1 The *Hijra* Panic

While Europeans in India had represented *Hijra*s as an immoral people from the late eighteenth century, it was not until the 1850s that *Hijra*s became the subject of a panic among India's British colonisers. This panic was prompted by several criminal cases which came before the courts of the North-Western Provinces (NWP) in the 1850s and 1860s, including the murder of a *Hijra* named Bhoorah and a handful of cases in which *Hijra*s were accused of kidnapping, enslaving and castrating children. Like other 'moral panics', the colonial concern with *Hijra*s involved a preoccupation with, and exaggeration of, the threat that 'deviant' behaviours and people were thought to pose to the social and political order.[1] While moral panics have been noted in diverse historical contexts, panic was at the centre of how European colonial regimes operated. Despite the often bombastic rhetoric surrounding colonial rule, the European governing elites experienced a pervasive sense of vulnerability about the fragility of colonial power. Consequently, colonial administrators were especially susceptible to panics about aspects of indigenous society that were construed as a threat to colonial authority.[2] It is thus useful to distinguish between *episodes* of panic and *structural* anxiety.[3] Panics were temporally confined, reoccurring and cumulative: they were periods of heightened anxiety that eventually subsided, often to re-emerge in a new form at another time or place. The *Hijra* panic, for instance, was most intense in north India in 1852–3, 1860–1, 1864–6 and 1870–1. Such episodic panics arose out of the broader structures of colonial knowledge which were marked by an enduring anxiety about inadequate intelligence and incomplete archived knowledge. The series of court cases involving

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[1] In 1972, Stanley Cohen coined the term 'moral panic'. Stanley Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and the Rockers* (Oxford: Basil Blackwell, 1987).

[2] Wagner, '"Treading Upon Fires"', 159–97; Fischer-Tiné and Whyte, 'Introduction', 1–24; Norman Etherington, 'Colonial Panics Big and Small in the British Empire (1865–1907)', in *Anxieties, Fear and Panic in Colonial Settings: Empires on the Verge of a Nervous Breakdown*, ed. Harald Fischer-Tiné, 201–24 (Cham, Switzerland: Palgrave Macmillan, 2016); Peckham, 'Introduction'.

[3] Wagner, '"Treading Upon Fires"', 161.

*Hijra*s in the 1850s and 1860s sparked panic because they were single instances which British officials struggled to fit into a broader pattern. Colonial administrators amplified the social practices and relationships represented in the criminal cases to draw generalised and stereotyping conclusions about *Hijra* criminality.

Confident assertions of moral superiority thus existed alongside anxious speculations in colonial accounts of *Hijra*s. The repeated discovery and denunciation of the *Hijra* community in the nineteenth century reiterated, again and again, the idea of the colonial state as the defender of 'public morals'. The repetitiveness of the moral outcry highlights the performative quality of colonial encounters with *Hijra*s; and indeed, the performative nature of colonial rule.[4] But the repeated rediscovery of *Hijra*s – that is, the discovery that colonial rule had not *yet* ended this moral 'problem' – prompted worries about the limits of colonial authority and knowledge.

Some scholars, for instance Alan Hunt, have criticised the concept of 'moral panic' on the basis that it implies an irrational project.[5] However, as Ann Laura Stoler has highlighted, colonial governments were 'affective states' constituted by sentiments, 'affective dispositions' and emotions.[6] In using the concept of 'panic', I intend to highlight the ways that episodes of panic, as well as a continuing sense of anxiety, sparked official debates and propelled colonial interventions. The colonial *Hijra* panic exaggerated and distorted actual social conditions – even the colonial archives make this clear. But a certain logic did underlie the 'panic' and this logic is revealing for our understanding of the gendered and sexual aspects of colonialism, as well as the history of the *Hijra* community.

Early Encounters

The European travellers who wrote accounts of their journeys through India from the sixteenth century rarely mentioned *Hijra*s. In European travel literature, most depictions of 'eunuchs' were of *Khwajasarai*s, masculine-embodied court officials and harem servants. Europeans portrayed *Khwajasarai*s as cruel and violent to the women of the *zanana* (female quarters) and in some, though not all accounts, as physically effeminate.[7] It was only following the East India Company's assumption

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[4] On 'performative' colonial power: Wilson, 'Rethinking the Colonial State', 1295.
[5] Alan Hunt, *Governing Morals: A Social History of Moral Regulation* (Cambridge: Cambridge University Press, 1999), 18–20.
[6] Stoler, 'Affective States', 4–20.
[7] Hinchy, 'Sexual Politics', 426. Nineteenth-century accounts of *Khwajasarai*s include Francis Rawdon-Hastings, *The Private Journal of the Marquess of Hastings . . .*, vol. 1 (London: Saunders and Otley, 1858), 84–5; Victor Jacquemont, *Letters from India; Describing a Journey in the British Dominions of India, Tibet, Lahore, and Cashmere . . .*, 2nd

of the *diwani* (revenue raising rights) in Bengal, Bihar and Orissa in 1765 – which formalised the Company's longer transition from merchant to polity – that European accounts of *Hijra*s emerged. European representations of *Hijra*s from this period evidence an aesthetic revulsion to *Hijra*s' bodies and physical appearance, as well as an assumption that *Hijra*s were immoral and obscene. Around 1780, a Bombay merchant named James Forbes viewed 'a considerable number of human beings called hermaphrodites' who wore 'the habit of a female and the turban of a man' among the camp followers of Raghunathrav, a Company-backed Maratha leader.[8] Preston has suggested that these 'hermaphrodites' may have been *Hijra*s.[9] Forbes was evidently confused and revolted by the so-called hermaphrodites: he could not 'solve [his] doubts and difficulties' and would not 'enter into particulars', since his 'visit was short, and the objects disgusting'.[10] The Anglophone Flemish artist Balthazar Solvyns published two illustrations of a 'Hidgra, a Hermaphrodite' dressed in female clothing, in two volumes of etchings published in 1789 and 1808. Whereas the earlier etchings were considered artistically 'crude', the 'sumptuous' 1808 illustrations conformed more closely to the popular picturesque style of the time (see the 1808 *Hijra* etching in Figure 1).[11] However, in the later edition, Solvyns' written account represented *Hijra*s as obscene prostitutes, beggars and cross-dressers – in sum, as an 'outrage to morality'.[12] It was as if European revulsion towards *Hijra*s could not be expressed in picturesque visual conventions, only in written form.

In the early period of Company rule, some European physicians also sought to understand *Hijra* embodiment. When Forbes encountered femininely dressed 'hermaphrodites' in the 1780s, he was the guest of a group of physicians who subjected the 'hermaphrodites' to a physical examination, suggesting that from the late eighteenth century, European

edn, vol. 2 (London: Edward Churton, 1835), 92; Alexander Burnes, *Travels into Bokhara; Being the Account of a Journey From India to Cabool, Tartary, and Persia . . .*, vol. 1 (London: John Murray, 1834), 84; George Thomas Keppel, *Personal Narrative of a Journey from India to England*, vol. 1 (London: R. Bentley, 1834), 4–5; George Thomas Keppel, *Personal Narrative of Travels in Babylonia, Assyria, Media, and Synthia, in the Year 1824*, vol. 2 (London: Henry Colburn, 1827), 8.

[8] James Forbes, *Oriental Memoirs: A Narrative of Seventeen Years Residence in India*, vol. 1 (London: Richard Bentley, 1834), 359.

[9] Preston, 'A Right to Exist', 373; Gannon, 'Translating the *Hijra*', 128.

[10] Forbes, *Oriental Memoirs*, vol. 1, 359.

[11] Robert L. Hardgrave, Jr., 'The Solvyns Project', www.laits.utexas.edu/solvyns-project/ (accessed 27 June 2018).

[12] Balthazar Solvyns, *Les Hindoos*, vol. 2 (Paris: Chez l'auteur; Chez H. Nicolle, 1808–12), plate IV; Robert L. Hardgrave, Jr., 'François Balthazar Solvyns: The Etchings Online', www.laits.utexas.edu/solvyns-project/solvynsonline/pages/Solvyns-Etchings.htm (accessed 3 May 2016).

physicians privately circulated opinions about *Hijra*s and other people with non-binary gender expression.[13] Indeed, doctors had long been pivotal to the construction of colonial knowledge, since they were relatively conversant with Indian society and thus important information gatherers.[14] By the late eighteenth century, there was a close relationship between European medicine and imperial power.[15] The medical 'gaze' extended beyond the body itself to encompass culture, 'custom' and religion. In the nineteenth century, colonial physicians were often amateur ethnologists.[16] Although doctors appear to have privately discussed *Hijra*s from an earlier period, it was not until the 1840s that British physicians circulated information about *Hijra*s in Indian and metropolitan medical journals. In 1843 in the *Lancet*, there was a debate between two physicians about the sexual classification of *Hijra*s: were they hermaphrodites, castrated men, or even 'female eunuchs'?[17] A decade later, physicians were confident that *Hijra*s were generally male-born castrates or 'eunuchs'. From the 1850s, *Hijra*s became important to colonial medical knowledge of Indian sexual practices, as doctors represented *Hijra*s as emblematic of Indian sexual 'perversity'. Physicians claimed to be knowledgeable about the emasculation procedure and the eunuch body. In a fashion typical of colonial medical accounts, doctors also included ethnographic information about the discipleship lineages, religious practices and 'customs' of *Hijra*s in their publications.[18] However, there were only a handful of European accounts of *Hijra*s published prior to the mid-nineteenth century.

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13 Forbes, *Oriental Memoirs*, vol. 1, 359.   14 Bayly, *Empire and Information*, 267.

15 Mark Harrison, 'Medicine and Orientalism: Perspectives on Europe's Encounter with Indian Medical Systems', in *Health, Medicine and Empire: Perspectives on Colonial India*, eds. Biswamoy Pati and Mark Harrison, 40–2, 69, 76 (Hyderabad: Orient Longman, 2001); David Arnold, *Colonizing the Body: State Medicine and Epidemic Disease in Nineteenth-Century India* (Berkeley: University of California Press, 1993), 43–50; Bayly, *Empire and Information*, 53–4, 271–5.

16 Elizabeth Kolsky, 'The Body Evidencing the Crime: Gender, Law and Medicine in Colonial India' (PhD dissertation, Columbia University, 2002), 320–33. See also Mark Harrison, 'Differences of Degree: Representations of India in British Medical Topography, 1820–*c*.1870', in *Medical Geography in Historical Perspective*, ed. Nicolaas A. Rupke, 51–69 (London: Wellcome Trust Centre for the History of Medicine, 2000); David Arnold, 'Race, Place and Bodily Difference in Early Nineteenth-Century India', *Historical Research* 77, no. 196 (2004): 254–73.

17 Anon., 'Female Eunuchs in India', *Lancet* 40, no. 1029 (1843): 262; A Bengal Surgeon, 'Supposed Female Eunuchs', *Lancet* 40, no. 1031 (1843): 343.

18 H. Ebden, 'A Few Notes, with Reference to "the Eunuchs", to be Found in the Large Households of the State of Rajpootana', *Indian Annals of Medical Science* 3, no. 6 (1856): 520–7.

*Hijra*s and the State in Western India

Meanwhile, between the 1830s and 1850s, Company officials first became concerned with the existence of the *Hijra* community. Initially, official discussions of *Hijra*s were confined to Bombay Presidency in western India. Bombay's attention was drawn to the *Hijra* community in 1836, when the Assistant Collector of Pune reported that there was 'a part of the city, where Eunuchs congregate, in such numbers as to have obtained for it, the name of Hijera Peth [quarter], and where ... the practices of some of the younger members of the community are of a nature too revolting to be mentioned'. The Assistant Collector was especially determined to find out whether *Hijra*s were prostitutes who had sex with men and, to this end, he interviewed seven *Hijra*s. Company officials also condemned the practices through which 'begging' *Hijra*s 'extorted' money, in particular *Hijra*s' exposure of their castrated bodies. Although *Hijra* 'begging' could be prosecuted under existing public nuisance laws, some Bombay officials argued that new legislation would be required to prevent initiation into the *Hijra* community and remove this 'abominable practice' from Indian society.[19]

This argument was typical of the language of enlightened liberal reform that pervaded colonial discourse in India in the late 1820s and 1830s. In the early period of Company rule, between the 1760s and the 1780s, British officials had claimed to govern India through its own laws and institutions, though legal and governing practices would undergo significant transformation as the Company sought to reformulate 'traditional' symbols of authority in line with its conceptualisation of sovereignty.[20] By the 1820s, British administrators of both utilitarian and evangelical persuasions argued that the Company should initiate wider-reaching legal and social reforms. However, as Jon Wilson has recently argued, the ostensible reform agenda of these years was an attempt to centralise Company authority. Colonial rhetoric claimed that with the final defeat of the Maratha confederacy in 1818, the Company was the 'paramount power' on the subcontinent. Yet the Company's power was fragmented between multiple institutions, was rendered fragile by localised conflicts and had been further destabilised by an economic crisis in the mid 1820s, all of which lent weight to authoritarian conceptions of Company rule. Officials represented the centralisation of Company authority as a project of liberal reform, but schemes of social engineering were rarely implemented and were only

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[19] Preston, 'A Right to Exist', 372, 376–9.
[20] Radhika Singha, *A Despotism of Law: Crime and Justice in Early Colonial India* (Delhi: Oxford University Press, 1998), 2, 26–7, 34–5, 80–120.

attempted with elite Indian support.[21] The 1829 prohibition of *sati* (widow-burning) – which had become a colonial symbol of the oppression of Indian women, even though it was not a widespread practice – was emblematic of the so-called 'Age of Reform' in India. Yet the push to outlaw *sati* had been spearheaded by elite Indian reformers like Rammohun Roy and *sati* was only abolished once Company officials were convinced that there was no 'scriptural' authority for the practice.[22] In light of the limitations of the broader reform project, it is unsurprising that Bombay officials wrote about *Hijra*s in the language of enlightened reform – and explicitly compared *Hijra*s to *sati* – but did not implement any new legislation to suppress the community. In the late 1830s, Bombay placed its hopes in the transformative power of education to gradually end the 'evil' of the *Hijra* community.[23]

A more pressing problem for the Bombay government than moral reform was the issue of the 'rights' that the *Hijra* community had received from the precolonial Maratha polities in the region. As Laurence Preston has shown, the Company sought to redraw the relationship between the state and the *Hijra* community. Maratha rulers had granted *Hijra*s the right to collect alms in defined territories and had claimed a proportion of *Hijra*s' collections, creating the impression that the new ruler, the Company, had assumed this state prerogative and sanctioned *Hijra* 'begging'. In 1853, the Bombay government discontinued *Hijra*s' 'right of begging', though it is unlikely that this had much impact on *Hijra* alms-collection. The Bombay Presidency also sought to end the small grants of rent-free land or *inam*s that *Hijra*s had received from Maratha polities.[24] Indian rulers had used such land grants to redistribute resources to people of humble means, to fund schools and other institutions, to distribute political patronage and to bind subjects to the state. Existing *inam*s were generally (though inconsistently) recognised by the Company following its annexations of regional states. Yet in the 1840s, a period when the Company's resources were especially squeezed, the British came to see *inam*s, which alienated potential revenue from the state, as a threat to both colonial authority and Company finances. In Bombay, 20,000 *inam*s had been declared illegal by 1847.[25] The Bombay government

[21] Jon Wilson, *India Conquered: Britain's Raj and the Chaos of Empire* (London: Simon & Schuster, 2016), 195–215.

[22] Anand A. Yang, 'Whose Sati?: Widow Burning in Early 19th Century India', *Journal of Women's History* 1, no. 2 (1989): 8–33; Singha, *A Despotism of Law*, 83–5, 108–20; Lata Mani, *Contentious Traditions: The Debate on Sati in Colonial India* (Berkeley: University of California Press, 1998), 42–82; Wilson, *India Conquered*, 214.

[23] Preston, 'A Right to Exist', 379.   [24] Ibid., 372, 379–85.

[25] David Washbrook, 'South India 1770–1840: The Colonial Transition', *Modern Asian Studies* 38, no. 3 (2004): 499–505; Wilson, *India Conquered*, 231–2.

determined that *Hijra*s' rent-free land grants also breached 'the rules of public decency' and could thus be discontinued. However, the policy that was established in 1842 and upheld in 1854 was a compromise: *Hijra*s' *inam*s would be converted into life grants that would terminate with the death of the current holder, thus gradually reducing *Hijra*s' economic resources over time. Preston highlights that this compromise was possible due to the low value of *Hijra*s' land grants, the resumption of which would have little impact on the Company's revenue ledgers.[26] It also suggests that despite the moralising language of the Bombay government, *Hijra*s were not yet considered a major threat to colonial authority. With the issue of *Hijra*s' claims to rent-free land resolved in the early 1850s, the officials of Bombay Presidency would not consider *Hijra*s a major 'problem' for the rest of the nineteenth century.

Panic in North India

By this time, the NWP was increasingly anxious about the *Hijra* community in the wake of *Government* v. *Ali Buksh*, the 1852 case of the murder of the *Hijra* Bhoorah. The NWP courts considered two suspects in the case: Bhoorah's male lover Ali Buksh, with whom she lived ('as a prostitute', in the words of the judges), and one of Bhoorah's *chela*s (disciples), Dullah. The Mainpuri Sessions Court and, subsequently, the Nizamat Adalat (the province's highest court) ruled that Ali Buksh killed Bhoorah because she had repeatedly attempted to leave Ali Buksh for another man.[27] The judges portrayed the case as a moment of 'exposure' which had shed light on a hidden population. Their judgement stereotyped and criminalised the *Hijra* community, even though a *Hijra* was clearly the victim of the crime in question. Unwin, the Sessions Court judge, opened his judgement with a statement of the 'eunuch problem':

The sickening details of this case involve the disgusting exposure of an abominable trade of unnatural prostitution regularly carried on by eunuchs dressed as women, whom they resemble also in shape, with vested rights to contributions at weddings, &c. in certain villages allotted to one or more of them under a sort of acknowledged internal government. They have in fact a King, according to some resident at Delhi, others say at Furruckabad.[28]

The judges portrayed *Hijra*s as prostitutes and claimed that *Hijra*s' castration was for a 'vile purpose', by implication sex with men. They viewed *Hijra*s' feminine gender embodiment as morally offensive and described them through a language of moral contagion, as a 'pollution'. They also

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[26] Preston, 'A Right to Exist', 384–6.   [27] *Government* v. *Ali Buksh*.   [28] Ibid.

characterised *Hijra* discipleship lineages as an alternative political structure (an 'internal government') that challenged colonial rule. The case solidified the nascent colonial stereotype of the *Hijra* as 'unnatural prostitutes', cross-dressers, and beggars that was evident in earlier travel literature, medical accounts and official correspondence in Bombay. Following *Government* v. *Ali Buksh*, Company official Charles Raikes was ordered to compile a report on the *Hijra* community, the circulation of which engendered a debate in official circles about whether 'special legislation' was required to control *Hijra*s. Yet anti-*Hijra* legislation did not eventuate in the early 1850s, largely due to mixed official opinions on whether it was necessary.[29]

In the early 1860s, concern about *Hijra*s re-emerged in the NWP administration. In fact, the preoccupation with *Hijra*s was one of several panics that the official class of the NWP experienced during the 1860s. In the revolt of 1857, the Company had lost control of most of north and central India. The factors that had sparked the revolt differed at the local level but included the perception that the Company had upended local political structures through rapid territorial expansion in the 1840s and 1850s; fears of the threat of conversion by Christian missionaries; colonial agrarian policies; and famously, the grievances of the Company's Indian 'sepoys' (*sipahi*s or soldiers). It was not until mid 1858 that the revolt was suppressed in some areas and the Company only regained its territory with extreme violence.[30] In the revolt's aftermath, the Company was disbanded, British Crown rule was asserted over India, alliances were formed with 'loyal' Indian elites, communication networks (including the railways and telegraph) were extended, the police force was reformed and the passage of several legal codes consolidated colonial law. Despite these projects to shore up colonial authority, British officials' sense of insecurity intensified after 1857. Provincial administrations, particularly the former centres of the rebellion such as the NWP, were repeatedly gripped by panics about perceived threats to colonial rule. This was due to 'pervasive structural anxieties', rather than the existence of acute political dangers.[31] While the possibility of another rebellion was a reoccurring fear, colonial officials responded anxiously to a wide range of Indian social groups and practices in these years. In particular, colonial administrators were concerned with the 'deviant fringe' of Indian society, that is, with socially marginalised groups whose ways of life and social practices seemed to

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[29] BL/IOR/P/235/33: Simson to NWP Secretary, 31 December 1860; BL/IOR/P/438/61: Drummond to NWP NA, 24 February 1865.

[30] William Dalrymple, *The Last Mughal: The Fall of a Dynasty, Delhi, 1857* (New Delhi: Penguin Books, 2007); Rudrangshu Mukherjee, *Awadh in Revolt, 1857–1858: A Study of Popular Resistance* (Delhi: Permanent Black, 2001); Wilson, *India Conquered*, 226–65.

[31] Wagner, '"Treading Upon Fires"', 175, 193–4.

undermine colonial efforts to know and govern the Indian population. The colonial administration sought to control untouchable, low caste and itinerant groups that were labelled 'criminal tribes', or hereditary criminals by caste occupation. New laws were also passed to regulate the lives of female prostitutes, European vagrants and lepers.[32] The colonial government represented these marginalised peoples as criminal and deviant, in a social and often sexual sense. The *Hijra* community were one such group on the social periphery who were the subject of colonial panic during these years.

The court cases of the 1860s added a new dimension to the colonial *Hijra* panic. The British now claimed that *Hijra*s were not only a threat to 'public morals', but also a danger to children, since they were the kidnappers, castrators and pimps of young Indian boys. In 1860, the NWP courts heard *Government* v. *Munsa and four others*, a case in which five people were charged with stealing, purchasing and emasculating Gupoo, a nine-year-old boy. According to the judgement, a man named Nugoo had kidnapped Gupoo and sold him to Nurm Buksh, a 'eunuch'. Nurm Buksh subsequently organised Guppo's castration, which was carried out by an elderly 'eunuch' named Munsa and witnessed by two 'accessories' who were also 'eunuchs'. The judges admitted there were some problems with the evidence, since the case hung on the testimony of two children, but they nevertheless convicted the accused of between ten and fourteen years imprisonment each. Judicial officials portrayed *Hijra*s as a threat to the children of 'respectable' families and represented Gupoo as an 'unfortunate victim [who] was subjected to ... atrocious cruelty'.[33] Following the trial, the Nizamat Adalat sent to the NWP government 'all of the information, regarding Hijrahs, possessed by the Court'. At the centre of the court's archived information was the 1852 case, *Ali Buksh* v. *Government*. Although Raike's 1853 report had been destroyed during the 1857 Rebellion, the Nizamat Adalat sent on the surviving judgement and the judges' 'recollection' of what Raikes had revealed about the *Hijra* community.[34] In the subsequent government correspondence, officials quoted the 1852 judgement, in particular Unwin's summary of the 'disgusting exposure' of the *Hijra* community.[35] However, the loss of archived information also allowed new meanings to be projected onto the 1852 case, which could be a malleable and recyclable symbol of the 'discovery' of *Hijra*s in north India. In 1861, the NWP government

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[32] Radhika Singha, 'Colonial Law and Infrastructural Power: Reconstructing Community, Locating the Female Subject', *Studies in History* 19, no. 1 (2003): 92–4.

[33] *Government* v. *Munsa and 4 others, DNA NWP* 10 (1860): 6 March 1860.

[34] BL/IOR/P/235/33: Simson to NWP Secretary, 31 December 1860.

[35] Ibid.; BL/IOR/P/235/33: 'Abstract of the case of Ali Buksh.'

decided a new law targeting *Hijra*s was necessary and sent a letter proposing legislation to the central Legislative Assembly, but the proposal went nowhere – the NWP administration never received a response.[36]

Yet the provincial government's concern with *Hijra*s would soon revive, when in 1864 and 1865 the Sessions Court of Shahjahanpur heard five cases of castration, enslavement and kidnapping. The Sessions Judge, R. Drummond, and the British Magistrate, W. G. Probyn, concluded that in June 1864 two men working for the 'eunuch' Buheema had kidnapped two boys from their parental home in Gopamau in the neighbouring province of Oudh.[37] Allegedly, Buheema had emasculated both boys within a few days of their abduction and had subsequently brought them to Fatehgarh in the NWP, where she sold them to two separate purchasers. The Shahjahanpur authorities identified three other cases in which the castrates were adults. Although the court acknowledged that the adults had been castrated 'with their own consent', it ruled that consent was not an acceptable exemption from prosecution due to the likelihood of death or grievous injury and since, in the court's opinion, castration was 'not for the benefit of the person consenting'.[38] In total, the Shahjahanpur Sessions Court tried thirty-one persons between 1864 and 1865 for castration, kidnapping and/or enslavement.[39] Drummond and Probyn foregrounded the two cases involving children, which they characterised as the 'worst cases', rather than those of adult castration. In fact, Drummond appears to have lowered the age of one of the minors to emphasise his child status, claiming that the child was 'certainly under 10', even though his mother insisted he was older. The Shahjahanpur authorities also portrayed the *Hijra* community as a 'gang' that was pivotal in a wider criminal network of kidnappers, sellers, buyers and castrators of children.[40] Once again, officials referred back to the earlier court cases involving *Hijra*s, particularly the 1852 case, the moment of 'exposure'.[41] In 1865, the NWP government also launched the widest investigation into the *Hijra* community to date. The Inspector-General of Police ordered District Superintendents of Police to 'discover the whole extent and the whole manner of the atrocious crimes' of the *Hijra*. 'Every information' should be recorded, the Inspector-General implored, even things that appeared 'trifling'.[42]

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[36] BL/IOR/P/235/33: Couper to NWP MLC, 12 February 1861.
[37] Oudh was not incorporated into the NWP until 1877.
[38] BL/IOR/P/438/61: Drummond, 'General remarks', circa 1865.
[39] BL/IOR/P/438/61: Officiating Register, NWP NA, to NWP Secretary, 12 May 1865.
[40] BL/IOR/P/438/61: Drummond, 'General Remarks', circa 1865. See also BL/IOR/P/438/61: Probyn to Shahjahanpur SJ, 12 December 1864.
[41] BL/IOR/P/438/61: Drummond to NWP Secretary, 9 August 1865.
[42] BL/IOR/P/438/61: Dodd to all NWP DSIP, 30 June 1865.

There was a repetitive pattern to this series of criminal cases involving *Hijra*s. The 'discovery' of *Hijra* criminality and sexual immorality in each case was followed by impassioned expressions of moral outrage from the judiciary, the bureaucracy and the police; a drive to collect ethnographic information about *Hijra*s to shore up uncertain colonial knowledge; a search of colonial archives for previously compiled information about *Hijra*s; and, consequently, the rediscovery of the 1852 case as the moment that the *Hijra* community was first 'exposed'. Several aspects of this pattern were typical of how panics played out in colonial governments. Colonial panics were fundamentally about threats to colonial power, whether the perceived danger was to the stability of colonial rule, the notion of European superiority or the colonial social order. Hence, in 1861, the NWP Secretary represented the *Hijra* community as 'an infamous organization' which was 'calculated' to throw 'opprobrium . . . on the administration'.[43] As we will explore in more depth in the next chapter, this was because the NWP administration viewed *Hijra*s as a fundamentally ungovernable and disorderly population.

In moments of panic, archived 'evidence' was considered merely the proverbial 'tip of the iceberg'.[44] Thus, the court cases of the 1850s and early 1860s were regarded as a minuscule proportion of the apparently enormous number of instances of *Hijra* lawbreaking. Probyn, one of the officials involved in the Shahjahanpur investigation, was convinced that he would bring 'hundreds of offenders' to justice with further investigation into *Hijra* kidnapping and castration – he did not.[45] In fact, very few children lived in *Hijra* households in the 1860s.[46] Nevertheless, the seemingly unknowable scale of the *Hijra* population fed the belief that *Hijra*s represented a major threat to colonial authority.[47] Thus, what the British *didn't* know drove the *Hijra* panic. More broadly, colonial panics emerged out of anxieties about the inadequacy of colonial intelligence which were structural and enduring.[48] As Christopher Bayly has observed, 'information panics' arose where 'knowledgeable colonial institutions met, but failed to mesh with, the sentiment of the knowing people of the locality'. These panics propelled the construction of stereotypes of Indian criminality, deviance and rebelliousness. Colonial stereotypes were thus a product of the weaknesses in colonial knowledge systems.[49]

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[43] BL/IOR/P/235/33: Couper to NWP MLC, 12 February 1861.
[44] Etherington, 'Colonial Panics Big and Small', 203.
[45] BL/IOR/P/438/61: Probyn to Shahjahanpur SJ, 12 December 1864.
[46] BL/IOR/P/92: Dennehy to PA of NWP IGP, 15 August 1871.
[47] Court quoted in BL/IOR/P/438/62: Simson, 'Replies', 20 April 1866; Farrukhabad DM quoted in BL/IOR/P/92: Elliot to GI Secretary, 21 April 1871.
[48] Wagner, '"Treading Upon Fires"', 159–97.
[49] Bayly, *Empire and Information*, 165–79.

When faced with uncertain knowledge, colonial administrators shaped rumours and fragmentary information into intelligible narratives by combing colonial archives for the records of previous panics.[50] This tended to reiterate stereotypes that had emerged out of earlier episodes of panic and reframe them in new circumstances. Thus, NWP officials repeatedly referred back to *Government* v. *Ali Buksh* to make sense of later court cases and police investigations, reformulating the *Hijra* stereotype that had emerged in the 1852 case.

When panics occurred in colonial administrations, moral certitude and a pervasive sense of vulnerability went hand-in-hand. Following each appearance of *Hijra*s in court in the 1850s and 1860s, officials made fervent statements of moral outrage which were circulated, quoted and amplified in official correspondence. In continually denouncing *Hijra*s in highly formulaic language, British officials reiterated a moral vision of colonial governance. Moreover, the idea of the panoptic reach of the colonial state was reiterated through the apparent creation of a systematic body of knowledge which rendered the secretive criminal peripheries of Indian society transparent. But the failure of the colonial state to suppress the *Hijra* community following its original 'exposure' in 1852 suggested the limits of the colonial state's power and thus exacerbated the sense of urgency in official circles. The recourse to archived knowledge to make sense of rediscoveries of the *Hijra* community did not dampen, but rather fuelled, official panic. For instance, following the 1860 case of *Government* v. *Munsa*, the NWP Secretary wrote that *Government* v. *Ali Buksh* had shown that 'an evil of the most disgusting character prevailed in these Provinces in 1852' and the 1860 case 'unavoidably raised the belief that the same evil continued in unmitigated force', a situation which was a 'reproach' to the colonial government.[51]

While the coterie of British administrators in the NWP was anxious that *Hijra*s constituted a threat to colonial rule, officials in other parts of British India did not share this view. When consulted by the Government of India on whether *Hijra*s were a 'problem', most other provinces responded in the negative, even while describing *Hijra*s in highly disparaging terms. Punjab was alone in agreeing with the NWP that *Hijra*s should be policed, but there was not significant official concern in this neighbouring province. The *Hijra* panic was thus provincial in character.[52] Indeed, colonial governance in India was highly fractured and provincialised. In a number of provinces, patronage and family ties among British officials had shaped the

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[50] Fischer-Tiné and Whyte, 'Introduction', 15.
[51] BL/IOR/P/235/33: Couper to NWP MLC, 12 February 1861.
[52] See correspondence in BL/IOR/P/438/61; BL/IOR/P/438/62; BL/IOR/P/436/51; BL/IOR/P/92.

colonial administration and fostered official beliefs of provincial particularity. Some provinces, such as Madras, promoted particular ideologies of governance that were thought to be suited to local conditions. Provincial governments frequently resisted administrative agendas established in London, Calcutta or other parts of British India.[53] Colonial panics also frequently emerged from, and circulated within, a particular province without eliciting much concern elsewhere.

The NWP certainly reflected these broader patterns. From the 1830s, the NWP was a 'patronage bureaucracy' in which ties of patronage bound together competing 'schools' of administration that were based around high-ranking officials. The group that came to dominate the province was formed through the patronage of Robert Bird and his protégé James Thomason and argued for various reforming schemes of moral and material 'improvement'. As Lieutenant-Governor from 1843 to 1853, Thomason was given a wide remit to recruit like-minded officials from other provinces.[54] The men Thomason patronised dominated the NWP government in the following decades and included all of the Lieutenant-Governors of the post-1857 period: G. F. Edmonstone (1859–63); Edmond Drummond (1863–8); and William Muir (1868–74).[55] This group of officials were among the most strident supporters of legislation to control *Hijra*s. In the early 1850s, Thomason was particularly concerned with the *Hijra* community and his protégés, in a sense, inherited the issue: Edmonstone, Drummond and Muir all subsequently called for legislation against the community.[56]

Patronage politics had also entrenched the power of evangelical men in the administration from the mid 1840s. To be sure, the NWP was not the only province in which evangelical officials shaped policy.[57] Yet a 'close identification with missionary interests was a particular mark' of the NWP.[58] The authority of evangelicalism endured in the NWP even after the 1857 rebellion, a period which saw a 'de-linking' of the colonial and evangelical projects in other contexts and regions.[59] NWP

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[53] Washbrook, 'South India 1770–1840', 486–9.

[54] Peter Penner, *The Patronage Bureaucracy in North India: The Robert M. Bird and James Thomason School, 1820–1870* (Delhi: Chanakya Publications, 1986), 102–5; Avril A. Powell, *Scottish Orientalists and India: The Muir Brothers, Religion, Education and Empire* (Woodbridge: Boydell, 2010), 80.

[55] Penner, *Patronage Bureaucracy*, 264.

[56] BL/IOR/P/438/61: Drummond to NWP NA, 24 February 1865; BL/IOR/P/235/33: Couper to NWP MLC, 12 February 1861; BL/IOR/P/438/61: Simson to GI Secretary, 9 June 1865; BL/IOR/P/92: Elliot to GI Secretary, 21 April 1871.

[57] E.g., Punjab. Penner, *Patronage Bureaucracy*, 256–7.

[58] Powell, *Scottish Orientalists*, 79, 85, 93.

[59] Penner, *Patronage Bureaucracy*, 264; Ian Copland, 'Christianity as an Arm of Empire: The Ambiguous Case of India under the Company, c. 1813–1858', *The Historical Journal* 49, no. 4 (2006): 1053.

administrators like William Muir advocated for the official colonial policy of 'neutrality' in the administration of religious matters, but tempered this with a language of 'moral improvement' that had an 'evangelical subtext'.[60] From this evangelical perspective, colonial intervention was needed to morally transform Indian society and to 'save' innocent children from *Hijra*s. Edmonstone, for instance, explicitly linked the *Hijra* issue to Christian morality in 1861, calling *Hijra*s 'a reproach to any country under Christian rulers'.[61] In short, the patronage bureaucracies of British Indian provinces produced highly province-centric outlooks among administrators and engendered regional panics and projects.

Although the *Hijra* panic was concentrated in the NWP, in the late 1800s colonial administrator-scholars in other provinces also collected information about *Hijra*s as a part of wider efforts to know and count the population in its entirety. This colonial knowledge was shaped by the official panic in north India and circulated stereotyped views of *Hijra*s in other parts of British India. In the second half of the nineteenth century, *Hijra*s often featured in published ethnographies. British ethnologists viewed India as comprised of many little traditions, diverse customs and 'an agglomeration of small societies'. Late nineteenth-century ethnography in India emphasised socio-cultural knowledge over physiological theories of race, unlike ethnology elsewhere in the British Empire.[62] Ethnological knowledge also had a moral and gendered bent in India. Colonial ethnologists sought to record religious and cultural practices they viewed as 'obscene' in order to eradicate them.[63] The *Glossaries of Castes and Tribes* that administrator-scholars published from the 1870s almost always featured an entry on *Hijra*s. These glossaries broke India up into alphabetically organised communities, primarily using caste (*jati*) as a classificatory principle, although they also included non-*jati* groups like *Hijra*s. Ethnographic tomes were shaped by the perspectives of Indian administrator-scholars who worked as British ethnologists' 'assistants', elite Indian informants and unnamed, low-status informants, including *Hijra*s.[64] A few published ethnologists were Indian, such as Bhimbhai Kirparam, while Indian princely states also produced ethnographic compendiums. Some *Glossaries* provided quite detailed ethnographic information about *Hijra* communities.[65] Nevertheless, most ethnologists commented on the perceived sexual deviance of *Hijra*s. R. V. Russell

[60] Powell, *Scottish Orientalists*, 9, 119, 197.
[61] BL/IOR/P/235/33: Couper to NWP MLC, 12 February 1861.
[62] Bayly, *Empire and Information*, 352–61. H. H. Risely was an exception: Brown, 'Ethnology and Colonial Administration', 205–6.
[63] Bayly, *Empire and Information*, 352–61.   [64] Ibid., 359–60
[65] Rose, *Glossary*, 331–3; Kirparam, 'Pavávás', 506–8.

even included a commentary on the history of homosexuality at the end of his account of the *Hijra* community.[66]

*Hijra*s also featured in colonial censuses conducted throughout India. Early colonial enumerations of the Indian population were rough approximations. Attempts to more accurately and systematically count the entire population began in the 1840s, culminating in 1871 in the decennial India-wide census. The census was an outcome of the knowledge of literate Indians who were the census takers at the local level and the abstractions of British census officials. Censuses would become a major form of colonial knowledge of the agglomeration of religious, occupational and (especially) caste groups that made up Indian society.[67] The categorisation of *Hijra*s in the decennial censuses often differed between provinces *within* each decennial census and also shifted over time, between censuses. In the decennial censuses taken between 1871 and 1901, the occupations of '*Hijra*s' were variously recorded as: pimp; dancer, bard or performer; 'indefinite and non-productive'; and 'miscellaneous and disreputable'.[68] Colonial ethnographies and censuses were imprinted with – and further contributed to – the stereotypes that had emerged out of the official preoccupation with *Hijra*s in mid-nineteenth-century north India.

While the panic about *Hijra*s was acute in NWP administrative circles – and scholar-administrators such as doctors and ethnologists wrote moralising accounts of *Hijra*s – the non-official European population did not experience a panic about the community. Moreover, the English-language press in India played a relatively minimal role in discussions of the 'eunuch problem' and neither sparked, nor significantly exacerbated, the official concern with *Hijra*s. Most of the dozen or so English-language newspaper articles about 'eunuchs' that appeared in the 1860s and 1870s were from *The Pioneer*, which was published in Allahabad, the capital of the NWP and the centre of official panic about *Hijra*s. Moreover, most of these reports were published in response to the brief legislative debates about the 1871 Criminal Tribes Act (CTA).[69] The relatively limited discussion of the *Hijra* community in Anglo-Indian newspapers was due to Britons' moral and aesthetic unease with public discussions of *Hijra*s. Accounts of *Hijra*s were more common in forums where British

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[66] R. V. Russell, *The Tribes and Castes of the Central Provinces of India*, vol. 3 (London: Macmillan and Co., Limited, 1916), 210–2.

[67] Bernard S. Cohn, 'The Census, Social Structure and Objectification in South Asia', in *An Anthropologist among the Historians and Other Essays*, 230–50 (Oxford: Oxford University Press, 1987). See also Bayly, *Empire and Information*, 315–7.

[68] Gannon, 'Translating the *Hijra*', 249–73; Crooke, *Tribes and Castes*, vol. 1, 495–7.

[69] Two articles also appeared in the *Madras Mail*, one a reprint from the *Delhi Gazette*. 'Kidnapping Children in India', *Madras Mail*, 9 July 1869, 3; 'Occasional Notes', *Madras Mail*, 31 March 1869, 3.

male officials were the main audience, like official correspondence and reports, or in texts that carried scholarly authority.

The limited role of the press in fuelling colonial anxiety about *Hijra*s represents a distinct model of colonial panic. The press played a significant part in several panics in colonial India, for instance, the preoccupation with criminal tribes in the 1860s and the enduring anxiety about a possible repeat of the 1857 rebellion.[70] Indeed, scholars who have deployed the concept of 'moral panic' have generally foregrounded the dissemination and exacerbation of panic through mass media. Yet newspapers did not always drive the spread of panics. Several studies have highlighted the role of rumour and oral communication in propelling colonial panics.[71] David Arnold has noted that 'poison panics' in nineteenth-century India did not circulate in the newspapers, but rather in popular rumour and the 'anxieties of the colonial ruling class'.[72] However, the preoccupation with *Hijra*s in colonial north India suggests the tendency of a circle of colonial administrators within one region to experience intense anxiety about a 'problem' population. The medium through which the *Hijra* panic spread was the official letter-writing through which daily colonial administration was carried out, especially the networks of correspondence between district administrators and the provincial headquarters. The paper bureaucracy that was the basis of colonial governance fuelled and circulated anxious interpretations of *Hijra*s.[73]

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In the NWP in the 1850s and the 1860s, several particular instances of crime – the murder of a *Hijra*, the kidnapping of three boys, the castration of three adult *Hijra*s – were extrapolated into a criminalising representation of the *Hijra* community as a whole. The few cases involving *Hijra*s that had been tried in the courts were thought to pale in comparison to the enormous extent of *Hijra* crime. There was a circular quality to the moments of panic in NWP official circles, as the 1852 case, *Government* v. *Ali Buksh*, was continually rediscovered, resulting in the

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[70] Bayly, *Empire and Information*; Bayly, 'Knowing the Country', 3–43; Wagner, '"Treading Upon Fires"'; Choudhury, 'Sinews of Panic', 965–1002.

[71] Ann Laura Stoler, '"In Cold Blood": Hierarchies of Credibility and the Politics of Colonial Narratives', in *Engaging Colonial Knowledge: Reading European Archives in World History*, eds. Ricardo Roque and Kim A. Wagner, 35–66 (New York: Palgrave Macmillan, 2012); Kim A. Wagner, *The Great Fear of 1857: Rumours, Conspiracies and the Making of the Indian Uprising* (Witney: Peter Lang, 2010).

[72] David Arnold, 'The Poison Panics of British India', in *Anxieties, Fear and Panic in Colonial Settings: Empires on the Verge of a Nervous Breakdown*, ed. Harald Fischer-Tiné, 50 (Cham, Switzerland: Palgrave Macmillan, 2016).

[73] On the colonial obsession with accumulations of paper records: Bayly, *Empire and Information*.

recycling and reinvention of anxious narratives. The repeated rediscovery of *Hijra*s also provided occasion to castigate *Hijra* (and Indian) immorality in a highly repetitive fashion, reiterating moral conceptions of colonial power. Nevertheless, the failure of colonial rule to suppress the *Hijra* community to date was a source of official worry.

The *Hijra* panic resonated with several broader dynamics that Robert Peckham, Harald Fischer-Tiné, Ann Laura Stoler and other historians of 'colonial panics' have identified, including the sense of insecurity that pervaded official circles, the tendency of incomplete knowledge to produce panic and the 'cumulative effect' of panics which resurfaced and changed in new contexts.[74] However, the anti-*Hijra* campaign also highlights some under-examined aspects of colonial panics. First, whereas Kim Wagner, D. K. Lahiri Choudhury and Peckham have emphasised the transnational spread of panics through imperial networks of communication, the *Hijra* panic is a reminder that some panics circulated within a more confined geographical area.[75] Nonetheless, such local and regional panics could grip colonial administrations and have transformative impacts on colonial governance. The fractures within the Government of India, especially along the lines of province, thus shaped the anti-*Hijra* campaign. Second, the *Hijra* panic highlights that newspapers and other news media do not necessarily drive the spread of panics, as most studies of 'moral panics' (including in colonial contexts) have suggested. The *Hijra* panic circulated and intensified through the letter-writing practices that undergirded – and in large part constituted – the 'paper-obsessed' colonial government of India.[76] Finally, most historians have explored colonial panics about the perceived threat of imminent revolts and revolutionary activities, or alternatively, panics about disease and epidemics, which endangered the bodies of the colonisers and the colonial economy.[77] Yet the *Hijra* panic – along with several studies of panics about interracial sex[78] – suggest that a range of sexual practices and relationships, as well as forms of gender expression, could be construed as threats to colonial rule in certain contexts. However, the question remains, why did the British view *Hijra*s as a problem of colonial governance and a challenge to colonial authority?

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[74] Fischer-Tiné (ed.), *Anxieties, Fears and Panic*; Peckham (ed.), *Empires of Panic*; Stoler, '"In Cold Blood"'.

[75] Wagner, '"Treading Upon Fires"'; Choudhury, 'Sinews of Panic', 965–1002; Peckham, 'Introduction', 9–11.

[76] Bayly, *Empire and Information*, ix.

[77] E.g., see Fischer-Tiné (ed.), *Anxieties, Fears and Panic*; Peckham (ed.), *Empires of Panic*.

[78] Jeremy C. Martens, 'Settler Homes, Manhood and "Houseboys": An Analysis of Natal's Rape Scare of 1886', *Journal of Southern African Studies* 28, no. 2 (2002): 379–400; Norman Etherington, 'Natal's Black Rape Scare of the 1870s', *Journal of Southern African Studies* 15, no. 1 (1988): 36–53.