Chakraborty, "'Nurses of Our Ocean Highways':56.

as zoom out to contextualize it in the broader scheme and politics of imperial exhibitions. Through the tussle that ensues, this chapter hopes to present the fragmented experiences of Indian women dancers' lives on colonial performance circuits at the turn of the nineteenth century.

Journey Begins: Exhibitions, Orientalism, Motivations

On 15th of May 1895, Arthur Fernandez, the agent of W.H. Guest, presumably a showman residing in Simla in British India, offered Begum Jehan, Piaree's granddaughter, a contract of six months to perform in the British Isles. The contract sought the "dancing performance" of Begum Jehan, the lead dancer, Vajir Jehan, Begum's minor sister, and three musicians named Abdul Aziz Rasoolbux, Husainbux Abdulla and Gulam Husain Nabibux in exchange for a sum of Rs. 800 per month or "the equivalent thereof in English money."[372]While this contract was duly agreed upon and executed in writing, Piaree Jehan noted that W.H. Guest did not provide a copy to Begum Jehan.[373]

On 1st November 1895, Begum Jehan, Syed Imam Hussain (Begum Jehan's "paramour"), Vajir Jehan and the three musicians arrived in London. A couple of contemporary British newspapers reported about their arrival. The *Dundee Advertiser* declared the arrival of "real Indian

[372] MSA JD, 1897, 184, 945, p. 238.

[373]To my knowledge, this is probably one of the first instances of formalized contracts for dance performances abroad. Contracts of different kinds, however, were in vogue for musicians and dancers attached to Princely courts in the nineteenth century. Janaki Bakhle discusses how Madhav Rao Gaekwad and Sayajirao Gaekwad of Baroda instituted the *Kalavant karkhaana* ("warehouse of artists") to keep an account of employed entertainers, including singers and dancers. Sayajirao, in particular, introduced a rulebook for the Kalavants (*Kalavant Khatyache Niyam*) to delineate particular conditions of employment, including salaries, for each artist. As the rule book became more standardized from the 1880s onwards, singers, especially, were contracted against seeking supplemental income. Quasi-contractual agreements were also required of itinerant musicians seeking to perform at the royal court where hours of service and names of compositions to be presented had to be designated. For details see Janaki Bakhle, *Two Men and Music: Nationalism in the Making of an Indian Classical Tradition* (New York: Oxford University Press, 2005), 23-30. Karen Leonard has also discussed musicians and dancers becoming salaried employees in the *Arbab-i-Nishat* (department of enjoyment) in the Nizam court of Hyderabad in the second half of the nineteenth century. For details, please refer to Karen Leonard, "Political Players: Courtesans of Hyderabad," *The Indian Economic & Social History Review* 50, no. 4 (2013): 423–48.

nautch girls" in London back in June 1895–reflecting the demand of and anticipation for Indian dancing women in the British cultural sphere in the second half of the nineteenth century.[374] While the report did not explicitly mention the name of the "real" dancers, looking at the proximity of the dates of signing the contract (May 1895) and the composition of the report, it is likely that the troupe mentioned here was that of Begum Jehan's. Direct reference to Begum Jehan's troupe arrival can be found on November 2nd, 1895, when another English daily, *Rhyl Records and Advertisers*, reported that "by the last Indian mail," an "Indian nautch party" consisting of two dancers and three musicians had arrived in London from the north-western part of India and Kashmir.[375] The report mentioned that "Mr. Arthur Fernandez of Bombay" organized the tour.[376]

After arriving in London, Begum Jehan and her troupe gave several "private performances" for the next two months. That the troupe mainly performed in private venues is attested by the fact that, despite the initial anticipation, no coverage existed of their performance in the British media. As private performances only allowed selected guests, the scope of media coverage remained limited. On 6th January 1896, the troupe traveled to Manchester and performed at the well-known Free Trade Hall.[377] In February 1896, W.H. Guest requested an extension of the contract—which required additional performers and musicians. For that, Guest left with Syed Imam Hussain for

[374] "Some Real Indian Nautch Girls Are on Their Way to London," *The Dundee Advertiser*, June 24, 1895. The report, interestingly, mentions the dancers to be "Hindus." The term "Hindu" was often used interchangeably with Indian subjects and did not always imply religious affiliation. Also, it is difficult to ascertain religions for Indian dancing women as women from different religious and caste affiliations often worked in the same group.
[375] "City Correspondence," *Rhyl Record and Advertiser*, February 11, 1895. The report mentioned the presence of a "brother" and an "uncle." One of them might have been Syed Imam Hussain, Begum Jehan's lover. The other person may be another musician, accompanist, or agent. Also, the place mentioned in the report may not always correspond to the actual place from which the dancers belonged. Since newspaper reports functioned as advertisement, the aim was to allure the readers for the event. Hence, the reports often employed orientalist imagery for the dancers. For instance, "dancing girls" from Kashmir were very much in demand as Kashmiri dancers were perceived to be extremely beautiful as well as proficient in their arts. Many contemporary photographs on Indian dancers captioned them as Kashmiris, irrespective of their actual place of origin and practice. Insights shared from personal conversation with Prof. Katherine Schofield at Cambridge, September 2018.
[376] "City Correspondence."
[377] MSA JD, 1897, 184, 945, p. 239.

India in February 1896. Piaree noted that, even in the case of this new contract, Begum Jehan did not receive a copy.

Background and Shifting Patronage

The details of the petition are meaningless if it is not placed within a context. According to Guha, "narrative materials" make sense only when it "connects with what goes before and comes after it."[378] Begum Jehan was neither the first nor the only Indian dancing woman to travel to western venues for performances in the nineteenth century. Indian dancers first traveled to Europe in 1838.[379] E.C. Tardivel, the noted French impresario, brought four dancers and three musicians from Pondicherry in South India to perform at the Théâtre des Variétés in Paris. Senior dancer Tilammal (age 30) led the troupe consisting of Ammani (age 18), Rangam (age 14) and Sundaram (age 13). This trip was a success, and the French media covered their performance with great attention and much fanfare. While some were confused to witness a dance vocabulary different from their own, most reviews showered praises on their performance.[380] After France, the troupe performed in England and in the European cities of Antwerp, Brussels, Frankfurt, Berlin, and Vienna.[381]

Despite this success, however, the Pondicherry group remained the only troupe of Indian women performers to perform in European venues in the first half of the nineteenth century. It was

[378] Guha, "Chandra's Death,"37.
[379] Joep Bor, "Mamia, Ammani and Other *Bayadères*: Europe's Portrayal of India's Temple Dancers," in *Bharatanatyam: A Reader*, ed. Davesh Soneji (New Delhi: Oxford University Press, 2010), 27.
[380] Bor, 31. The consummate performances of the Indian dancers earned them comparisons with French ballerinas Marie Taglioni and Fanny Elssler. Lead dancer Ammani received praises from the French novelist and dance critic Theophile Gautier which also inspired Jean-Auguste Barre, the French sculptor, to build a bronze figurine of Ammani dancing "The Malapou or Dance of Delight."
[381] Bor, 32-33. Reviews in England were a little different than in France. After the initial appreciation, some of the reviewers pointed out that there was nothing too special about these "nautch" performances.

only after the opening of the Suez Canal and the proliferation of World Fairs that Indian performers started touring Europe and North America more frequently.[382] To several communities of Indian dancers, performing abroad also emerged as a viable option of seeking patronage, given the gradually shifting socio-cultural situation in the second half of the nineteenth century. As the earlier chapters of this dissertation demonstrate, colonial legislations surrounding Indian slavery and prostitution adversely impacted the lives and livelihood of Indian woman performers by criminalizing them on the grounds of practicing slavery and "common" prostitution. This, coupled with the increasing hostility of the Indian social reformers and Christian missionaries, as expressed through the Anti-Nautch movement, seriously jeopardized the careers of many professional women performers–who now looked for other opportunities.[383]

In search of newer sources of patronage, dancers, especially high-ranking courtesans from Northern parts of India, started utilizing modern technological tools of gramophone recording and moviemaking to reinvent their careers as celebrity entertainers.[384] However, not everybody could utilize the 'benefits' of colonial modernity to their advantage. Peripatetic dancers, usually from socially marginalized backgrounds, did not come into as much prominence as the former did with the help of colonial modernity.[385] Such groups of women performers, who lacked stable sources

[382] The opening of the Suez Canal in 1869 greatly reduced the distance between Britain and India. Earlier India-bound British (and also other European) ships had to round the Cape of Good Hope to reach India. The opening of the Suez Canal reduced around 4500 miles of distance between Europe and India. This, in turn, facilitated more traffic of materials and passengers between Britain and India–explaining the spurt in contracting Indian artisans and performers for imperial exhibitions–in the second half of the nineteenth century. For detailed discussion on the significance of Suez Canal in facilitating Asian connection with Europe, see Amy Elizabeth Robinson, "Tinker, Tailor, Vagrant, Sailor: Colonial Mobility and the British Imperial State, 1880-1914," PhD diss., (Stanford University, 2005), 152.
[383] Marcus B. Fuller. *Wrongs of Indian Womanhood* (Edinburgh and London: Oliphant Anderson and Ferrier, 1900), 12. Also cited in Sachdeva, "In Search of the Tawa'if in History," 329-331.
[384] Shweta Sachdeva showed how several *tawaifs* reinvented their careers as "celebrity entertainers" by utilizing the opportunities fostered through the new technologies of photography and gramophone recordings.
[385] It is important to mention here that Sachdeva's work mainly talks about the *tawaifs* from North India. *Tawaifs* were one of the most erudite, intellectual, and culturally elite groups of Indian female performers whose main profession was to entertain people through their arts. While *tawaifs* were not a homogenous category, they were nonetheless different from the lower-class and often-itinerant street dancers who often had to engage in prostitution for survival.

of courtly, nobility or temple patronage, found imperial exhibitionary circuits to be an attractive alternative. After all, such tours–mediated through different European impresarios–promised considerable remuneration while providing for their travel and accommodation. For instance, in the case of Begum Jehan, Guest had promised to pay Rs. 800 per month–which is a fair amount of money given the time period. That mostly non-high ranking performing women participated in international exhibitions is also established by the lack of names one finds in the records. While European records are known to flatten out heterogeneity to create and market the oriental category of the "nautch" for its audience, it was highly unlikely that if a prominent *tawaif* or *devadasi* (like Ammani for the 1838 tour) celebrated Gauhar Jaan or Janaki Bai Allahabadi actually traveled abroad for performances in Europe or North America around this time, it would remain unnoticed by the European as well as Indian newspapers. Such absence of specific names and details points to the possibility of participation of less-remarkable or less-known figures of women performers in the precarious circuits of imperial exhibitionary spaces.

Exhibiting "dancing girls"

From the 1880s onwards, several Indian dancers, therefore, started featuring in major exhibitions like the 1885 Liberty's Fair, 1885-86 Portland Hall Exhibition, 1895-96 Empire of India and Ceylon Exhibition, 1908 Franco-British Exhibition and numerous other Crystal Palace and Earl's Court exhibitions.[386] Such desire for Indian women dancers in metropolitan venues was

Keeping this distinction in mind, one wonders if any of the street dancers—who were also photographed in many places—ever emerged as celebrity entertainers the way, for instance, Gauhar Jan or Janaki Bai Allahabadi did.

[386] Rosie Jensen, "India in London: Performing India on the Exhibition Stage 1851-1914," PhD diss., (University of Exeter, 2018), 213. However, unnamed 'nautch' dancers gradually fizzled out from the exhibition venues by the late 1910s to be replaced by more 'respectable' Indian dancers like Uday Shankar and Ram Gopal. While discussing the politics of this transition is beyond the scope of this dissertation, I would be touching upon the theme in the later sections.

very much imbricated within the racialized and gendered logic of orientalism.[387] Edward Said defined "orientalism" as a western tool of discrimination discursively produced through "domination, restructuring and authority" to dominate the Orient "politically, sociologically, militarily, ideologically, scientifically, and imaginatively during the post-Enlightenment period.[388] "Orientalism," in other words, was a systematic method of producing a derogatory image of the East that legitimized Western colonial domination. Building on the interlinked ideas about orientalism, imperialism and culture, scholars have shown how international exhibitions created a space for showcasing the civilizational hierarchy between the colonized and the colonizer—where the former was displayed while the latter sat in the audience.[389] By portraying the "exotic" images of the "orient" in the form of commodities, architecture, artworks, dresses and the performing bodies of dancers, jugglers and magicians, international exhibitions reified the "difference" between the colonies and the metropole. The more "degenerate" and exotic a culture was, the more they realized the need for colonial rule in those areas as the sole transmitter of "civilization" and "modernity."

Orientalist ideas about Indian women performers started in the fourteenth and fifteenth centuries when different groups of European travelers—including administrators, missionaries, intellectuals, ambassadors and, even, spies— visited India and started writing copiously about Indian music and dance.[390] Inspired by the depictions, several opera and ballet productions on

[387] First European travel account of Indian women performers can be traced back to Marco Polo (1307). Jensen, 226.
[388] Edward W. Said, *Orientalism* (New York: Pantheon Books, 1978), 3.
[389] Breckenridge, "The Aesthetics and Politics of Colonial Collecting: India at World Fairs;" Mathur. "Living Ethnological Exhibits;" Purakayastha, "Decolonising Human Exhibits."
[390] Katherine Schofield argues that European travel writings on Indian music and dance specifically aimed at entertaining European audiences with facts about 'exotic' cultures while also providing an inflated account of Europe's domination over the rest of the world. As moral debates on women's sexuality became contentious from the Renaissance, issues of women's participation in performance also became sensitive. Schofield explains that since singing was considered to be connected to spirituality, women performing in the domestic sphere under the surveillance of their husbands seemed to be acceptable. But women performing in public—considered to be a space

"dancing girls" started in Europe.[391]Most important among them was *Les Bayadere* (1810)–the biggest hit of Paris Opera, which is performed even today.[392] In the second half of the nineteenth century, the most popular British production on Indian dancing women, in fact, was Sir George Dance's *The Nautch Girl* or *Rajah of Chutneypore*. Based on the imagined life story of the "nautch" dancer Hollee Beebee, the production enjoyed immense popularity and ran for 200 shows till 1892.[393]The representation of Indian dancers in European operas, however, hardly had any resemblance to the actual lived realities of dancers in India.[394]

Given this demand for Indian "nautch" girls, it is understandable why European audiences, including the British, sought to showcase original "dancing girls" from India in the metropole. Owing to the opening up of the Suez Canal, opportunities to see the "real" dancers from India in London increased. Such orientalist desire for Indian dancing women probably also contributed to

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of unregulated sexuality—emerged as a moral threat to society. Katherine Brown, "Reading Indian Music: The Interpretation of Seventeenth-Century European Travel- Writing in the (Re)Construction of Indian Music History," *British Journal of Ethnomusicology* 9, no. 2 (2000): 3. Katherine Brown is now known as Katherine Schofield. For the purpose of this chapter, I am using her current last name for citation.

[391] Vincent Warren discusses in detail about the several "inspired" performances of Indian "dancing girls" in Europe since the sixteenth century. Vincent Warren, "Yearning for the Spiritual Ideal: The Influence of India on Western Dance 1626-2003," *Dance Research Journal*, no. Summer/Winter: 38, 1-2 (2006): 98-100.

[392] According to dance historian Vincent Warren, the dance element in the *Les Bayadere* opera-ballet went a long way in shaping European perception of Indian female dancers for the next two centuries. Evolving from the Portuguese word "Bailadeira," Bayaderes referred to Indian female dancers, especially the Devadasis or the temple-dancers. Warren notes that Europeans invented this term to describe something alien to their culture–dancers associated with divinity. Warren, "Yearning for the Spiritual Ideal:" 99.

[393]Shweta Sachdeva, "In Search of the Tawa'if in History: Courtesans, Nautch Girls and Celebrity Entertainers in India," PhD diss., (University of London, School of Oriental and African Studies, 2008), 276-77. Taking a cue from the success of *The Nautch Girl*, Indian dancing women also featured in the early days of English cinema. Held at Victoria Hall on February 5th, 1909, the "kinematograph" titled *The Love of a Nautch Girl* (Image 3.1) revolved around how an English officer who, after a brief affair with a Nautch girl in India, deserted her and returned to his family in England. While the tone was surprisingly sympathetic to the "nautch girl," the victimization narrative elided any agency for the dancer and, in the end, she was found groveling at the feet of the Englishman for acceptance. "The Love of a Nautch Girl," *Kilsyth Chronicle*, May 2, 1909.

[394] Catering to the European orientalist imaginings, the portrayal of the Indian "nautch" girl ranged from sensuous villains to victims requiring the white man's intervention. *Le Diu et la Bayadere*, featuring Marie Taglioni (1830), was one of the important works in this genre along with ballet master Jules Perrot's *Lalla Rookh* or *Rose of Lahore* (1846), based on Thomas Moore's poem. Interestingly, Dwarkanath Tagore, the grandfather of Indian Nobel-laureate poet Rabindranath Tagore, was one of the prominent figures in the audience for *Lalla Rookh* when it was held at Her Majesty's Theater in London. Warren, "Yearning for the Spiritual Ideal:" 101, 103.

the success of Begum Jehan's tour in London and Manchester. While we do not have exact documentation of the reception of their tour–as she only performed in 'private' venues–Guest's proposal to extend their contract is indeed a marker of their success. Given that Guest was primarily a showman, it is highly unlikely that he would like to invest in the troupe without thinking of returns.[395]

Journey Continued: Betrayal, Death, Precarity

As W.H. Guest followed Syed Imam Husain to India after the new contract was signed in February 1896, Begum Jehan and her troupe were left stranded in Manchester without any financial support. In the absence of any communication from W.H.Guest, Begum Jehan and her associates were soon reduced to penury.[396]Finding them in a condition of destitution, Police authorities in Manchester booked them a return ticket to London where John Guest, W.H. Guest's son, made arrangements for their food and accommodation.[397]Considering their precarious financial condition, Begum Jehan agreed to sign a new contract with Mr. Glym James, another showman, who offered to pay them 5£ a week for their performance at the Isle of Man (an island in the Irish sea), in July 1896.[398] However, in the middle of the tour, Begum Jehan had to terminate

[395] Possibly, Guest had larger plans. It is interesting to note that the timeline of Begum Jehan's tour just preceded the Empire of India and Ceylon exhibition–which was scheduled to be held in June 1896. Following up on the first installment of the Empire of India exhibition in 1895, the noted Hungarian impresario Imre Kiralfy organized the Empire of India and Ceylon exhibition in 1896, which included "nautch dancers" from India among other performers. It is highly possible that W.H. Guest wanted to capitalize on the ongoing publicity regarding real "nautch" dancers from India, on the eve of the Empire of India and Ceylon exhibition. This may also provide another explanation for his decision to extend the contract for Begum Jehan's troupe. *Official Catalogue & Guide of the India and Ceylon Exhibition: Earl's Court London, 1896* (London: J.J. Keliher & Co., 1896), 9, 21.
[396] MSA JD, 1897, 184, 945, 5.
[397] MSA JD, 1897, 184, 945, 5-6.
[398] MSA JD, 1897, 184, 945, 6.

her contract to return to London as she was informed that W.H. Guest was finally returning from India. However, neither W.H. Guest nor Syed Imam Hussain ever returned.[399]

On her return to London, however, John Guest accommodated Begum Jehan and Vajir Jehan separately from the remaining two musicians—who initially sought refuge at the Strangers' Home.[400]At the request of the Superintendent of the Stranger's Home (name not stated), John Guest arranged for the return of the musicians.[401]However, he objected to the return of the dancers citing Begum Jehan's ill health, citing doctor's prohibition.

Once the musicians left, things only turned for the worse. Piaree received information that, after the troupe's return from the Isle of Man, John Guest continued to spend entire days at Begum Jehan's residence. One day, he proposed to Begum Jehan to allow Vajir Jehan to be "in his keeping," (or as his mistress) which Begum Jehan "rejected with scorn."[402]Piaree further mentioned that John Guest brought three "syphons" containing "soda water" as medicine, ingesting which for three days Begum Jehan became seriously ill.[403] Piaree noted that John Guest himself administered the prescribed medicines, despite the presence of a private practitioner.

[399] MSA JD, 1897, 184, 945, 6-7.
[400] Established by Joseph Salter, a missionary, the Stranger's Home for "Asiatics, Africans, South Sea Islanders and Others Residing in the Metropolis" aided stranded "vagrants" of London city in the second half of the nineteenth century. In the second half of the nineteenth century, the increased presence of "vagrants" in London (usually from the colonies) became a cause of concern for British society. Joseph Salter, being a missionary, felt that a special establishment for the "strangers" belonging to the "heathen race" was needed as "the habits of strangers are so different from those of our own countrymen." While Salter's prejudice against foreign travelers from the colonies is clearly evident, one must admit that, in absence of government support, Stranger's Home became instrumental in providing resources for stranded South Asians in the second half of the nineteenth century. Stranger's Home was, in fact, instrumental in providing support to South Asian ayahs (domestic maidservants) and often made arrangements for their repatriation, whenever possible. Interestingly, one of the main patrons of Stranger's Home was Maharaja Duleep Singh of Punjab. He remained obedient to the British till 1885 when he started fighting to regain his sovereignty—only to face exile later. For details see Chakraborty, "'Nurses of Our Ocean Highways': 37–64 and Robinson, "Tinkers, Tailors, Vagrants, Sailors," 46 respectively.
[401] MSA JD, 1897, 184, 945, 8.
[402] MSA JD, 1897, 184, 945, 9. Looking at the timeline, it is possible that the two musicians, who returned to India, intimated Piaree about this incident.
[403] MSA JD, 1897, 184, 945, 9.

Unfortunately, Begum Jehan soon succumbed to her illness on 30th August 1896, leaving her minor sister unattended in a foreign land.[404]

Piaree further alleged that, since the death of Begum Jehan, John Guest continuously attempted to obtain the pawn tickets of Begum Jehan's jewelry from Vajir Jehan–which they pledged during their financial constraints at Manchester in early 1896. Therefore, connecting all the dots, Piaree alleged that the conduct of W.H. Guest and his son John Guest was suspicious on four accounts: not leaving the original copy of the first contract (May 1895) with Begum Jehan, abandoning Begum Jehan and her troupe in Manchester without any money or information, John Guest's objection to the return of the Jehan sisters, and not letting Begum Jehan to be admitted to a Hospital.[405]These behaviors, coupled with the sudden death of Begum Jehan just "three days after the departure of the said musicians," Piaree continued, was "full of suspicion."[406] She conjectured that the reasons behind such anomalies "to be no other but to avoid payment of a sum of Rs. 8000 due and owing to the said Begum Jehan under the aforesaid writing of the 15thMay 1895."[407]In summary, Piaree Jehan accused W.H. Guest not only of fraud but also of orchestrating the murder of Begum Jehan in order to avoid paying their due wages.

Working Situation

Piaree's detailed description of the doomed tour of Begum Jehan provides a glimpse of the lived realities of Indian women dancers navigating imperial circuits of performance at the end of

[404] MSA JD, 1897, 184, 945, 10. One, however, wonders how Piaree Jehan came to know about Begum Jehan's death which happened three days after the musicians left for India. While the information about John Guest's misconduct could have been reported by the musicians after reaching, it is not possible for them to report about incidents that happened after they left. Did the Stranger's Home people contact? Or was it, John Guest? Or anybody else?
[405] MSA JD, 1897, 184, 945, 11.
[406] MSA JD, 1897, 184, 945, 11.
[407] MSA JD, 1897, 184, 945, 11.

the nineteenth century. Sadly enough, Begum Jehan's experience was not exceptional. In fact, several incidents of Indian performers getting stranded, duped, and molested were recorded in the second half of the nineteenth century. The precarity of these imperial circuits of performance was caused by a combination of multiple factors of poor working conditions, fraudulent acts of agents, leading to significant impact on their health.

The much-hyped 1884 Liberty's Fair recorded incidents of gross mismanagement by the organizers that resulted in immense hardships for Indian performers. Celebrating the ethos of the stereotypical Indian village system, Arthur Lasenby Liberty organized the Liberty's Fair exposition in 1884. The participants included 40 craftsmen as well as a mother and daughter pair of "nautch" dancers and possibly a boy dancer.[408] However, much to everyone's dismay, the show flopped due to severe mismanagement. London, that year, experienced an extraordinarily harsh winter, which completely derailed the entire arrangement. Contemporary British newspapers reported how the performers visibly "shivered" during their acts and some of them also blamed the organizers for scheduling the exhibition in winter.[409] Despite being promised safe travel, comfortable accommodation, four hours of working, London sightseeing, and salary profits, Liberty performers were "cruelly deceived."[410] The organizers not only made them work longer

[408] While Mathur states that a mother-daughter pair performed at the Liberty's Fair, Prarthana Purakayastha reveals a discrepancy in reporting the number, relationship, and place of origin of the dancers at the Liberty's Fair. Purakayastha's ventures in the Westminster City Archives reveal that, instead of a mother-daughter pair, there were three dancers–including a boy. The other two dancers were women but were neither related to each other nor were they from the same place of origin. For details see, Prarthana Purkayastha, "Decolonising Human Exhibits: Dance, Re-Enactment and Historical Fiction," *South Asian Diaspora* 11, no. 2 (July 3, 2019): 229–32. While Purakayastha does not deliberate much on the non-inclusion of the boy as a dancer, it is indeed telling how gendered the category of "nautch" was for the western media. The "nautch" dancer signified forbidden female sexuality and the presence of a boy dancer could have jeopardized the much-hyped appeal of the Indian dancers to the western audience—hence the omission.

[409] *The Leed's Mercury* (31 October 1885) and *The Dundee Courier & Argus and Northern Warder* (13 November 1885) cited in Jensen, 269.

[410] Jensen, 270. Also note how the hours of their working was fixed almost akin to a wage laborer. A journalist covering the Liberty's Fair reported the poorly furnished and unhygienic condition of the accommodations of the Indian performers in *Daily News*. He went on to provide details of the horrible living conditions Indian performers were

hours but also did not provide adequate clothing for the winter months. To top it all, the organizers refused to pay their dues–leaving them in complete despair and destitution.[411]Being unable to cope with such adverse circumstances, one of the troupe members passed away.[412] In the midst of all this, during the performance, several women performers, including the pair of Indian dancers, were touched inappropriately.[413]A prolonged legal battle between the performers and the organizers later started when they sought compensation for their labor in the English court of law.[414] Thanks to the intervention of Nanda Lal Ghosh, an Indian barrister-in-training, the court finally recognized that a breach of contract indeed had happened–thereby facilitating the award of one month's wage to the performers along with a return passage to India.[415]

Liberty's Fair performers were not the only ones to live in such precarious circumstances. In December 1885, another troupe of forty-four Indian performers arrived in London to perform at the Gaiety Theater.[416] In a rare interview with the troupe, a reporter of the *Pall Mall Gazette* noted that the entire troupe was accommodated in a two-storied house with minimal furniture, located in a "dark, narrow passage."[417] Much like their counterparts in the Liberty's Fair, the troupe members were finding it difficult to adjust to the London winter. In a "long, narrow room," the reporter found "two or three" ladies "cast rather envious looks at the ulsters which the gentlemen wore buttoned up to their throats"—implying that women members of the troupe were particularly

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subjected to. He mentioned that, in absence of beds, many performers slept in empty boxes, which were originally provided to them for sending their hard-earned money back to India. Since the organizers hardly paid them to facilitate any savings, the boxes, therefore, served as the sleeping compartments for the performers in the severe winter months of London. Ironically, despite reporting about the poor working conditions of the Indian performers, the reporter also stated that the Indians themselves "looked about as wretched as any poor mortals could look." Quoted in Jensen, 269.

[411] Jensen, 269.

[412] Mathur (2007), 36-39.

[413] Mathur (2007), 38.

[414] Mathur (2007), 38. Rosie Jensen also provides an in-depth analysis of the British media coverage of the Liberty Store's debacle. For details see, Jensen, 269-272.

[415] Jensen, 271-272.

[416] "A Troupe of Nautch Dancers," *Pall Mall Gazette*, December 10, 1885.

[417] "A Troupe of Nautch Dancers."

unprepared for the cold weather.[418] At one point, the troupe manager himself told the reporter that it was their first time in London and they were finding it to be cold. The reporter recorded several other instances of performers becoming visibly uncomfortable in the new accommodation ("rubbing their hands to get them warm," "not being prepared for visitors").[419] The performers, including the women dancers, kept on throwing "coverings…over their shoulders" as clearly "the cheerful fire which blazed in the grate did not throw out enough heat."[420] The lack of adequate heating arrangements along with limited living space for forty-plus performers in a narrow, dimly lit house shows, once again, the unfavorable circumstances Indian performers were subjected to in the imperial exhibitionary spaces in the second half of the nineteenth century.

Stranded and Abandoned

Besides inadequate and poor working conditions, Indian performers often found themselves stranded without any resources—contributing further to their precarious situation—in various Euro-American metropolitan spaces.[421]In 1881, the first group of Indian dancers traveled to the United States to perform at *Zenana*, a much-publicized show of Augustin Daly, a noted New York-based impresario.[422]The eighteen-year-old Sahebhjan led the troupe consisting of four other dancers–Bhooribai, Vagoirbai, Ala Bundi, and Oondabai (age 12). However, despite the fanfare

[418] "A Troupe of Nautch Dancers." It also provides a glimpse of the gender dynamics within the traveling troupe.
[419] "A Troupe of Nautch Dancers." While the performers seemed to be welcoming the reporter, it, however, felt that they were unprepared for his visit. It was less than twenty-four hours after their arrival and most members were still settling down in their new accommodation.
[420] "A Troupe of Nautch Dancers."
[421]In general, instances of stranding of destitute Indians in different parts of the colonial world became quite common in the second half of the nineteenth century–especially after the opening up of the Suez Canal. "Distressed Hindoos" could be found in Marseilles (1885), Peru and Jamaica (1907) as well. A committee to provide "Relief and Repatriation of Distressed British Subjects" was formed in the early 1900s to provide resources to Indian subjects. Besides Indian subjects, Ceylonese and Canadian circus performers and dancers also sought assistance from the Committee. For a detailed analysis of the relief and repatriation of "distressed" subjects of the British empire, please refer to Robinson, "Tinkers, Sailors, Vagrants, Tailors," 13, 23, 202, 243-44, 303.
[422]Priya Srinivasan, "Death, Citizenship and Law, and the Haunting of the Oriental Dancing Girl," in *Sweating Saris: Indian Dance as Transnational Labor* (Philadelphia: Temple University Press, 2011), Location 719, Kindle.

and publicity, the show flopped. Priya Srinivasan argues that the conflict between the imagined and the real "nautch" dancers disappointed the audience—leading to its failure. Incapacity to generate profit led the organizers to abandon the dancers who were left alone in a foreign country, in cold weather and with no money. Unable to cope with adverse circumstances, two members of the troupe passed away.[423] No record of whether the rest of the troupe members returned to India exists.[424]

In 1899, J.S. Fairlie, an agent based in Charing Cross, London, left a whole troupe of Indian and Sinhalese performers stranded in Germany—including three "nautch" dancers from Madras, Bhar Singh, a migrant Sikh farmer based in Singapore, his wife, and fifteen other people.[425]Eventually they were sent as destitutes to the same Stranger's Home in London—where, a couple of years back, Begum Jehan's accompanying musicians also took refuge. In this case too, the agent Fairlie, despite receiving full payment for the food and accommodation for the troupe, did not pay their salaries and left them in utter penury. The dancers and their families later traveled to Paris—after selling their clothes for travel money—and appealed to the British Consul for their repatriation through Marseilles, but to no avail. They also performed in operas in Paris to generate funds for travel, but their performance was not appreciated much. No further information about the troupe members could be found.[426]In a similar fashion, in 1905, six performers from Bombay were brought to Mauritius on the pretext of work and then left stranded. In 1906, a violinist from Madras, named Doraswamy, was left stranded in London by his manager.

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[423]Srinivasan, "Death, Citizenship and Law," Location 761, Kindle.
[424]Srinivasan, "Death, Citizenship and Law," Location 867, Kindle.
[425]Shweta Sachdeva, "In Search of the Tawa'if in History," 272-73.
[426]Sachdeva, 273-275; Margaret Makepeace, "How an Indian Performance Troupe Found Itself Destitute in London," British Library, *Untold Lives Blog* (blog), February 5, 2015, https://blogs.bl.uk/untoldlives/2015/02/how-an-indian-performance-troupe-found-itself-destitute-in-victorian-london.html; Robinson, "Tinker, Tailor, Vagrant Sailor," 139-142.

Impact on Health

Besides fraudulent and predatory acts of western organizers and impresarios, life, in general, was not easy for Indian performers traveling abroad. Performing for western audiences entailed long arduous journeys on water, hostile weather, unfamiliar language and food while encountering alien audiences. For instance, just before the commencement of the Liberty's Fair in 1885, the two "nautch" dancers fell sick due to the difficult travel. The reporter of *The Era* newspaper, who was covering their welcome event at the Mansion House, noted that the dancers were too ill to even perform for their performance at the occasion.[427] By traveling across oceans, Indian performers also challenged their cultural conditioning and beliefs. Mr. Bonner, the manager of the same tour, conveyed that before the journey commenced, the relatives and acquaintances of the performers expressed their apprehension of their kins and friends to travel across the "Black Water." According to Hindu (mainly upper-caste) worldview, oceans were considered to be *kaalapaani* ("black waters") that caused the loss of *jaati* (or caste) implying social death.[428] They had apparently "smothered" Mr. Bonner's "hands and feet with kisses" and implored him to be good to their friends on their journey across "Black Water" and also on foreign soil.[429]

Given such inadequate living conditions and lack of resources, it is not surprising that the health of several performers deteriorated during the tour–often leading to death. During Augustin

[427] "Nautch Girls at the Mansion House," *The Era*, October 31, 1885, Issue 2458 edition.
[428] *Jaat* implied a certain ritualistic status of purity according to one's position in the Hindu society–which was simplistically translated into "caste" in English. While the notion of "caste" became rigidified in the second half of the nineteenth century, with the enumeration technology of British census making, how far such theoretical notions of loss of "caste" was actually implied on the ground remained debatable. In fact, in order to remove the stigma of the sea voyage, the Hindu Sea Voyage Movement was launched in the 1890s. For details, please see Chakraborty, 'Nurses of Our Ocean Highways,' 40. For colonial reorganization of caste in India, please refer to Nicholas B. Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (New Jersey: Princeton University Press, 2011). Bernard S. Cohn, *Colonialism and Its Forms of Knowledge: The British in India* (New Jersey: Princeton University Press, 1996).
[429] "Nautch Girls at the Mansion House." How far such incidents actually happened is difficult to ascertain as the taboo of "black waters" was more highlighted in western descriptions of Indian social life than was actually practiced.

Daly's *Zenana* show in New York in 1881, two members of the "nautch" dancer's troupe passed away. One was the fourteen-year-old Ala Bundi and the other was the lead dancer Sahebhjan's new-born son, both of whom died of typhomalaria[430] The deaths (not surprisingly) happened soon after the cancellation of *Zenana* from the New York stage owing to bad reviews–implying the mismanagement and carelessness of the organizers.

Given the pattern, it would not be too far-fetched to argue that Begum Jehan might have also succumbed to "acute pthitis" (the archaic form of pulmonary tuberculosis) because of such precarious working conditions. Tuberculosis mostly affects immunocompromised people and one of the main reasons behind compromised immunity is inadequate dietary intake. Since Begum and her troupe was stranded in Manchester without any resources for months, it is possible that her medical condition was either caused or aggravated due to cold weather, stress, lack of nutritious food and assistance.[431] While the exact reason is lost to us due to the limited nature of the sources (and also Piaree allegation about intentional murder), such incidents befalling Indian dancers would not be surprising–while providing a sense of the extent of precarity existing on the imperial circuits of performance.

Politics of Convenience: Nature, Politics, Impact

Much of the continued suffering of Indian performers in the imperial performance circuits can be attributed to the politics of convenience of what I would call the imperial state which sought to benefit from the labor of Indian participants, including women performers, while providing no

[430] Srinivasan, "Death, Citizenship and Law," Location 761, Kindle.
[431] Having said that, one also cannot rule out the possible fabrication of medical reports, given the consulting doctor was assigned by John Guest himself. Since final reports on the case were compiled by the London authorities, who, interestingly, significantly altered the tone of W.H. Guest's statement, one needs to consider these reports with a pinch of salt.

protection for their well-being on these precarious circuits. Drawing upon Frederick Cooper and Ann Stoler's suggestion of looking at the colony and the metropole from the same analytic, I am referring to the state as a body that upholds imperial ideology through different arms and from multiple centers.[432] In other words, my conceptualization of the "imperial state" here includes both the colonial and the metropolitan states and their interaction with one another. A part of the argument wants to establish that the imperial state—constitutive of its colonial and metropolitan centers—along with British media and private individuals participated to various degrees in executing this politics of convenience. This is, however, not to suggest that the collaboration was smooth or without any contradictions. But, at least in the case of Piaree, it seems that the contradictions mostly helped in furthering the imperial ideology.

By politics of convenience, I imply the motives behind colonial policies and attitudes regarding Indian participants, especially women performers, that shifted according to context and benefits. I contend that the imperial state, in collaboration with non-state actors, selectively changed its policies and treatment of Indian women dancers according to their economic and political needs. As long as the labor of Indian women dancers benefited the colonial and metropolitan economy, the state looked the other way—thereby facilitating the exploitation of Indian dancing workers for exhibitions. However, despite benefiting from their labor, the imperial state shirked away from shouldering any responsibility for their safety and security during the tour.

[432] While the concept of the colonial state as a decentralized entity is well-established, the selective representation of the dancers in the colony and the metropole also indicated the essentially scattered nature of the empire—where the political-economic motivations of the metropole did not always translate to the colonies and vice versa. I am still in the process of fleshing this part of the argument. For some discussions on the inherently fragmented nature of empire, see "Introduction" in *Tensions of Empire: Colonial Cultures in a Bourgeois World* eds. Frederick Cooper and Ann Laura Stoler (Berkeley: University of California Press, 1997), 1-37.

Economic motivations

Building on the recent scholarship that points out the educational and economic motivations of world fairs, besides ideological reason of orientalism, the section highlights how Indian participants, including Indian "nautch" dancers, contributed significantly to the politico-economic interests of the British exhibitions, while receiving no assistance from the authorities in matters of any trouble.[433]For instance, the Lord Mayor's statement about the significance of inviting an Indian troupe to England, on the eve of the Liberty's Store fair, established the politico-economic motivations of the government in undertaking such initiatives. The newspaper *The Era* reported that, at Battersea Park in 1885, the Lord Mayor emphasized the importance of such collaborations between "Great Britain" and "her great Indian empire."[434] The Lord Mayor expressed his gratification at receiving such "interesting a company, and expressed a hope that, considering how important it was to bind Great Britain to her great Indian empire, the reception his guests would receive from the public would create a good impression on their minds."[435]Sir Edward Lee[436]further reaffirmed this assertion after the troupe members, including the two "nautch" dancers, presented their performance in honor of Lord Mayor. Edward Lee conveyed to the Lord Mayor that this presentation "was merely an auxiliary, by way of entertainment, to the object that the directors of the Albert Palace had at heart in bringing these people over from India."[437] In fact, the directors wanted to "show what our Indian fellow-subjects were able to accomplish in the way of trade and manufacture, with a view of bringing about a better understanding and communication

[433] Sadiah Qureshi, *Peoples on Parade: Exhibitions, Empire, and Anthropology in Nineteenth Century Britain* (Chicago; London: University of Chicago Press, 2011)
[434] "Nautch Girls at the Mansion House," *The Era*, October 31, 1885, Issue 2458 edition.
[435] "Nautch Girls at the Mansion House,"
[436] Position Unknown.
[437] "Nautch Girls at the Mansion House,"

between the two nations."[438]From the words of Sir Edward Lee, it is clear that the objective of bringing this Indian troupe to London was not for pure entertainment. Instead, the Liberty Store's organizers (with government cooperation) wanted to showcase the skills of Indian artistes, while also economically benefitting from the "show."

Despite all the lofty words and goals, the lives and skills of Indian participants hardly mattered to the colonial state. If one looks closely at the everyday functioning of colonial exhibitions on the ground–starting from forming local and India-level committees, engaging with the Princely States, and hiring people to select and delegate appropriate objects for display–reveals how the balance of the profit was tilted more towards the India Office in London than the Indian participants.[439] While Indian artists often received acknowledgment and appraisal of their works in the form of silver and bronze medals, receiving profits from the sales made from sending their artworks or heirlooms always remained a fraught process.[440]The government seemed to be more

[438] "Nautch Girls at the Mansion House,"

[439]It is interesting to note how only in the matters of restoring objects taken from Princely courts that the government spent adequate time and effort–throwing light on the power shifts happening between the British government and Princely courts in the second half of the nineteenth century. For instance, special attention was provided to seeking information about the model of a mosque the then Rao of Kutch (possibly Deshalji I) had sent for sale and display for the Exposition Universelle of 1855 in Paris. The urgency was also due to the fact that the Rao of Kutch, being dissatisfied with the government's response to his initial inquiry, refused to cooperate with the Bombay government in setting up a local museum in Bombay. For details, see MSA, G.D. 1856, 49, 545, p. 225-235, 'Exhibition Paris.' Similar efforts and attention could be seen in restoring a particular "jewelled" chudder (shawl), belonging to the Late Maharaja of Gaikwad (possibly Khanderao Gaikwad), to the Treasury of Baroda court. Each and every step of returning the "chudder" had been repeatedly communicated and confirmed by the London authorities. For details, see MSA, G.D. 1875, 25, 78, p. M-87-133, 'Exhibitions: Chudda belonging to His Highness the late Guickwar.'In a way, the princely states were in a better position to negotiate with the government regarding receiving payments and information about their objects sent for colonial expositions, than the common people. This was also due to the fact that the colonial government mostly relied on Native Princes for their patronage–both in terms of financial matters as well as enabling local networks to tap artists and craftsmen who would be willing to share their products. As a result, almost every local committee for these exhibitions would have a large no. of princes and nobility elected from the Native States along with a certain class of western-educated Indian elites, like Dr. Bhau Daji, Jamshedji Jeejeebhoy and others. MSA, G.D. 1871, 21, 8, p. M-125-203, 'Exhibitions: International Exhibitions of 1871 and 1872.'

[440]Awarding Indian artists, craftsmen and committee members were quite common, as far as the proceedings from the international exhibitions were concerned. For the Exposition Universelle at Paris in 1855, seven Indian artists/craftsmen from in and around Bombay Presidency (Hurjee Govind, Manackjee Nourojie, Rustomjee Nourojee, Atmaram Vulleram, Purshotum Chilleram, Jaffer, Misree Doodee) were awarded six bronze and one silver medal. For details, see MSA, GD, 1856, 49, 545, p. 215-216. From the South Kensington Exhibition of 1874, seven bronze medals were awarded to "officers and gentlemen," including Indians like Ahmedbhoy Mohemedbhoy, Bulloobhai

prompt in declaring awards than actually dispensing the money generated from selling Indian objects at the exhibitions. For instance, in 1875, Jamsetjee Shapoorjee, Cowasjee Muncherjee and Bhowanishunker Harivalabh complained to the government about the non-receipt of the sale proceeds of their ivory and sandalwood articles sent for the Workmen's International (South Kensington) of 1870.[441]Despite the fact that a well-known Indian physician, Dr. Bhau Daji, presided over the Bombay local committee for the South Kensington Exhibition, their pleas were ignored and it is not clear whether they ever received their payments.[442]The same thing happened also for Framji Pestonji and his team, a group of work-box makers from Bombay, who sent their objects for display at the Vienna Exhibition only to not receive any profits even after several years.[443]Despite being promised payment within one month, they never received any money from the sale of their objects at the Exhibition.

From the above examples it is evident that while the British government was especially attentive and careful towards soliciting Indian participation before government-sponsored exhibitions, they seemed to adopt an attitude of apathy and negligence towards the same participants after the particular event was over. Governmental carelessness appeared starker in cases of wage and sales remission and restoring displayed objects to their rightful owners in India. While direct evidence of dancers complaining or reporting about wage issues seems to be lacking,

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Kustoorchund, Dyabhai Narayandass, Kadur Ahmed, Kursondas Pitambur, Balchund Lucheeram, Balwantrao Wamonrao, Bapu Ally Khan, Lalloo Wullud Khondajidhed, Ramdoo Potna Mochee, Veeraswamy, Guba Samji, Nizam Khan, Wahideena Achar, Abdool Wahad, Adam Waledina, Bucholal, Chait Mengji, Jetho, Munji Khooshal, Sumboo, Sayah. For details, see MSA, G.D. 1875, 25, no. 506, p.M-67-69, 'Catalogues of the International Exhibitions of 1874.'

[441] MSA, G.D. 1875, 25, 590, p. M-179-221, 'Exhibitions: Complaints made by Messrs. Jamsetjee Shapoorjee, Cowasjee Muncherjee and Bhowanishunker Harivalabh for the non-receipt by them of the sale proceeds of their articles sent for the Workmen's International of 1870.'

[442] MSA, G.D. 1875, 25, 590, p. M-179-221.

[443] MSA, G.D. 1875, 25, 124, p. 265-269, M-271, 'Contributions to the South Kensington Exhibitions.' G.W. Terry, who was heading the Bombay local committee for both Vienna and South Kensington Exhibitions, once again, in a stereotypical bureaucratic move, shirked off any responsibility stating that he did what he could do, and responsibility now lay with the London office.

Piaree's allegation of financial fraud can be read in this circumstantial context of governmental negligence. That events of performers left stranded and without any support in cases of fraudulent agents were also reflective of a similar attitude of apathy. It seems that the government was only involved till the time or the occasion of their participation and shirked any responsibility for any events happening after that.

Guest's Narrative: Colonial Bias and Non-Intervention

I argue that the politics of convenience of the imperial state manifested in two different, but interrelated, forms: non-intervention and selective representation. One of the major reasons contributing to the continued plight of Indian performers in the imperial performance circuits was the apathetical, biased, and non-interventionist attitude of the British colonial establishment. Often by not interfering in the (mis)happenings of the tour, the government became complicit in the fraudulent behaviors of the European impresarios. Even when government officials were not directly involved in recruiting Indian performers for small private shows (like in the case of Begum Jehan and her troupe), they continued to provide support to the individual agents, mostly British/European subjects, despite receiving several complaints of the latters' mismanagement over the years. Official proceedings surrounding Piaree's claims further testify to the presence of such a trend. By zooming in on the proceedings surrounding Piaree's petition once again, I argue that the official treatment of W.H. Guest's testimony vis-a-vis Piaree's narrative was an extension of the larger colonial policy of non-intervention. The passive attitude of non-interference as well as inherent prejudice, in effect, was no better than providing active encouragement to the exploitative practices of European agents like W.H. Guest in the imperial exhibitionary circuits in the second half of the nineteenth century.

When Mr. R. H. Vincent, the Police Commissioner of Bombay, found the basic premises and allegations of Piaree to be correct, he forwarded her petition to Mr. Henry Moore, the London Police Commissioner via the Secretary of State for India. Moore soon recorded W.H. Guest's statement. However, Moore's paraphrasing of Guest's statement in his final report differed significantly from the attached original in tone and content. In his original statement, W.H. Guest denied every allegation of Piaree Jehan. First, he did not accept signing any contract prior to their travel from Bombay and placed all the responsibility of contract execution on Begum Jehan as "she was responsible for the others."[444] Second, he denied that he wanted to extend the contract in February 1896 on his own and placed the blame on Begum Jehan again. He also stated that, in contrast to what Piaree alleged, he had made provisions for their remuneration before leaving for India. To quote him,

> On arrival in London I could not get a license from the county council to shew them. I therefore had them on my hands all the time and had to feed them and house them. I sent them to Manchester but *found that they cost more than they took in*.[445] They had a quarrel among themselves and at Begum Jehan's request I settled them up to February 1.[446]

Third, the dancers themselves, and not him, broke the contract by agreeing to perform for Glym James for their Isle of Man performance. While Piaree mentioned Begum Jehan entering into an agreement with Mr. Glym under dire circumstances, ultimately the performance was not held as the troupe was called back to London on the pretext of W.H. Guest's return from India. In Guest's view, by accepting another contract of performance (regardless of its execution), Begum Jehan and her troupe committed the same "breach of contract" that Piaree accused him of. He further alleged that when the plaintiffs could not file a civil suit against him on the ground of breach of

[444] MSA JD, 1897, 184, 945, p. 313.
[445] MSA JD, 1897, 184, 945, p. 313-314. Emphasis mine.
[446] MSA JD, 1897, 184, 945, p. 314.

contract, at the advice of the lawyer Mr. Vellinker, they "tried to get up a criminal one" for sexual misdemeanor and murder.[447] Fifth, in order to make their claims stronger, Guest insinuated that they "got an irresponsible old woman to write a petition stating a lot of untruth evidently with the object of blackmail."[448] Guest insisted that Begum Jehan was aware of all the contracts signed—and, therefore, equally responsible for the proceedings—and he himself had provided Rs. 1600 pro-rata (payable in India) to Begum Jehan in Manchester, before he left for India with Imam Hussain.[449] Finally, W.H. Guest claimed that after receiving summons for this case, he personally arranged for Vajir Jehan's return. But, apparently, Vajir Jehan herself did not want to return to India. Notwithstanding her protests, he personally released her previously pawned jewelry and boarded her in a ship named Paramatta from the Royal Albert Dock—which was scheduled to reach Bombay by February 28th, 1897.[450]

In his report to the Secretary of State, Moore significantly toned-down Guest's rebuttal. While not stated explicitly, Moore seemed to rid Guest of any blame and suggest that whatever unfortunate circumstances the dancers faced were accidental and not due to anyone's fault in particular. Moore, for instance, highlighted how Guest was apologetic for the unfortunate experiences Begum Jehan and her troupe faced. In Moore's words,

> He (Guest) *expressed regret for any neglect that had been caused Wazir Jehan or any other member of the troupe* whilst he had been away; although he repudiates any liability after they broke the agreement in July last by engaging themselves to other showman, named James (see report of 11th December; page 5) with whom they went to the Isle of Man.[451]

[447] MSA JD, 1897, 184, 945, p. 315.
[448] MSA JD, 1897, 184, 945, p. 316.
[449] MSA JD, 1897, 184, 945, p. 314.
[450] MSA JD, 1897, 184, 945, p. 317.
[451] MSA JD, 1897, 184, 945, p. 300-1. Emphasis Mine.

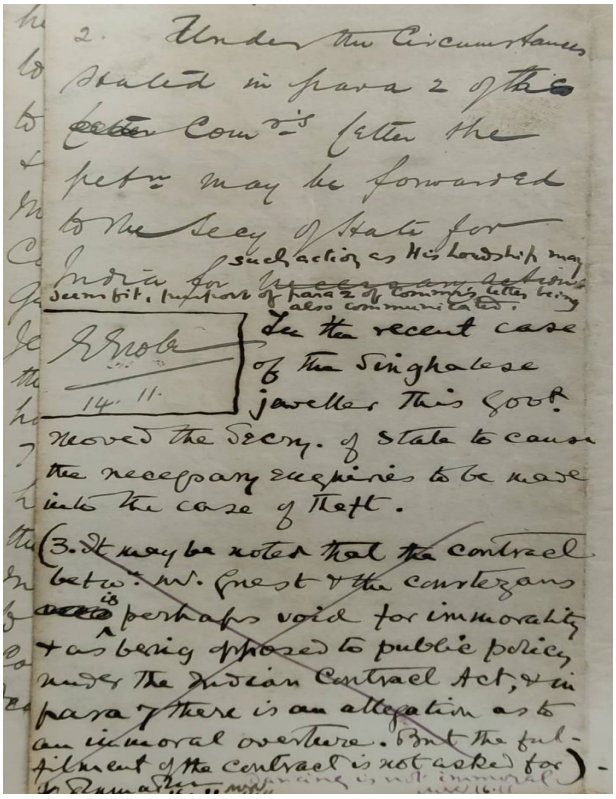
Guest, however, made no such apologies in his statement and was, in fact, quite blunt in his rebuttal. In Moore's version, Guest accepted that he was the one responsible for the food and accommodation for the troupe members, according to the contract signed. But in his own statement, Guest implied that he was doing a favor by arranging resources for the performers instead. Further, his use of the phrase "found that they cost more than they took in" clearly displayed his pecuniary attitude towards the performers—much in contrast to what Moore suggested.

Moore's different representation of Guest's testimony can be seen as the imperial center's complicity in such fraudulent behaviors of European agents. By prioritizing European men's claims over the allegations of an Indian dancing woman in such cases, the officials facilitated their discrimination in the hands of fraudulent European agents. This indirect support from state machinery in the metropole enabled agents like Guest to continue their trade without any repercussions. Guest's statement seemed to be quite decisive in this case, as no other official inquiry was ordered after that. The presiding senior officer, Mr. Richmond Ritchie stated that "Apparently the story is *now* complete"—possibly implying the closure of the case.[452]

Prejudice

[452] MSA JD, 1897, 184, 945, p. 311. Emphasis Mine. No further communication on this case could be found in succeeding files at MSA.

A crossed-out section of the official correspondence forwarding Piaree's petition to the Secretary of the State in India (see image on the side), once again, documents how state officials, be it in the colony or the metropole, were predisposed towards a resolution that favored the British agent than the Indian dancers.


2. Under the circumstances stated in para 2 of the letter Com^rs letter the petr^r may be forwarded to the Secy of State for such action as His Lordship may deem fit. Copy of para 2 of Comm^rs letter, being also communicated.

See the recent case of the Singhalese jeweller this Govt moved the Secy. of State to cause the necessary enquiries to be made into the case of theft.

(3. It may be noted that the contract betw^n W. Guest & the courtezans is perhaps void for immorality & as being opposed to public policy under the Indian Contract Act, & in para 7 there is an allegation as to an immoral overture. But the fulfilment of the contract is not asked for)

Figure 3.1: The crossed-out section of the official proceedings following the forwarding of Piaree's Petition to the Secretary of the State. At the very last line, it is written that "dancing is not immoral." Source: the Maharashtra State Archives, Mumbai.

In the crossed-out section, the officer named S. Nobb, writing from Bombay, added a paragraph, almost as an afterthought, stating that the contract between W.H. Guest and Begum Jehan (whom he addressed as "courtezans"—synonymous with prostitutes at the time of the writing of this petition) can be dismissed on the grounds of immorality and for "being opposed to public policy under the Indian Contract Act." Nobb argued that since paragraph seven of Piaree's petition also hints at immorality—pertaining to John Guest's offer of having Vajir Jehan in his "keeping"—this contract can very well be nullified. But apparently, nobody appealed for the fulfillment of the Indian Contract Act, Nobb noted. Interestingly, this paragraph was crossed out by a different person or at a later date—given the difference in the ink color—and a sentence stating "dancing is not immoral" in pencil was added.[453]

[453] MSA JD, 1897, 184, 945, p. 238.

Nobb's line of argument about the dismissal of Begum Jehan and W.H.Guest's contract on the grounds of immorality is significant. Given that the association of Indian women dancers with sexual promiscuity was nothing new in colonial discourses, the ground for immorality here was based on the singular event of John Guest's proposing to "keep" Vajir Jehan as his mistress, followed by Begum Jehan's rejection of this proposal. Even in a case where there was clear rejection on the part of the dancers, the implication of the charge of immorality fell on the dancers only. It is, therefore, evident that the dancers were at the receiving end—if not more vulnerable to the advances of John Guest—in this arrangement. But Nobb's argument, instead, solely places the responsibility of immoral behavior on the dancers indirectly (by virtue of being "courtezans")—which would, in turn, nullify their contract and disqualify them from claiming their dues. The pervasive assumption of Indian dancers as women of questionable character/prostitutes implied that even if John Guest initiated this proposal, it must have been due to the dancers' advances in the first place.

If proven right, such implications could have served two purposes. First, grounds of immorality would have nullified the contract between Vajir Jehan and W.H. Guest according to the Indian Contract Act (as "immoral" behaviors were against public policy according to the Act) and made it impossible for Piaree to claim their dues of 8000 rupees.[454] Second, this would have,

[454] It is cited in Wharton's Law Lexicon that "a contract may be illegal, because it contravenes the principles of the Common Law, or the special requirements of a statute. The former illegality exist whenever the consideration is founded upon a transaction which violates public policy or morality." John Jane Smith Wharton, *Wharton's Law Lexicon: Forming an Epitome of the Laws of England Under Statute and Case Law, and Containing Explanations of Technical Terms and Phrases, Ancient, Modern, and Commercial, with Selected Titles from the Civil, Scots, and Indian Law* (Stevens, 1916), 207. As Indian Contract Act of 1872 also fell under the English common law, the same condition applied for contracts executed in India too. In this particular case, if the petitioning party of Piaree Jehan and her granddaughters could be proved to be "courtezans," their contract (and their claims based on the contract) could be nullified as contract enforced for exchange of sex was regarded as "contrary to public policy" in English common law system. Hence, the attempt to capitalize on the "immoral overture" initially to be later followed up with the contrary opinion of dancing not qualifying as an "immoral" practice. This contradiction had been central to the colonial conceptualization of Indian women performers throughout the nineteenth century, within India and abroad. I am particularly grateful to Prof. Mitra Sharafi for this insight.

once again, provided the justification for constructing Indian women dancers as sexually promiscuous—thereby, rendering their claims as false and justify denying the wages of their labor. Only that, this time, it did not work out--as the officials, for some reason, determined that the act of dancing is not immoral.[455]

Context

Such instances of passive endorsement of private agents can be placed within the larger context of the non-interventionist stance of the India Office towards stranded people from the Indian subcontinent in the metropole in the second half of the nineteenth century. Rozina Visram has shown how lascars (seamen) and ayahs (maid servants/nannies) of Indian subcontinental origin, who frequented the metropole since the seventeenth century, often suffered abandonment, destitution and government negligence.[456]In the second half of the nineteenth century, the opening up of the Suez Canal provided more opportunities of mobility for British subjects in the subcontinent—ranging from performers and craftsmen to students, politicians and revolutionaries—who often faced the same fate as the lascars and ayahs in the previous decades.

Amy Elizabeth Robinson argues that such a non-interventionist stance of the state towards "colonial sojourners" was essentially racialized—as is also evident in the attitudes of Mr. Vincent in London and Mr. Nobb in Bombay.[457]Robinson shows that, while the consular officers could hardly grapple with the diversity of people entering the metropole—which, in turn, explains the inconsistency in the policies—it also demonstrated how different rules applied to Europeans and

[455]One can definitely probe this further to think about these continuous tensions existing within the colonial structure about the dancers.
[456]Rozina Visram, *Asians in Britain: 400 Years of History* (London; Sterling: Pluto Press, 2002), 2, 11, 51.
[457] Amy Elizabeth Robinson defined "colonial sojourners" to designate "varied, contingent, multi-directional nature of global colonial mobility." Robinson, "Tinker, Tailor, Vagrant, Sailor,"4.

people from the colonies. For instance, while the European Vagrancy Act (1874) applied in rehabilitating pauper Europeans in India, no such similar legal provisions existed for stranded Indians in England.[458]To make matters worse, the expenditure for repatriating Europeans came from the India government's funds (maintained from taxes derived from Indian people) while similar funds for returning Indians were not available in the metropole. In fact, as Robinson points out, the very fact that the British government deliberately stayed away from devising a "law"—provable in court—implied their disinterest in undertaking any official responsibility for stranded Indians in England or elsewhere. Instead, they devised policies, in contrast to formally written legislation, and established informal networks of support like the Stranger's Home.[459]Lack of enforceable law in such contexts of fraudulent behaviors of impresarios, therefore, forced the likes of Begum Jehan and others to meet similar unfortunate ends.[460]

Politics of Convenience: Gender and Selective Representation

Colonial policy of non-intervention was very much gendered too. Satyasikha Chakraborty shows how the lax attitude of the state towards South Asian ayahs in the metropole was essentially gendered when compared with male South Asian servants and lascars. Unlike the East India

[458] Robinson, "Tinker, Tailor, Vagrant, Sailor," 50, 122.
[459] Robinson, "Tinker, Tailor, Vagrant, Sailor,"180.
[460] But even then, such measures were motivated more by self-interest than the well-being of the colonial people. The British government was much more invested in "repatriating" stranded people from the colonies than "removing" them. While "removal" meant the deportation of the stranded travelers to any other place than the metropole—which people often preferred— "repatriation" entailed their return to the country of 'origin,' usually implying places within the Indian subcontinent. Leaving them at any other point than their country of origin meant more trouble for the officials as often the travelers found their way back to the metropole—either to stay or to use it as a middle point in their continuing journey. Nonetheless, the repatriation efforts also had specific colonial interests in mind. Many feared that any mishaps happening to the subjects from the colonies in the metropole would tarnish their image in public. Hence, the consular office always remained in a hurry to repatriate the colonial travelers. Once the process of repatriation was completed or, at least, initiated, officials swiftly shirked off their responsibility, without bothering to find out if the travelers actually made it back to their country of origin. Hence, it is not surprising that once W.H. Guest submitted the ticket for Vajir Jehan's return journey to Bombay in the subsequent correspondence, Henry Moore, the London Police Commissioner, decided not to pursue the case any further.

Company in the first half of the nineteenth century—which had regulations in place against abandonment of ayahs in the metropole—direct rule of the British crown restricted state intervention within the 'private' sphere of the British employer and the South Asian ayah. In contrast, however, the colonial state remained very much engaged in surveilling every move of male South Asian servants and lascars owing to the prevalent racialized sexual anxiety of 'colored' men seducing white women. By relegating the recruitment of South Asian ayahs to the realm of the 'private' sphere, hence beyond its legal reach, the colonial state ensured greater freedom for the employers and increased precarity of the lives of the ayahs.[461]

This gendered angle of the colonial policy of non-intervention assumes different significance for Indian women performers, however. Unlike the ayahs, who worked within the domestic sphere of the Victorian home, Indian dancing women performed in public. The non-interventionist stance of the state continued for the performers—as evident through Piaree's petition's response. But it was further complicated by the optics of orientalism, as well as the state's opportunistic politics surrounding Indian dancing women's non-normative 'deviant' sexuality–leading us to the second method of articulation of the politics of the convenience—selective representation of the sexuality of the Indian women dancers in India and Britain.

I argue that while the metropolitan state, along with the British media, intentionally deployed the hypersexualized–equally alluring and threatening–oriental image of the "dancing girl" from the East to promote their exhibitions, it deliberately suppressed the threatening criminalized association of the Indian dancers' sexuality in its advertisements in the metropole. This, again, was in sharp contrast to the British attitude towards dancers in India at the end of the

[461] Chakraborty, "'Nurses of Our Ocean Highways': 37–64.

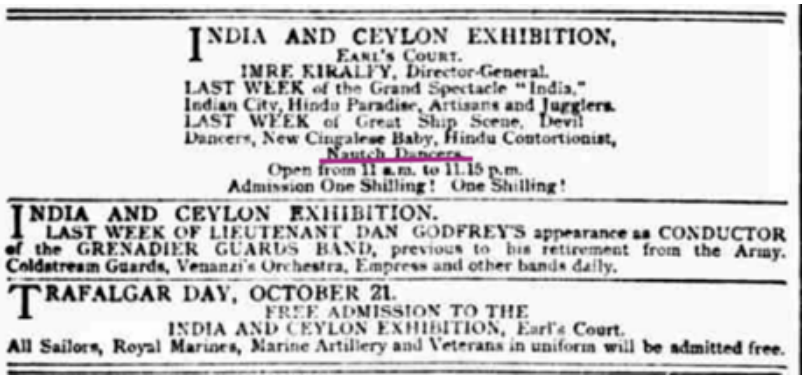
nineteenth century–which, almost, unilaterally associated them as "common prostitutes." But, in the metropole, the supposedly 'criminal' side of the sexuality of the Indian "nautch" dancer was essentially downplayed to not stilt the revenue flow for the metropolitan economy.[462] This portion of the section, therefore, fleshes out the supposed colonial contradiction of the hyper-sexualized but not criminalized depictions of the Indian women dancers in the British media in the metropole in the second half of the nineteenth century. In other words, while the orientalist depiction of Indian women dancers erased their identity as professional creative workers and made them more vulnerable to sexually predatory behaviors abroad, it also distanced them from their criminalized association with sex work–in order to continue benefitting from their labor.

Besides European travel accounts of India, orientalist narratives in describing Indian dancing women abounded British media representations. Even when attempting to genuinely document the lived realities of Indian dancers abroad, British reporters exoticized the dancers. For instance, in a rare interview of Indian dancers in the *Pall Mall Gazette* in 1885—the same year of the Liberty's Fair debacle—the reporter continuously described Indian dancers as "dark-skinned beauties," and India as a "jungle"—while also commenting somewhat derogatorily about using garlic in their food.[463]It is also striking that most of the reporters did not, in the slightest, feel the need to name the dancers.[464] Instead, they focused primarily on their physical features. The *Pall Mall Gazette* reporter, for instance, stated the following,

[462] I understand and acknowledge that this part of the argument is not substantiated well with evidence from primary and secondary sources. I am hoping that future revisions of this chapter will be able to address this issue.
[463] "A Troupe of Nautch Dancers," *Pall Mall Gazette*, December 10, 1885.
[464] While the omission of names can very well be because of the dancers' unwillingness to be named, it, however, seems likely that, to the reporters, the dancers' appeal was not in their personhood but more in their physicality.

> So we left them to their chests and mattresses, with a hope that the garlic would be savoury...and the eyes were met by four of the Nautch young ladies in slight déshabbile,[465] clad in dark draperies and light Indian gauzes, with a look of curiosity in their great black eyes. Having been presented at the top of the stairs to the ladies with the jet black hair, the gazelle-like eyes, the ivory teeth, with rings in their noses, rings in their ears, bangles on their wrists, and bells on their toes..."[466]

It is important to note how the reporter provided a detailed description of the decorated body parts of the "nautch" girls without ever mentioning their names. Following this, he also went on to narrate his encounter with another "nautch" dancer—whom he referred to as the "dark sister, from the flowery East."[467]While he specifically mentioned how she was delighted ("I saw the light gleam in her eye") to communicate in Hindustani with him before she presented a performance in his honor, even then he did not mention her name and credentials.[468] The omission of names of the dancers stood in sharp contrast to the names of Dr. Poole, the impresario, and Mr. Nazir, the troupe organizer, which were repeatedly mentioned in the report. Even when dancers were praised in British media representation, the omission of their names converted them to only objects of orientalist desire.


INDIA AND CEYLON EXHIBITION,
EARL'S COURT.
IMRE KIRALFY, Director-General.
LAST WEEK of the Grand Spectacle "India,"
Indian City, Hindu Paradise, Artisans and Jugglers.
LAST WEEK of Great Ship Scene, Devil
Dancers, New Cingalese Baby, Hindu Contortionist,
Nautch Dancers.
Open from 11 a.m. to 11.15 p.m.
Admission One Shilling! One Shilling!

INDIA AND CEYLON EXHIBITION.
LAST WEEK OF LIEUTENANT DAN GODFREY'S appearance as CONDUCTOR of the GRENADIER GUARDS BAND, previous to his retirement from the Army. Coldstream Guards, Venanzi's Orchestra, Empress and other bands daily.

TRAFALGAR DAY, OCTOBER 21.
FREE ADMISSION TO THE
INDIA AND CEYLON EXHIBITION, Earl's Court.
All Sailors, Royal Marines, Marine Artillery and Veterans in uniform will be admitted free.

Figure 3.2: Advertisement for the India and Ceylon Exhibition of 1898. Source: The *Westminister Gazette*.

[465] That means they were not ready to entertain visitors which betrayed the reporter's expectations from the dancers. It may also mean that possibly the dancers were not informed about the interview priorly, or they simply did not have separate clothes for entertaining visitors.
[466] "A Troupe of Nautch Dancers."
[467] "A Troupe of Nautch Dancers."
[468] "A Troupe of Nautch Dancers."

Such descriptions of "nautch dancers'" bodies without names continued in the government-sponsored international exhibitions as well. Imre Kiralfy organized the first Indian and Ceylon exhibition in 1898 featuring Indian dancers. The images included are snippets of newspaper advertisements in Westminster Gazette in 1896 which only included "nautch" dancers, instead of specific names of the performers, as one of the attractions of the India and Ceylon Exhibition.[469]

Such depersonalized accounts of Indian women performers effected the erasure of their identity as creative laborers. Deliberate erasure of names denied the reader/audience any insight into their subjective locations as performers–like their place of origin, expertise in any particular dance form, communities they belonged to–all of which contributed to the formation of their identity as independent performing artistes.[470]In addition, their social location also impacted the vision and execution of their choreographies–the presentation of which earned them their remuneration, both in India and abroad. But the oriental category of the "nautch" flattened out all the heterogeneity Indian performing women exhibited–in terms of their personal and professional

[469] "Advertisement," *Westminster Gazette*, October 20, 1896. This trend, however, changed in the 1920s when possibly for the first-time Indian dancers' identity was mentioned in a newspaper report. Apparently, a troupe of Manipuri dancers (from the current north-eastern Indian state of Manipur) presented *raas*—a particular genre of performance—in 1921 Calcutta. While there is no mention of dancers' names yet, regional and ethnic markers in reporting Indian women performers—that too in faraway Calcutta—in the British media based in London implied a significant departure from the late nineteenth century. Of course, by the 1920s, a lot has changed in the Indian dancing scenario—but elaborating on that theme is beyond the scope of this dissertation. "Nautch Girls' Dance," *Leeds Mercury*, December 29, 1921.

[470] This is especially relevant as we have seen in the second chapter, the name of the dancers revealed a lot about themselves–their profession, the community they belonged to, the place they originated from and other details. Failure to name erases such distinctive markers of individual and communitarian identity of the dancers.

lives and training–and reduced them only to beings with (extremely desirable while simultaneously threatening) sexuality.



Figure 3.3: Advertisement for the India and Ceylon Exhibition of 1898. Source: The *Westminister Gazette*.

Representing the dancing body of the Indian woman performer only through the prism of sexuality also fails to properly comprehend the aesthetic and spectatorial pleasure a dance performance evoked (both for the creator and the audience) as well as the rigorous training and labor required over years to generate such appeal. By disregarding their names, personhood, and choreographic elements of the dancing body–which finds no mention in British media representations– and by reducing the aesthetic labor of creating dance as a garb of sexual role play, the colonial gaze effected a corporeal erasure of the Indian dancers' labor in the British stage in the late nineteenth and the early twentieth centuries.

In addition, reducing the creative contribution of the Indian women dancers to only a sexualized spectacle increased the vulnerability of Indian dancers to predatory sexual advances in the exhibitionary circuits. Depersonalized and sexualized accounts of Indian women performers in the metropole established the idea of Indian women dancers as sexually promiscuous. From the late 1880s, opinion pieces on the Indian "nautch" dancers increasingly centered on both explicit and implicit condemnation of their 'deviant' sexuality and constituted the basis of critiquing and rejecting their performances. For instance, in a sarcastic take on Indian "nautch" dancers looking for "unobjectionable young men" to marry in Madras, the reporter contended how such efforts at domesticating Indian dancers would be rendered futile as competition within their group would

eventually lead them back to their "profession."[471] By "profession," the reporter meant the practice of receiving patronage from multiple men–a commentary on the moral turpitude of dancers–and not their actual profession as performing artistes. Undoubtedly, such moralistic jibes regarding the non-normative lives of the dancers fitted well into the overall antagonistic ideas generated around dancers, especially, in the wake of the implementation of the Contagious Diseases Act and the rise of Anti-Nautch movement in India. This idea of the dancers having "loose morals" encouraged the audience to misbehave with the performers or come up with inappropriate proposals. For instance, during the Liberty's Fair, two primary dancers of the troupe were inappropriately touched during a scuffle with audience members.[472]

Often, failure to adhere to the hyper-sexualized notion of the Indian "nautch" led to the audience's disappointment. The fact that most dancers were fully clothed and danced to an oft-described "monotonous" tune in circles and "weird" rhythms dashed the hopes of many audiences who hoped to find scantily-dressed provocative performances, as was documented in the 'inspired' operatic versions of the nineteenth-century British stage.[473]This subtext of sexuality, I would argue, was also the reason behind John Guest's audacious offer to have Vajir Jehan as his "keep" which her elder sister, Begum, refused "with scorn." The notion of sexual deviance and promiscuity of the Indian dancers was so ingrained that it was probably taken for granted that any dancer would be inclined to provide sexual services as required by the agents and audience during the tour, especially when they were in dire need of money, as Begum Jehan was when John Guest

[471] "Nautch Girls' Aspirations," *Globe*, August 20, 1894.
[472] Purakayastha, "Decolonising Human Exhibits,"13.
[473] Srinivasan, "Death, Citizenship and Law," Location 761, Kindle. In a similar vein, Rosie Jensen argues that the performance of the real "nautch" dancer in the metropole exposed the fantasy of the "oriental nautch," by being completely different than they were expected to be. The unfamiliarity with the dress, music, lyrics, percussion and choreography mostly baffled the audience–thereby, challenging the hypersexualized and gendered representations of Indian women performers among western audiences. For details, see Jensen, "India in London," 239-242.

made the proposal. In this way, the depersonalized and sexualized portrayal of Indian "nautch" dancers contributed to their increased vulnerability to sexual assault and misdemeanors in the already precarious circuits of western exhibitions.

Yet, despite the obvious pitfalls, this sexualized representation of Indian "nautch" dancers was only teased out to the extent that the British audience could digest. In other words, the sexual appeal of the Indian "nautch" dancers was highlighted only to the level where it was able to generate interest and revenue and never stretched to the extent where people would be threatened by it and reject the shows altogether. Although dancing in nineteenth-century Britain was always a matter of contention given its overlaps with the discourses on morality, some spectators were inclined to situate the Indian "nautch" performers to be occupying a position between the "wallahs" (prostitutes) and the professional ballet dancer.[474]As a result, none of the British media representations of Indian women dancers in the metropole ever mentioned their direct association with slave trafficking or sex work as they did in India–thereby, exposing the clearest instance of the politics of convenience played by the colonial state. Nowhere was the supposed association of Indian dancing women with prostitution, in particular, made explicit. Instead, the focus was placed on their eroticized dancing.

Otherwise, how can one explain that the same dancers who repeatedly raised suspicion among official circles for engaging in illicit sexual relationships with British soldiers and spreading venereal diseases were not required to undergo genital examination (as applicable under the Lock Hospital Regulations) before commencing their journey to the metropole?[475]Why did suddenly the

[474] Jensen, "India in London,"233.

[475]This line of argument is mostly based on the lack of mention of any venereal diseases' examination prior to the journey in Piaree's petition or any newspaper reports or any official proceedings that I have consulted. I have also not come across any mention of such examinations in the existing scholarly work on the topic. I hope future research in this direction addresses and explains this contradiction in newer ways.

threat of inter-racial sexual encounters with the dancers (carefully implied under the official concern for the spread of venereal diseases) disappear when the dancers were imbricated within the economic logic of imperial exhibitions? I argue that while the artistic identity of the Indian woman performer was relegated to the background in her framing as a criminally inclined slave-trafficker and prostitute within the anti-slavery and Contagious Diseases Act debates in India respectively, it was carefully curated and highlighted in the metropole to satiate orientalist desires of the audience while also generating economic profit. Hence, not a single government-sponsored exhibition pamphlet–including "nautch" performances and media advertisements in the last decades of the nineteenth century mentioned the controversial association of Indian women dancers with prostitution.

Reading 'against' the petition

Besides exposing the politics of convenience of the colonial state, reading 'against' the official proceedings surrounding Piaree's petition also capture, albeit fleetingly, how Indian women dancers claimed spaces for themselves, amidst the precarity of imperial exhibitionary spaces in the second half of the nineteenth century. First, Piaree was aware of her legal rights and knew the process of achieving them, given how she navigated the bureaucratic process of lodging colonial petitions. This runs contrary to the multiple narratives of the "victimhood" of Indian women dancers where no space has been granted to dancers negotiating multiple levels of colonial bureaucracy, both in India and abroad in some of the existing scholarship.

Piaree's recourse to legal petitioning as a way of articulating grievances also symbolized how dancers started looking at the colonial state as a legitimate source of authority and dispenser of justice. This is indeed interesting as, going by the earlier practice, the authority implementing

justice also served as a cultural patron—mostly for courtesan communities as well as women performers tied to Hindu temples.[476] Such was not the case with British rule. Instead of being a patron, colonial legal interventions severely affected the lives and livelihood of most dancing communities by the second half of the nineteenth century. Therefore, relying on the colonial system of justice for grievance addressal seemed to be peculiar.

In that sense, Piaree's petition qualifies as what Julia Stephens would argue as "personal pleas" to the colonial state for justice.[477]Stephens contends that visualizing the state as an "imperial guardian" was often a ploy of the poor to redress grievances and also breach the distance posed by the concept of an abstract state. While such personal pleas hardly succeeded, they fulfilled an 'emotive' function while exposing the contradictions embedded within the juridical structure of the empire. That is why Piaree's articulation of her grievances and claims indicate a certain sense of personal engagement of a subject with the state.

Second, building on the argument of the "emotive" function of personal pleas, I contend that Piaree's usage of the language of kinship for self-articulation was strategic. The very instance of Piaree, a grandmother seeking justice for her granddaughters, one no longer alive and another disappeared, illuminated the family networks of Indian women dancers. Indian dancing communities existed in quasi-matrilineal family structures, where barring female progeny, young girls were either 'purchased' or adopted by older "dancing girls' " as daughters and disciples. The induction into discipleship entailed long-term training in the arts and also registered their rights on

[476] As princely courts also patronized most temples. Davesh Soneji, *Unfinished Gestures: Devadásís, Memory, and Modernity in South India* (Chicago: University of Chicago Press, 2012), 68-69.
[477] Julia Stephens, "A Bureaucracy of Rejection: Petitioning and the Impoverished Paternalism of the British-Indian Raj," *Modern Asian Studies* 53, no. 1 (January 2019): 177–202.

the property of their adoptee mother figures.[478] The relationship between the mistress and the trainee or the disciple was more akin to an intimate relationship between a mother and a daughter, or a grandmother and granddaughter. No such hierarchies existed between biological and adopted girls. Piaree's ardent appeal on behalf of her granddaughters exhibits such an intimate emotional bond. Here, she is not only talking as their kin (as a grandmother) but also as their teacher—seeking justice on the account of losing a family member as well as a disciple and a source of income for the family. Her claim of the due wage also stemmed from the fact that given her age—which perhaps makes her the leader of her community—she was also responsible for other members of her family. Losing a family member, who also earned for the family, meant an economic setback for the family too, and as the head of the household responsible for everyone's wellbeing, Piaree's urgency to claim those 8000 rupees is understandable.

At the same time, couching her appeal in the language of kinship had its own appeal. Given that the colonial government was still ambivalent about native customs and kinship networks, Piaree sought to use the same internal language of kinship to make her appeal stronger. A lot of ambiguity in the official policies of the British government in intervening in the indigenous "customs" of Indian prevailed even after the establishment of direct rule (post the Queen's Proclamation in 1858), resorting to the language of native practices often allowed some space for the petitioning subaltern to negotiate.[479] It would, therefore, not be too far-fetched to notice a pattern in Piaree's articulation of her demands in the same language of custom and kinship rights.

[478] As Janaki Bakhle has pointed out, till the nineteenth-century, practice of music (and dance) was restricted within hereditary practitioners. Therefore, it follows naturally that once made part of the kin provided the adopted child the opportunity of training and continuing the artistic legacy. For Bakhle's argument, please see Janaki Bakhle, *Two Men and Music: Nationalism in the Making of an Indian Classical Tradition* (New York: Oxford University Press, 2005).
[479] Jon Wilson, *The Chaos of Empire: The British Raj and the Conquest of India* (Public Affairs, 2018).

If we apply the logic of negation, the appeal and importance of kinship linkages are all the more realized when W.H. Guest strongly denied that connection. Besides his strong rebuttal of Piaree's allegation, Guest went on to claim that Piaree had no such connection with Begum and Piaree Jehan and someone else had paid her money to pose as their grandmother.[480] In other words, Guest claims Piaree to be an imposter, questioning the same ties of kinship that Piaree uses to claim her/their justice.[481][482]Guest's allegation of Piaree Jehan's posing also rests on the assumption that she could not act on her own. Guest cannot accept that a grandmother (supposedly old) of questionable repute (as all dancers were at that point in time) can be so articulate in her demands while seeking justice for her granddaughters. This is simultaneously an attempt to erase Piaree's voice, existence and kinship linkage both on the ground of age, gender and race. The fact that Guest was compelled to deny the kinship link between Piaree and Begum and Vajir Jehan implies the plausibility of the presence of their relationship. The very act of denial testified to the kin link between Piaree and her unfortunate granddaughters.

Third, Piaree's statement about John Guest's misdemeanor and subsequent death of Begum Jehan indicates how Indian women dancers retained their rights on their bodies and labor, even in precarious situations. For instance, when John Guest proposed to have Vajir Jehan as his mistress, Begum Jehan apparently "rejected with scorn."[483] Given the circumstances, it must not have been easy for Begum Jehan to reject John Guest's proposal for her sister. When they were stranded in Manchester, as no communication from W.H. Guest could be received, the only support and resources for accommodation came from John Guest; which would have made it difficult to say

[480] MSA JD, 1897, 184, 945, p. 316.
[481] MSA JD, 1897, 184, 945, p. 316.
[482] Guest alleged that they "got an irresponsible old woman to write a petition stating a lot of untruth evidently with the object of blackmail."
[483] MSA JD, 1897, 184, 945, 9.

no to his advances. But even in such a circumstance, Begum Jehan did not lose her resolve and stood her ground. Nonetheless, by rejecting Guest's advances, Begum Jehan made it evident that they were there for performances, and not for casual sexual arrangements. By doing so, Begum Jehan, restored their claims on their bodies, sexuality and their identity as performing artistes, which their hyper-sexualized, passive, orientalist representations left no room for. Begum Jehan's standing up for Vajir Jehan also can be read as how female-centric kinship functioned as a congealing bond among the members of the Indian dance communities. It also shows how kinship can be a powerful tool for forging community, asserting identity, rejecting sexual advances and resisting injustice. Just like Begum Jehan stood up for her minor sister Vajir Jehan, Piaree Jehan similarly stepped out to seek justice for her granddaughters. Kinship formed the bond across generations and provided strength in face of danger.

Last, close reading of Piaree's petition also reveals how dancers repeatedly attempted to assert their identities as professional performing artistes—both directly and indirectly. Piaree in her final statement claimed that the entire ploy of murdering Begum Jehan and leaving them stranded without any communication was hatched to avoid payment of "a sum of Rs. 8,000 due…*under the aforesaid writing* of the 15th May 1895."[484]Piaree's claiming of dues by referring to the initial contract establishes that, irrespective of whether or not the Indian Contract Act or the organizers of international exhibitions considered dance as labor, Piaree and her granddaughters considered performing as a professional endeavor. While dancers and artists participating in the imperial exhibitionary spaces were not considered to be laborers for "hire,"[485] Piaree's repeated

[484] MSA JD, 1897, 184, 945, 11. Emphasis mine.
[485] For instance, official correspondences surrounding the London exhibition in 1895 clearly stated that the artisans involved would not be treated as "laborers" or "emigrants." MSA, G.D. 1895, 91, 'Artisans Engaged in London Exhibition are not Laborers or Emigrants.'

claims of financial remuneration based on a formalized contract demonstrate a 'different' idea of their self-identity.[486]The sustained emphasis of Piaree on the professional identification of her granddaughters as creative laborers (who earn their livelihood by performing abroad on a contractual basis) was all the more significant, given they were only reduced to their non-normative sexual identity by the colonial state in late nineteenth-century India.

Indirectly, Indian dancing women reclaimed their identity as professional performing artistes by not catering to the orientalist desires of the western audience in imperial exhibitionary spaces. By not changing their costume, repertoire, choreography, and music for the audience abroad, I argue, Indian women dancers refused to be reduced to just an oriental spectacle. In other words, the confusion and discontent among the audience that gradually started crawling in after a barrage of "nautch" performances in the metropole explain the success of maintaining the "authenticity" of the original choreographies.[487] Complaints about Indian dancers stomping their feet as elephants to "monotonous" music or "simply perform[ing] a few very slow and uninteresting [movements] with much waving of their large ugly hands" became more and more frequent.[488] In 1891, the *Illustrated London News* reported that the Indian dancers were "a rather dull and tedious spectacle… their languishing glances would not seem particularly seductive to men of a Western race."[489]Some concluded that "nautch" performances were "not at all worth

[486] MSA JD, 1897, 184, 945, p. 238. Interestingly, the Indian Contract Act did not contain any special clause on contracts made for imperial exhibitions—involving both Indian artisans and craftsmen. In fact, clause 23 of the Indian Contract Act--which discussed the conditions of voiding agreements--was invoked by one of the officials presiding over Piaree's case. Citing John Guest's "immoral overture," he argued that Piaree's claims could be rendered null and void as the dancers were essentially "courtezans" (implying prostitutes) and contracts in exchange for sex did not hold according to the Indian Contract Act. MSA JD, 1897, 184, 945, p. 238. John Jane Smith Wharton, *Wharton's Law Lexicon: Forming an Epitome of the Laws of England Under Statute and Case Law, and Containing Explanations of Technical Terms and Phrases, Ancient, Modern, and Commercial, with Selected Titles from the Civil, Scots, and Indian Law* (Stevens, 1916), 207.
[487] "The Nautch," *Illustrated Times*, September 1, 1858; *The Era*, December 19, 1885.
[488] "Lady's Letter," Sussex Chronicle, February 6, 1886. Also quoted in Jensen, 240.
[489] *Illustrated London News*, April 4, 1891. Also quoted in Jensen, 240.

seeing."[490] Unfortunately, the exact movement vocabulary utilized by dancers would be lost to us due to the limited nature of the sources. But the fact that most audiences remained dissatisfied—at least, according to several newspaper reports—indicates that the performances and the dancing bodies of the Indian women performers hardly fit into the orientalist fantasy of hyper-feminine and excessively sexualized image of the Indian "nautch" girl.

Conclusion

This chapter explores how Indian women dancers left marks of their claims as professional performers in the racialized and sexualized spaces of imperial exhibitions. By closely reading official correspondences surrounding Piaree Jehan's petition along with British newspapers against the grain, the chapter sought to bring Indian dancers to the forefront of the unfolding politics of convenience of imperial exhibitions in the second half of the nineteenth century. Much like other Indian participants, Indian women performers, especially from less-privileged backgrounds, contributed their labor in garnering economic benefits for the European organizers, both government and private, of imperial exhibitions—only to face immense hardships of penury, sickness, abandonment, fraud sexual harassment and government negligence. But, despite the struggles, Indian dancing women repeatedly attempted to reclaim wages, rights over their bodies, choreographic independence—and, most importantly, their identity as professional performers. Regardless of the outcome, these attempts left their marks in the colonial archive as well as official proceedings—making it impossible to completely erase their palpable presence in the history of the British entertainment scenario at the end of the nineteenth century.

[490] "Lady's Letter."

CONCLUSION

TOWARDS POSSIBLE HISTORIES

Through the course of the three chapters, this dissertation documents how Indian women performers of the Bombay Presidency negotiated with the colonial state in three key moments in the nineteenth century: implementation of British anti-slavery policies, Indian Contagious Diseases Act, and in the trans-territorial performance practices of Indian dancers in imperial exhibitions. It first shows how the very existence of Indian dancers as itinerant independent performers practicing matrilineality and non-conjugal sexuality posed considerable threat to the colonial state's claim to territorial authority and 'legibilizing' practices of organizing colonized societies in order.[491]As a result, the colonial state sought to variously categorize the dancers as people practicing slavery and "common prostitutes" in a bid to comprehend, surveil, and control them—leading to serious legal ramifications on the lives and livelihood of the dancers. However, in doing so, the dissertation also highlighted that measures of the colonial state were not without its own share of troubles. It shows the officials routinely faced problems comprehending, conceptualizing, and categorizing the idiosyncratic practices of the dancers of either 'purchasing' children or having non-conjugal sexual relationships with elite Indian men. Building on Antoinette Burton's conception of "trouble," the dissertation argues, that much of the confusion and 'miscognition' of the colonial state was generated by and through the actions of the dancers themselves.[492]In other words, the covert and overt actions of the dancers, including filing legal

[491] I have discussed this argument in more details in the "Introduction" of this dissertation. The concept of 'legibilizing' is taken from James Scott and inspired from Jessica Hinchy's implementation of the same on writing Hijra histories in colonial India. James C. Scott, *Seeing like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, Connecticut: Yale University Press, 1999); Jessica Hinchy, *Governing Gender and Sexuality in Colonial India: The Hijra, c.1850–1900*, 1st ed. (Cambridge: Cambridge University Press, 2019).

[492] Antoinette M. Burton, *The Trouble with Empire: Challenges to Modern British Imperialism* (New York: Oxford University Press, 2015). I am referring to the concept of "mutual miscognition" of Bernard Cohn here. Pointing out the differences between colonial representation and the actual existing social systems in India, Bernard Cohn, for

petitions, led the colonial officials to repeatedly reconsider their assessment and position regarding Indian woman performers on slavery and prostitution—thereby, contributing to the overall inconsistent, fraught and failed colonial policies.

By doing so, the dissertation visualizes dancers' acts of negotiation through its potential of disrupting the empire and not determine their historical value solely through the prism of their ultimate outcome. Regardless of the success of many of the legal petitions and claims discussed in this dissertation, dancers' acts of writing legal petition demonstrates the agency and resilience of subaltern groups of women artists in continuously adjusting and navigating their lives in a constantly evolving and deteriorating world of nineteenth-century India. Acknowledging these 'micro' acts of self-expression goes against the narrative of passive victimhood of dancers and also recognizes the multiple small efforts of the dancers in undoing the empire.[493]This does not, of course, discount the entity of the empire as any less vicious or exploitative in character, as evidence clearly document how different colonial policies disrupted the existing kinship practices and patronage networks of the dancers. Instead, the aim is to provide much-due credit to Indian women performers for exposing the fragility and troubled nature of the empire from yet another angle.

Self-expression in terms of defending kinship practices as well as professional identity of the dancers remain another key theme of this dissertation. Be it defending their right of 'purchasing' children to inheriting property of their deceased member instead of submitting it to the state, dancers' firmly, albeit politely, fought for their unconventional kinship practices. In professional matters, the dancers repeatedly questioned the rule of obtaining 'ticket' for performances, critiqued the requirement of Lock Hospital examination for venereal diseases,

example, argues that such "mutual miscognition" of Indian practices in official discourses was deliberately employed by the colonial state to reify the power hierarchy between the colonizer and the colonized.

[493] Hinchy, *Governing Gender and Sexuality in Colonial India*, 197.

protested against hypocrisy of the colonial state for supporting fraudulent agents while doubly targeting them as "dancers" (for taxation) and "common prostitutes" (for venereal diseases). By foregrounding these every-day acts of negotiation of the dancers with the colonial state, this dissertation, charts a new history of Indian woman dancers that portrays them as multifaceted and exceptionally skilled women capable of articulating their demands and desires, beyond their overly simplistic and reductive associations as prostitutes, both in the colonial and later scholarly discussions.

While talking about possibilities, this dissertation also raises a few questions that can point towards further avenues of research. Chapter two of this dissertation briefly touches upon the close relationship Naikins shared with the elite Indian men, majorly from the Brahmin caste. It shows that the support from the patrons remained instrumental in obtaining exemption from Lock Hospital examinations for the Naikins. The patrons were not only writing petitions on the behalf of the Naikins but also contributed to the opinion pieces against Lock Hospital regulations in the Bombay Presidency, as the contemporary reports on native newspapers demonstrated. The officials, including Dr. Knapp, the Medical Superintendent for the Lock Hospital in Bombay, admitted that they needed to be extra-careful about these "kept" women or "Naiqins" in order to not invite further hostility from the Indian society regarding the Contagious Diseases Act.[494] While such an understanding yielded in favor of the Naikins, it also placed a lot of importance on the words and testimony of the male patron or "paramour," which had its own share of risks. Sometimes, such reliance on male testimony went against women appealing for exceptions from the Lock Hospital. In one instance, the supposed "paramour" actually reported to the Police about his "kept" woman not being loyal to him anymore—thereby, appealing for her subjection to Lock

[494] MSA, G.D. 1881, 35A, 27 Part II, M-139, 'Introduction of the Contagious Diseases Act into the city of Bombay.'

Hospital rules.[495] Same happened in case of Begum Jehan when Syed Imam Hussain, her paramour, joined hands with W.H. Guest and left her and the entire troupe in Manchester in February 1896.[496] The question, therefore, is how far the support from the patrons and male members of the family was important for Indian women performers in their negotiations with the colonial state and why? What does that convey about the gendered dynamic within a matrilineal community? Also, besides exposing the patriarchy of the colonial state, what does such emphasis on testimonies of elite Indian men about characters of deviant Indian women tell us about the working of the empire?

Another important avenue of further research that this dissertation proposes is exploring the intra and trans-territorial mobilities of different communities of Indian performing women in nineteenth-century western India. While the last chapter of this dissertation explores the trans-territorial mobility of Indian women dancers traveling abroad at the end of the nineteenth century, the source materials of other two chapters hint at the existence of a mobility network of patronage that several dancers in western India followed in the nineteenth century. As Tejaswini Niranjana mentioned, a certain strand of women performers traveled south and westward to settle near Dharwad in present-day Maharashtra with the annexation of Awadh in North India by the mid-nineteenth century.[497]It would not be surprising to find some of these women performers join the local performers in seeking economic opportunities in Pune, Bombay, and other regions of the

[495] MSA, G.D. 1883, 57, 27, M-161, 'Contagious Diseases Act Bombay Part I'; MSA, G.D. 1886, 25, 27, 'Contagious Diseases Act Bombay.'
[496] MSA, J.D. 1897, 184, 945, p. 235-327, 'Petitions: Bombay. From Piarei Jehan—stating the circumstances under which her two granddaughters Begum Jehan and Vajir Jehan were taken to England as dancing girls by a Mr. Guest and praying that the Secretary of State for India may be moved to enquire into circumstances connected with the sudden death of Begum Jehan and that enquiries may also be made regarding the detention of Vajir Jehan and that she may be brought back to India.'
[497] Tejaswini Niranjana, "Music in the Balance: Language, Modernity and Hindustani Sangeet in Dharwad," *Economic and Political Weekly* 48, no. 2 (January 12, 2013): 41–48.

Bombay Presidency. For instance, Piaree Jehan and her granddaughters could very well belong to such group of diasporic women performers from North India, given they had not been identified under any of the usually available categories of "dancing girls" in nineteenth-century western India.

Most importantly, colonial records on slavery repeatedly mention rescuing children from groups of "dancing girls" associated with the adjacent princely state of Gaikwad and neighboring Portuguese-controlled Goa.[498]Anjali Arondekar's recent work, in any case, is centered on a diasporic community of devadasi dancers who migrated from Goa to Bombay in the second half of the nineteenth century.[499]The palpable presence of dancers in different parts of Bombay Presidency and its adjoining territories indirectly indicate how dancers moved places for patronage and recruiting more members for the community, while completely disregarding and often subverting to different regimes of power. Another instance of the existence of such network of patronage and mobility can be found in Janaki Bakhle's discussion of the functioning of the Baroda court in the nineteenth century. She mentions how temple-dancers and courtesan communities traveled to Baroda from Tanjore in the south to perform for the court while receiving lumpsum amount as compensation.[500] Given the geographical positioning of Tanjore and Baroda, it is highly likely that the dancers passed through significant portions of Bombay Presidency and neighboring states of the Nizam and Gaikwads—enabling more cultural networks to form. Examining this intra-territorial mobility of dancing groups from western India can enrich further research in the

[498] MSA, J.D. 1834, 28, 327, 'To the Secretary to Government of Bombay from the Magistrate of Kaira.' 29th April, 1834.
[499] Anjali Arondekar, *Abundance: Sexuality's History*, Theory Q (Durham, NC: Duke University Press, 2023).
[500] Janaki Bakhle, *Two Men and Music: Nationalism in the Making of an Indian Classical Tradition* (New York: Oxford University Press, 2005), 40.

direction of understanding how different groups of Indian women performers navigated and adapted to changing patronage scenario under colonialism.[501]

The dissertation also briefly touches upon the changing conceptions of authority and patronage among the dancing communities of western India—providing another possible line of research enquiry. As discussed in the dissertation, the onset of colonialism significantly altered the existing kinship practices, patronage networks, and professional opportunities of different groups of Indian women performers. With such changes, dancers' notions of authority and patronage also shifted over time. In the pre-colonial or non-colonial setups of temple, court, and local elite patronage, the authority of dispensing justice in matters of day-to-day troubles for the dancers emerged from the same entity that also provided professional opportunities. In other words, for the dancers, temple, court, and local authorities not only acted as the entity ensuring justice in matters of disputes but also provided patronage for them. However, with the colonial state, these two functions became separate. While the dancers reached out to the colonial state for justice, claims and grievance redressal—indicating an emergent consciousness of modern citizenship—the state no longer provided patronage for them. In fact, certain state policies only created obstacles for functioning on a day-to-day level as professional women performers. The question, therefore, would be: how did the dancers comprehend this uncoupling of dual function of the pre-colonial patron (as the justice-delivering body as well as providing monetary and family support) under colonialism? Was there a fundamental shift in the understanding of authority and patronage? If yes, what was the significance of that shift and how that might have contributed to the certain acts of negotiations dancers opted for in relation to the colonial state to make their claims?

[501]The key in this direction would be mostly exploring Princely State papers as well as consulting vernacular sources—an aspiration that could not be fulfilled thanks to the Covid-19 pandemic in 2020.

Ultimately, this dissertation is an attempt to write a social history of different dancing communities navigating British colonialism in nineteenth-century Bombay Presidency. By doing so, it seeks to address the gap in the South Asian dance historiography which has mostly directed their attention to dancers' trajectories under different regimes of pre-colonial and colonial authorities in northern and southern India. While the dissertation adds more depth, nuance, and contextual analysis of different facets of dancers' lives under colonialism in western India, it, more importantly, shows that primary materials to reconstruct dancers' lives in western India are significantly available, even in the colonial archive. This dissertation only scratches at the surface of the larger potential of tapping into both English and non-English sources on western Indian women performers which can enrich the existing scholarly conversations on Indian performing communities in the colonial India. At best, this dissertation is the first step towards uncovering more layers into the stories of multifaceted and complex lives of Indian women performers in colonial western India.

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