CHAPTER-I

INTRODUCTION
Custom is a totality of the socially approved behaviouristic pattern which is practiced by the members of a community. Any deviance from it is regulated by law. Tribal Customary Law has been studied as part of the study of tribal society. In this process, a distinction has been made between sanction in primitive society and the law of the more advanced society, between the uncodified, unwritten customary rules recognized as binding by a tribal community and the larger corpus of the laws enacted and enforced by the formal state system. The critical role of tribal customary law in the maintenance of tribal solidarity and now tribal identity has generally been overlooked. In fact the study of tribal customary law in all its aspects has remained a relatively neglected area of tribal studies in the country. With the growing understanding of pluralism there is now an awareness of the need to know more of the tribal customary laws.

It should be noted that in spite of the assimilation of tribal communities into the system of the state laws represented by the Indian Penal Code, the Indian Civil Code and Code of Criminal Procedure, there remains in Tribal society a large untouched area of autonomy in matters of civil or social nature in the tribal world. The tribal council functions effectively in such cases even today. In recent years with the institution of Lok Adalat, the stress on disposal of cases at the grass-root level, and the functioning of people’s courts in some areas, and consequently the processes of the settlement of disputes of minor nature at the local level have gathered momentum. In these circumstances the tribal customary laws need to be codified and integrated with
these local level processes. Hence the present study of the tribal customary laws has focused on the extraordinary resilience and pragmatism in coping with the onslaught of outsiders and preserving their social institutions and traditional law. They have laid down stringent regulatory norms and conventions for the prudent use of most important of the resources viz., land, maintenance of ethnic identity and social order.

As it is clearly known that in all societies relationships among individuals are regulated by a body of norms, customs, taboos, traditions, values and moral standards the researcher has made a modest attempt to study the customs, traditions and traditional law of the Sugali community.

In order to understand the socio-cultural and political institutions of man in their totality and complexities, as we find them today, it is essential for us to investigate as to how these institutions originated and developed among different human groups. Man, as we know from palaeontological and archaeological records from East Africa, is more than three million years old on our planet. The ape like creatures of early Pleistocene period are included under the genus Homo, because of their abilities to produce and use tools thus distinguishing man from all other creatures in the animal kingdom. These abilities and habits of man, who could acquire, learn and inherit them, gave rise to the original and crudest human societies called savagery at cultural level. The savagery stage occupied the longest period in human history, covering about 99 per cent of the total time span of man on the earth, when man roamed about as food gatherers and nomadic hunters. Naturally the
social and political institutions of the nomadic tribes were quite different from those of today. Surprisingly, the hunting and food-gathering modes of subsistence did not vanish altogether from the earth even after the invention of the methods of food production and growth of civilization.

The nomadic tribes provide very interesting examples of cultural continuum of a million years duration. The next stage of human society, labeled as barbarian, characterized by food production developed by man during the Neolithic period (Circa 10,000-7000 B.C) generated the basic factors for the growth and development of a new social order in human societies. The potential force created by the production of surplus food and wealth gave rise to another social order called civilization in about 3500 B.C. in same favourable regions of the world. The processes of development of these three stages of our social and cultural growth from savagery through barbarism to civilization could be traced and reconstructed with the help of archaeological and ethnographic data.

Lewis Morgan was the first to utilize this concept in reconstructing the course of development of human societies. The data of Morgan’s model were derived from ethnographic sources from among the American Indians and archaeological discoveries made in Europe and America. He found that the existence of mankind upon the earth extends immeasurably to a great antiquity. The great merit of Morgan’s model is the discovery and reconstruction in its main lines the prehistoric basis of social and cultural institutions of human societies.
There have been many attempts among anthropologists and social scientists in reconstructing the socio-cultural systems of prehistoric societies on the basis of the archaeological data. V.Gordan Childe, who is regarded as the pioneer of socio-archaeology, laid the foundation of the subject by developing such concepts as the food-producing revolution which occurred in Neolithic period, about 7000 BC not only brought about fundamental changes in socio-cultural pattern in human societies, but also it resulted in changing the landscape of the earth's surface. Due to cultivation, grazing and cutting of forests, hunting and gathering of food became less profitable and even impossible, thus forcing many hunting communities to adopt the new ways of life. The results were a sharp increase of population, development of new settlement pattern and a new socio-political order.

The Neolithic communities, who lived originally on the highlands, gradually migrated to the flat fertile valleys of big rivers in search of more productive land. Such communities, who came down to settle in the Euphrates and Tigris, valleys of Mesopotamia, first developed the idea of irrigating cultivated fields by digging canals, thus creating a "hydraulic system" for the effective control of which some political organization or a government with a head of the administration or monarch was essential. This system brought about the "Urban Revolution" around 3500 BC. The ancient settlement pattern, the types of dwellings, the fortification, the Citadel, the burial, the fire places, the temples, the art objects, paintings, drawings, sculptures and host of other cultural relics of the past have been
utilized to reconstruct the socio-cultural pattern and political systems of the extinct societies.

The American archeologists are attempting a real breakthrough in archaeological research by putting the subject in the reconstruction of post-marital residence pattern, Kinship system, and political organizations of pre-historic societies. E.W. Haury has shown how pre-historic settlement pattern could be used to achieve these objectives. Eggan, who tried to analyse the archeological background of ethnological cultures, suggested a matrilineal character of the pueblo Indians and patrilineal system for the Hohakam whose agricultural economy was based on irrigation. This has given rise to the concept of 'hydraulic state' which is considered as the prime factor for the origin of patrilineal institutions.

India is one of the few countries in the world where survival and continuity of culture is of unique nature. There is a remarkable co-existence between human groups of all levels from its primordial stage of savagery to the level of high civilization. While there are so many instances of survivals of prehistoric traditions in material culture and subsistence pattern, we can naturally expect similar situation in respect of social and political institutions. The social and political institutions among the Sugalis which are need-based, developed around the nuclear concept of communal economic transactions. In this situation, the bond between the kindred groups is the strongest factor of social cohesion. The 'Thanda' (territory of settlement), enjoyed by a particular lineage group occupying several villages,
satisfies the needs of a situation where subsistence pattern formed their livelihood.

**DEFINITION OF TRIBE**

Definition of 'tribe' currently in circulation in anthropological literature seems to convey rather an ethnocentric bias to which the scholars of Euro American background by and large subjected themselves. The word tribe has been used by European historians to refer to such distinctive groups of people as the Gauls or the Anglo-Saxons in Europe and such autonomous political groups as Lichchavis, Malla, Yaudheya and Khasa in Ancient India, or such wide descent groups or tribes of Israel or the Arab tribes in West Asia.

Perhaps recognizing this Omnibus usage of the term the Oxford Dictionary tries to define 'tribe' as "a group of people in a primitive barbarous stage of development acknowledging the authority of a chief and usually regarding themselves as having common ancestors".

The Webster's third international dictionary, among its several definitions describes a tribe as "an endogamous social group held to be descended from a common ancestor and composed of numerous families, exogamous clans, bands or villages that occupies a specific geographic territory possesses cultural, religious and linguistic homogeneity and is commonly united politically under one head or chief".

Out of a number of definitions incorporated there, the given one goes closest to the anthropological definition of tribe
as recorded in the Dictionary of Anthropology by Charles Winick which reads as follows:

A social group, usually with a definite area, dialect, homogeneity and unified social organization, may include several subgroups such as sibs or villages. A tribe ordinarily has a leader and may have a common ancestor, as well as a patron deity. The families or small communities making up the tribe are linked through economic, social, religious, family or blood ties.

In the open society, Karl Popper speaks of the closed society, which, for him can be magical, or tribal or collectivist, as justly compared to an organism. He thinks that the organic or biological theory of the state can be applied to it, and that the herd or the tribe is at least a semi-organic society the members of which are held together by semi-biological ties, kinship, living together, sharing common efforts, common dangers, common joys and common distress.

WHAT IS SCHEDULED TRIBE?

Under the constitution of India, certain tribes have been specified as the scheduled tribes. As per the article 366 (25) the main criteria adopted for specifying communities as the Scheduled Tribes include –

i. Traditional occupation of a definite geographical area.

ii. Distinctive culture, which includes whole spectrum of tribal way of life, i.e., language, customs, traditions, religious beliefs, arts and crafts, etc.
iii. Primitive traits depicting occupational pattern, economy, etc., and
iv. Lack of educational and techno-economic development.

The old anthropological term for tribal is aboriginal. In general, it is applied to people who are considered as primitive and who live in backward areas and do not know the usage of writing. Anthropologists like Radcliffe-Brown, Evans – Pritchard, Fortes and Nadel have used the word 'tribe' to refer to an autonomous political unit which lives on its own territory and possesses its own distinctive way of life.

According to them there are certain characteristic features to recognize the tribals. The main features are:

1. A tribe has at least functional interdependence within the community.
2. It is usually economically backward.
3. The assumption of the ideology of tribal economy and society is that tribal communities in India are typified by their geographical isolation and high levels of ethnic closure.
4. Tribal economy runs economic under development and an absence of an economic specialization along side the geographical isolation of tribal communities.
5. Climate and Geology aside, the reasons for specialization in agriculture are set to be found by lack of functional specialization or division of labour in tribal society.
6. The tribal communities take form of mechanical society structured by ties of lineage which are made
independently of the more functional and market oriented demands of organic societies.


The tribal cultivator is endowed with an economic rationality but not with the profit maximizing mentality of the commercial farmer. They place little value on the surplus accumulation since they stress prompt consumption and immediate enjoyment interested in achieving an equilibrium between wants and efforts. In search of this equilibrium which is determined biologically by a family’s changing consumer/worker ratio. The tribal peasant had no need of an economic calculus which adopts a sectoral or compartmentalizing approach to profits and losses or to production and consumption. The tribal is not yet used to the sectoral approach which is the distinguishing characteristic of the advanced communities.

For example, he cannot distinguish between a loan for consumption or for production purposes.

Despite many economic changes the same situation in the socio-religious sphere is continuing. But one factor that brought substantial change is the impact of the social models of the mainstream in the society. The Indian caste system is so powerful and all pervading that few tribes can entirely escape from its consequences. While dealing with the civilized people, the tribals also came under the influence of caste system. So some discrimination prevails among the tribal communities
also. Some of them are highly privileged than others. They do not follow the inter dining and prohibit the inter caste marriages. Some tribals have also got in the status of caste.

REVIEW OF LITERATURE

Field work was undertaken after careful examination of the previous literature pertaining to the Sugali tribe. This has given a fairly distinct picture of the Sugalis and their historical past covering more than a century. The picture that emerges is from the details obtained from the earliest ethno-historical descriptions of Craufurd (1772),\(^1\) Elliot (1869),\(^2\) Danton (1872),\(^3\) Briggs (1819),\(^4\) Cumberlej (1882),\(^5\) Ibbetson (1883)\(^6\) and Robertson (1892).\(^7\)

A few studies with regional bias have recently been made on the Sugalis. One such study was made by the All India Banjara Seva-Sangh\(^8\) which presents the population distribution of the Sugalis in different states of India and their socio-economic conditions in considerable detail.

Prakash Rao, R (1961),\(^9\) made an attempt to study some aspects of the cultural life of the nomadic Banjaras. This work gives some description of the life cycles of Banjaras, their nomadic past and present.

S.G.Deogaonkar & Sailaja Deogaonkar\(^10\) have described Banjara tribe as a nomadic tribe which presents colorful culture with an altogether different level of acculturation. They also analyse conditions of Banjaras, how they got settled and given up nomadism. The authors further described how the Banjaras
were leading settled life and how they developed politically and economically and even socially. The Banjaras of Maharastra were given the status of general category based on the population level as well as on their economic conditions. They also gave a clear picture of Banjaras, their changing culture and the story of development and of assimilation with exotic culture.

They further described the Banjaras of Vibharbha as a type by themselves and who boasted of having provided two able chief ministers for a progressive state like Maharastra. They analysed and showed a strong Hindu culture with the signs of assimilating Sikh and Muslim worship within their fold. They further highlighted that characteristics, which are very strong and historically inherited, have been thoroughly mixed with the local Maharastrian style of life. But this study neglected the status of Sugali women.

Jadav, P.R. described the Banjaras as a community subjected to enormous suppression and exploitation at the hands of the rich and ruling class. Further, this historically exploited group is now being denied access to the advantages of modern culture. Their culture as variegated as their many colored dresses speaks of their highly refined way of life.

Though civil engineer by profession, the author has thoroughly discussed the socio-economic development of the Banjaras who led a wandering life, much like the Jews and the Gypsies in the West. The author also tried to throw light on the affinity between the Banjaras, on the one hand and gypsies on
the other. Relationship can be restored if when proper conditions are created. This book also describes women and their present status briefly, their crafts and how Banjara women are on the front of Indian fashion, breaking new ground with their exquisitely embroidered ghagras, bridal veils and red blue and black duppattas.

Nanjundayya, Iyer, K.A.K.\textsuperscript{12} gave a clear picture of the social stratification of the Banjaras from the Mysore/Karnataka region and mention four important groups. The Banjara customs in the Mysore area are given clearly. The religion of Banjaras as well as the origin, early history of social organization, admission of outsiders, dress patterns, the status of women, and even few changes in their religion are well described by the authors.

Halbar, B.G.\textsuperscript{13} has analysed how the process of economic differentiation as well as integration have merged into the wider regional economy. He did not touch upon the aspects of the culture of the Sugalis.

Khandoba, P.K.\textsuperscript{14} writes about the cultural traditions of Lambani in the state of Karnataka. But he could not mention the cultural traditions which are common to the whole of the Sugali community which is spread throughout the country.

Cheenya Naik,\textsuperscript{15} has highlighted the rich traditions of the Sugalis and the developmental programmes launched by the Government for the development of their society. But the customary law is not discussed thoroughly.
Dr. Sannarama\textsuperscript{16} speaks of the various dimensions of Lambani culture. This work focusses on the cultural aspects of Lambanis especially in Karnataka. He however neglected the area of political organization.

Prof. D.B. Naik,\textsuperscript{17} discusses the historical background of the Lambani society and focused his attention on the Lambani folk literature. He neglected the cultural aspects of the Lambani and their social and political institutions.

K.S. Singh\textsuperscript{18} views that roots of change lay in state formation, transfer of technology and culture contact. Peasants and tribes interacted over a wide spectrum. He states that colonialism profoundly disturbed the tribal society and explains that with decolonization, tribal society changed rapidly.

K.S. Singh\textsuperscript{19} describes the Sugalis, the Lambadi and the Sugalollu as synonymous, who use the suffix nayak while the women use the suffix Bai to their personal names. Further, Banjari language as Indo-Aryan language, women's ornaments, dress patterns, marriage, economy, education as clans etc., are described briefly.

Siraj-Ul-Hasan\textsuperscript{20} clearly describes the Banjaras, starting with their different nomenclatures, their physique, Rajput caste of countenance, etc. He also describes in detail the appearance of men and women in their traditional dress. He further gives details of their names and their derivations, origin, internal structure, marriage, widow marriage, inheritance, religion, disposal of the dead, occupations as well as the distribution of the Banjaras under Nizams dominion in 1911.
Shyamala Devi Rathod’s\textsuperscript{21} note on the Lambada tribe is important for a particular reason. This is one among the few tribes which have a system of admitting outsiders into the tribe, a characteristic which has generated of late a good deal of interest among the anthropologists. Her first hand information of an actual admission in which she participated is of considerable interest in this context. She also describes the land relationship of tribals.

B.Krishna Reddy & M.Ramachandra Reddy\textsuperscript{22} in their article on Banjaras made an attempt to give an ethnographic account of the Banjaras, one of the latest tribes of Andhra Pradesh.

Edger Thurston,\textsuperscript{23} describes Lambadi as synonymous with Banjari, Vanchari Sugali or Sukali. He further describes women driving the cattle and says that they are most robust women ever seen in India, undertakes a great deal of labour. He further describes Lambadi women’s ornaments their economy and society clearly. He gives important information that Rolla in Anantapur District has a small community of priests to the Lambadis who call themselves as Muslims but cannot intermarry with others of the faith. He further describes their religion and form of worship.

R.V.Russel & Hiralal’s\textsuperscript{24} monumental work is the result of the arrangement made by the government of India on the suggestion of the most famous Anthropologist of his time, the late Sir Herbert Risley, for preparation of an ethnological
account dealing with the inhabitants of each of the provinces of India.

The whole book is divided into two parts: part one deals with the Caste system and there is a detailed study on the glossary of the minor castes and part two included volumes 2, 3 & 4 with Caste and Tribes of Madhya Pradesh. Banjaras as goods carriers are seen in part two, where authors have given a clear picture of customs of these tribes. Russel & Hiralal also describe the physical, cultural and social characters of the Sugalis in the Central and Western India.

K.Aialaiah’s article provides us with the information on religion where the author says that the Sugali Gods are divided into malevolent spirits and they also worship Hindu gods and goddesses. This article also contains the three types of implications of festivals.

Contribution to the ethnography of an important and populous tribe, but it also illuminates various facets of the development and modification of rational phenomena. It also gives a picture of regional variations in their performance, thus enriching their meagre anthropological literature of Andhra Pradesh in general and Banjaras in particular.

D.R.Pratap’s study of Banjara festivals in Andhra Pradesh is not only a valuable contribution to the ethnography of an important and populous tribe, but it also illuminates various facets of the development and modification of rational phenomena. It also gives a picture of regional variations in their performance, thus enriching the meagre anthropological
D.R. Pratap in his work describes the Sugali community amidst the plains and their total population in Andhra Pradesh as 13.24 lakhs and attributes Proto Austroloid characteristics to this community. Social structure of this tribe is also marked by the bewildering regional and ethnic diversity and also describes some similarities among the tribes of Andhra Pradesh.

HISTORICAL BACKGROUND OF THE SUGALIS

There are a number of historical evidences and landmarks which prove that the Sugali tribe is one of the aboriginal and primitive tribes of Indian sub-contingent. S.R. Kanitkar, in his work, The History of India, written in 1934 mentions about the ‘Lamani Margas’ which date back to 6th Century B.C. This proves that this tribe lived even before the period of Buddha.

The Banjaras are named differently in different regions such as Sugalis or sometimes Lambadis in Rayalaseema area or Lambadis in Karnataka and Banjaras in Telangana. Anantapur and Kurnool districts are not aware of the term Banjara and their counterparts in other places. Edger Thurston treats Lambada as a synonym of Banjari, Bojpuri Sugali or Sukali. According to Grierson, “Banjaras are well known tribes who are found all over Western and Southern India.”

The Banjara community has derived its name from the combination of two words ‘Ban’ and ‘Charan’, the former meaning forest and the latter meaning wanderer. It is said that
the Banjara refers to a grain and cattle merchant who moves to different markets. Their principal sub group is the Labhani. This name is derived from the Sanskrit word ‘lavanah’ meaning salt. Thus this community is associated with trade in salt.

According to this interpretation the Lambadis are salt carries. It is said that Lambadi seems to have been derived from the word lamban which perhaps refers to their long caravan of bullocks along with which they used to move.

Aiyer is also of the opinion that the ‘Banjaras’ are synonymous with ‘Lambadis’ and Sugalis. K.S.Singh refers to Lambadi and Sugalollu and their counterparts in Telangana region as Banjaras. Taking into account the above opinions and observations and the fact that all of them use the same language, have similar customs, traditions and that they can be identified by their skin which is similar in many case, one can easily say that the tribes called Banjaras, Sugalis and Lambadies are one and the same. The name Sugali, Lamani, or Banjara signify only an activity as wandering transporters. The Sugali seems to be the most ancient, since their migrations go as far back as the 6th Century B.C., their extensive migrations took them sometimes outside the frontiers of Rajasthan. These migrations if they are judged by the inscriptions found in Khyber and Bolan passes, had taken place between 600 B.C. and 350 B.C.

Perhaps, the Sugalis stopped their migrations towards West during the decline of Buddhism around 12th Century A.D. This resulted in the selling of the necessary goods in towns and villages in North-West India.
According to Colonel Tod, most of the nomadic communities including the Sugalis believe that they are descended from Rajput ancestry. The nomadic communities which are similar to the Sugalis are Kanjar Bhat, the Habura, the Nat, the Sansi, the Beniya, the Bauria, the Dosadhas, the Gaduliya Lohar etc. All these groups state that during the period of All-ud-din Khilji and the defeat of Maharana Pratap Singh of Chittoor (1568-69) at the hands of Moghul Emperor Akbar, they retreated to the forests and took an oath to return to their mother country only when Mewar War freed from the alien domination. Since then these tribal groups had developed a dislike for Muslims.

Mythological and historical account suggest that their home land was somewhere in North Western India, and more likely in the Marwar region of Rajasthan, from where they spread in the historical past, in all directions to Kashmir in the North, Deccan and beyond in the South, and in the East to the Eastern Uttar Pradesh. It appears to be a mixed ethnic groups and owe their origin and organization to the war in the Southern India of Delhi Emperors, both Afghan and Moghul. When the Sugalis carried the commissariat of the imperial army, they helped the imperial armies fighting in an exhausted country far from their supply base, by conducting a fearless and reliable transport service.

Based on the past identity of the Sugalis, and their wandering habit, they were classified as gypsies of India. They are supposed to be descendants of the original Aryan gypsies of North-West India, whose descendants are also found to be in
various parts of central and southern Europe and the America. The Sugali culture and language indicate that they hail from North India. Their folk-lore depicts them to be the descendants of Rajput stock.

In the historical period, the Sugalis were supposed to be the inhabitants of Pakistan and Baluchistan, the regions which formed an integral part of India.

The Sugalis are not the autochthones of South India. They are a colorful tribe, inhabiting almost in all the states of India. Their original home is believed to be Marwar in Western Rajasthan.

Grierson opines, “Banjaras or Sugalis are originally Dravidian, becoming organized at a comparatively early date and philological considerations point to the conclusion that this occurred somewhere in Rajasthan.

Sugalis have different phonetic representation of same nomenclature such as Banjara, Sugalis, Sukali, Vanachara, Lambada, Lambani, Herkeri (Carnatic) and Brijore etc.

The origin and history of Sugali community is very vague and ambiguous. There are several legends that explain their origin and history. Mythological affinity is one of the unique features of Sugali which distinguishes it from other non-tribals. They trace their origin to Vali and Sugreeva and few other gods of the dominant Hindu pantheon. As Hindu culture was dominant we may suggest that the Sugali community would like to be linked with the dominant culture, to be accepted by
society and have access of self esteem. This would help the Sugali community to contend and compete with the dominant castes of society in the socio-economic sphere. Anthropologists and sociologists have different views regarding the origin of the Sugali community. The Sugalis were first mentioned in Dandin’s ‘Dasa kumara Charita’ which mentions about a cock fight in Banjara camp. Briggs in 1813 speaks about them that the first historical mention of Lambadas of Deccan is found in a book called, “A History of Rise and Progress of Mohammedan Faith in the Country of Hind” at the court of Bijapur by Mohammad Khasim. Ferishta calls them as grain merchants “Who travel about the country from one end of Deccan to the other end”. It is believed that they came down to South India along with the great Mughal armies early in the 17th century. The Sugalis helped the imperial army and came to South India in five groups such as Rathod, Pamhar, Chouhan, Mola, Vadatya, Turi, etc. Among these clans, Rathods are the strongest and most widespread even today.

The infiltration of the tribal regions of South India by Banjaras (Sugalis) appears as yet another phase in the Aryan conquest of peninsular India. While the aboriginal tribes like Gonds and Kolams represent the aboriginal, dark skinned, Dravidian speaking population of the Deccan, the light skinned Banjaras of north Indian racial type who speak a Sanskrit language, are just the latest wave of Aryan conquerors that displaced indigenous people.

After migration they led a nomadic life and women used to collect forest fruits and sell in the markets, men used to hunt
and breed cattle and practised Jhum cultivation. To protect themselves from wild animals and for their own convenience women started wearing different types of dress. Sugali women also started using mirrors on their skirts to frighten the wild animals. The belief was that wild animals would be frightened away by the monsters like reflection in the mirrors. As they live in bands, to avoid the confusion of night while sleeping women started using tattoo marks on their backs as well as on various parts of the body.

There is another legend that two brothers named Mota and Mola who were in the court of lord Krishna were the ancestors of modern Mathuria Banjaras, Lobanis, etc. These people are otherwise called as charan Banjaras. Siraj-Ul-Hasan, Colonel Tod, Kirpim corroborate the statement and others identify charans with Banjaras. They further identified them as the same since both of them live in Thandas and the women of both tribes wear similar dress and wear ivory bangles. Men in both tribes frequently wear long hair and also use their surnames interchangeably. The surnames like Lal, Rathod, Singh and Naik, etc., are used in both the tribes.

From the above statements it can be understand that the Banjaras have migrated from Rajasthan especially from Mewad. Their culture and language itself indicates that they hail from North India. Sugalis in their folklore consider themselves as Kshatriyas and claim they are of Rajput stock.

The Banjaras or Sugalis are very energetic and played a very important role in fighting against the foreign intruders.
They even offered stiff resistance to Alexander, the Great, when he marched towards Punjab and Sindh area. It is said that the Banjaras also fought with Babur, when he tried to conquer India.

During the reign of Shah Jahan, Asafkhan, the wazir of Shajahan\textsuperscript{28} in 1630 led an expedition against the Sultan of Bijapur. Bangi and Jhangi Naik were the two Sugali leaders who accompanied the Moghul army with 1,80,000 bullocks and Bhagawan Das, the Vadtya Naik with 52,000 bullocks. Both Sugali Naiks accompanied Asaf Khan during their raid into the Deccan against the Bijapur.

It was the object of Asaf Khan to keep these bullocks well up with his force, and so much were they prized by the Vazir that he was induced to give an order to Bhangi and Jhangi Naik’s, as they put forward excuses regarding the difficulty of obtaining grass and water for the cattle. The order engraved on copper plate in gold letters\textsuperscript{29} runs as follows:

\begin{quote}
"Ranjankapani, Chappar Ka ghas, 
Dinka teen Koon Maff, 
Aur Jahan Asaf Janka Ghode, 
Wahan Bhangi Jhangi Ka bail."
\end{quote}

The meaning of the inscription seems to be: ‘If you can find no water elsewhere, you may even take it from the Ranjans (pots) of my followers, grass you may take from the roof of their huts and if you commit three murders a day, I will even
pardon this provided that where I find my cavalry, there I must find always Bhangi and Jhangi Naik's bullocks.'

Since then they started coming into the Deccan as transporters of supplies or merchandise for the armies of Delhi emperors in their raids in the South early in the 17th century. Because of their spread over to entire Indian sub continent they adopted a mixed style of Aryan and Dravidian cultures.

In the medieval period, the Sugalis or Banjaras had commercial transactions with Middle Africa, Tibet, Italy, Khyber, Afghanistan, China, Arab countries and also with America. In Italy, Lombardy was their chief trade center. Some of the Sugalis also settled down in foreign countries.

The Sugalis became a useful medium of transaction between the South and the north during periods of peace until 1850s. In the 18th century they had also taken up service under the Maratha rulers of Satara, the Peshwas of Poona, the Nizam of Hyderabad and the British in the Mysore and Maratha Wars.

Sugal is in the Colonial Period

With the advent of the British rule the Sugalis gave up much of their traditional occupation of transporting goods due to introduction of mechanized transport, laying of roads and railway lines by the then Government. Hence they resorted to cutting of wood and collecting forest produce. But this avocation could not provide enough to live by as much of the forest in the country was cut down to provide wood for industry and railway lines.
Being poor, illiterate and lacking technical skills they degenerated and took to crimes like robbery dacoity, cattle lifting and kidnapping of children until the middle of last country. To reform them through persuasion and education was considered impossible by the British administration. Therefore in order to control their criminal activities they were brought under the purview of the criminal tribes act XXVII of 1871.

Further, despite the precarious economic position they did not like to adopt to wage labour as it was against their proud spirit and tradition. Therefore the Sugali men did not stop poaching in the forest, though it had been banned. Their women took up collection of forest produce and later agricultural wage labour on the farms of neighbouring peasants, out of sheer necessity. Thus after 1880s forest act, sale of forest produce and pastoralism became their main occupations. However by 1930, the forest work had leased to provide them enough earnings because of deforestation, strict implementation of forest protection measures and declaration of forests as reserved forests. This situation compelled the Sugali men to turn their attention towards agricultural and other types of labour in order to supplement the earning of their women.

But after 1930s they ultimately settled down first as pastoralists and then as agriculturists, although agriculture had never been their occupation in their history. After independence they were listed in 1949 as one of the denotified communities and since 1977, they have been recognized as a scheduled tribe. The inclusion of a particular group in the list of scheduled tribes or scheduled castes depends upon local socio-economic
conditions of a particular community hence the Sugalis are listed as scheduled castes in Karnataka, Haryana, Punjab and Himachal Pradesh. They are classified as scheduled tribes in Andhra Pradesh. In Gujarat, Rajasthan and Maharashtra they do not fall under any category.

Sugali is declared as a scheduled tribe in Andhra area according to scheduled castes and scheduled tribes list Modification Order 1956 and as a Denotified Tribe in Telangana area of Andhra Pradesh. They are also found in other states like Bihar, West Bengal, Delhi, Himachal Pradesh, Mysore and Orissa where they are called as Banjara. The Sugalis of Mahabubnagar and Khammam call themselves as Banjara and they believe that Banjara, Lambada and Sugali are one and the same, rather they are synonymous, whereas many Sugalis of Chittoor, Anantapur; and Kurnool districts are not aware of the name Banjara and the existence of their counterparts in other parts of India. In all the above three districts they call themselves as Sugali and are well aware of the name, 'Lambada.'

Aiyer is of the opinion that Sugalis are also called Lambadis, and Sugalis. Thurston treats Lambada as synonym of Brinjari or Banjari, Bhoipuri, Sugali or Sukali. According to Grierson, “The Banjaras are the well known tribe of carriers who are found all over western and southern India. One of their principal sub-castes is known under the name of Labhani, and this name is often applied to the whole tribe. The two names appear each under many variations, such as Banjari, Vanjari, Brinjari, Lambhani, Kabani, Labena, Lambadi, and Lambada”.

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Hutton and Russel treat Lambada as synonym of Banjara. Enthoiven is of the opinion that Lamanis, Vanjaries, Banjaras, Banjaris, Brinjaris, Lamanas, Lambadis, Lambars and Sukalis are one and the same. According to 1911 Census of India, Lamanis or Vanjari, Lambhanas and Sukalirs, Hanjaras, Banjaris, Brinjaris, Lamans, Lambadis, Labhans are one and the same. In Telangana, the neighbouring castes generally call them as Banjara and in Andhra and Rayalaseema regions they are called as “Sugalis”.

But there are some authors who differentiate between Banjara and Sugali. For instance, as stated by Thurston, according to Rev. J. Gain that “the Sukalilu do not travel in such large companies as the Banjarilu nor are their women dressed grandly as the Banjari women. There is but little friendship between these two classes, and the Sukali would regard it as anything but an honour to be called a Banjari, and the Banjari is not flattered when called Sukali. It is found that Lambadis of Telangana who are also called Banjaras and Sugalis of Andhra area are one and the same. Their clan division, way of dressing, customs and traditions are identical in every aspect. In Andhra Pradesh, the Sugalis are spread extensively both in Telangana and Rayalaseema regions. In the plains, the Sugalis live along with other communities like Yerukalas, Dommaras etc. But as an ethnic group they have retained their cultural identity. They used to reside in small huts in the hilly areas separated from the villages or habitations. These houses have thatched roofs. They usually do not like brick or tiled houses. According to a legend, one of their forefathers once built a storeyed house by
destroying a thatched roof hut. But after a few days all the residents of the house died. However, their way of life got changed under the influence of modern civilization. They have given up their age-old practices and traditions and adopted new ideas. Now-a-days they have started living in tiled as well as brick houses. Generally they have their own habitations. In villages, where they live with other communities they occupy more or less exclusive living areas known as thandas. A traditional Sugali settlement called 'Thanda' comprises 30 to 70 barrel-vaulted huts, a buffalo pen and a shed for the goats.

In the olden days, when they were leading a pastoral life, they used to maintain the cattle and packed bullocks. When the bullocks become old, then they are exchanged for other commodities. Hence Barter system prevailed in the Sugali community. The Sugalis used to migrate to new areas for their economic pursuits. They moved in waves. They used to transport the goods along the trade-routes which are predetermined. If one group is moving on a particular route, other groups are forbidden to move enroute. When on the march, the men always have their mouths covered, to avoid the awful dust which the hundreds of cattle kick up. They encamp for safety every evening in a regular square formed of their goods like bags of grain or salt. They and their families will be in the centre, and the oxen are made fast outside. Guards with matchlocks and spears are placed at the corners, and their dogs do duty as advanced posts. They never moved above two miles an hour, as their cattle are allowed to graze as they proceed on the march. The bullocks of the Sugalis have their horns, foreheads,
and necks decorated with richly embroidered cloth, and carry on their horns, plumes of peacock's feathers and tinkling bells. When engaged in the carrying trade, they usually lived in Kuris or hamlets attached to regular villages, as had considerable tracts of waste land belonging to them. When the tanda or caravan started on its long carrying trips, the young men and some of the women went with it, with the working bullocks, while the old men and the remainder of the women and children remained to tend the breeding cattle in the hamlet. In some villages, they generally rented a little land to give themselves a footing, and paid a carrying fee on the number of cattle present. Their spare time was constantly occupied in the manufacture of hempen twine and sacking, which was much superior to that obtainable in towns.

After the introduction of modern means of transportation, they are forced to take up agriculture. They had settled down in the new ryotwari villages in Madras presidency, as Government tenants. They grew pulses and sesame in preference to other crops, because these can be raised without much labour or skill, and during their former nomadic life they are accustomed to sow it on any poor strip of land which they might rent for a season. Some of them also are accustomed to leave a part of their holding untilled in memory of their former and more prosperous life. In many villages of Andhra Pradesh, they have not built proper houses, but continue to live in mud huts thatched with grass. They consider it unlucky to inhabit a house with a cement or tiled roof, this being no doubt a superstition arising from their camp life. Their houses must also
be built so that the main beams do not cross, that is, the main beam of a house must never be in such a position that if projected it would cut another main beam; but the beams may be parallel. The same rule probably governed the arrangement of tents in their camps. Usually they prefer to live at some distance from water, probably that is of a tank or river. They drink no water which is not drawn from springs or wells. The water from rivers and tanks being thus forbidden, they are obliged in case of necessity to dig a little hole by the side of a tank or river and take the water filtering through, which, by this means, is supposed to become spring water.

It is said that this rule may have had its origin in a sanitary precaution. Sugalis on their carrying trips preferred by-paths through jungles to the high roads along cultivated plains, as grass, wood and water were more abundant along such paths; and when they could not avoid the high roads, they commonly encamped as far as they could from villages and towns, and upon the banks of rivers and streams, with the same object of obtaining a sufficient supply of grass, wood and water. Colonel Sleeman noted that the decaying vegetation in these hill streams renders the water noxious and highly productive of malaria. And it seems possible that the perception of this fact led the Sugalis to dig shallow wells by the sides of the streams for their drinking, so that the supply thus obtained might be in some degree filtered by percolation through the intervening soil and freed from its vegetable germs. This custom have grown into a taboo, its underlying reason being unknown to the bulk of them,

*This information was given by Edgar Thurston & Rangachari in the work "Castes and Tribes of Southern India".*
and be still practiced, though no longer necessary when they do not travel. The Mughal armed soldiers carried the portable filters, as the sanitary precaution, when on the march. The Sugalis anticipated them, by drinking water from a pit that was dug.

During their nomadic life, their tents were made of stout coarse cloth fastened with ropes. In moving camp, these habitations are carried with their goods and chattels on pack bullocks. S.R. Kanitkar in his work, "History of India," in 1934, has given a detailed description of Laman Margas or trade-routes in India. He says that the India's trade both internal and external, had been in flourishing condition during the period 600 B.C. to 350 A.D.

During their days of transport and trade, the Sugalis were as calculative and worldly-wise as any other community, although they were illiterate. They used to buy and sell quickly if the prices were high and hold up the stock of grain if the prices were low, with a view to maximize gain. Born and bred in camps the Sugalis braved the vigours of the tropical sun and the heavy showers of rain from the time of their birth, thereby acquiring a robust physique, a fierceness of manner and disposition, and a freedom of thought and actions, which combined to render them athletic, hardy and brave. In spite of rational calculation and employment with different armies thereby earning huge sums of money poverty seems to have been their persistent lot, even in their heyday. This paradox can be explained in terms of their wandering habits, their clannish code which necessitated maintenance of even those who did not
work, their spend-thrift habits and habitual drunkenness, with
the result that, often, a Sugali was hardly able to purchase cattle
to replace those lost in the course of his campaigns.

They generally carried out their contacts with the British
with great probity, which is supposed to have been motivated by
pecuniary gain or fear of the British rather than by innate
principles of honour. Since the days of the Muslim invasions of
the south, they had practiced robbery along with their traditional
occupation. Major Gunthrope said in 1882 that some of the
Sugalis, in their palmy-days, undertook dacoites on the most
extensive scale. Gangs of 50 to 150 well armed men would go
long distances from their tandas to rob houses in villages,
treasure parties or wealthy travelers on the high ways; they also
indulged in cattle lifting.* He also noted the Sugali virtues as
well; the number of those who adopted a honest mode of
livelihood was increasing, and the predatory practice of some of
them was due to the deprivation of their former occupation by
the cessation of the continuous wars in India under native rule,
and by the extension of roads and railways rendering their mode
of transport obsolete (Russel and Hiralal 1916: 190-91).

Though they were illiterate people, their virtues preponder over
their vices. They were truthful and brave and once gained over,
were faithful and devoted followers. Despite Colonel
Mackenzie's apprehension that a time must come when all their
peculiar, distinctive marks and traditions would be lost, even
after a hundred years we find that they have been able to retain
their peculiarities; this capacity can be attributed to the

* Cumberlej, F.N's Monograph on the Banjara Class' in 1882, explains about the criminal
activities of the Sugalis.
persistence of their cultural organization in spite of their poverty.

As stated earlier, the notice of Sugalis as criminals is abstracted from Major Gunthorpe’s account. During the colonial rule, the police obtained intimate knowledge concerned the habits of this race, and the detection and punishment of many criminals through approvers, have aided in stopping the heavy class of dacoities and their operations have been reduced. They were scarcely armed, but each man has a good stout stick (gedi), the bark of which is peeled off so as to make it look whitish and fresh. The attack is generally commenced by stone-throwing and then a rush was made, the sticks being freely used and the victims almost invariably struck about the head or face. They never uttered a word, but grunt. Their loin cloths were braced up, nothing was worn on the upper part of the body, and their faces are generally muffled. In house dacoities men were posted at different corners of streets, each with a supply of well-chosen round stones to keep off any people coming attack. They were very expert cattle lifters, sometimes taking as many as a hundred head or even more at a time. This kind of robbery was usually practiced in hilly or forest country where the cattle were sent to graze secreting themselves they watch for the herdsman to have his usual mid day doze and for the cattle to stray to a little distance. They are driven off to a great distance and secreted in ravines and woods. If questioned they used to answer that the animals belonged to land owners and had been given the change to graze, and as this was done every day the questioner thought nothing more of it. After some days, the
cattle was quietly sold to an individual or taken to markets at a distance.

The Sugalis had a customary practice of human sacrifice. It is said that, before setting out on a journey, they used to procure a little child and bury it in the ground up to the shoulders, and then drive their loaded bullocks over the unfortunate victim. In proportion to the bullocks thoroughly trampling the child to death, so their belief in a successful journey increased.

They were also accused of the still more atrocious crime of offering up human sacrifices. When they wish to perform this horrible act, it is said, they secretly carry off the first person they meet. Having conducted the victim to some lonely spot, they dig a hole in which they bury him up to the neck. While he is still alive they make a sort of lump of dough made of flour, which they place on his head, this they fill with oil, and light four wicks in it.

Having done this, the men and women join hands and forming a circle, dance round their victim, singing and making a great noise until he expires. The Sugali caravan used to kidnap a non-Sugali child and the tip of his tongue was cut off to give him a defect in speech. On the next day, they used to bury the child in a pit and cover the body with the soil up to the neck. The caravan used to move over the child. The reason behind this custom was that if they perform this custom, then there would not be any hurdle on their way.
There was another custom performed by Sugalis to please their Gods. The kidnapped boy was taken by four men and three women, to a place where they performed puja. They fed the boy with milk, rice, and sugar, and then make him stand up. A woman draws her sword with both hands and standing on the child's right side, cut off his head in one blow. The blood is collected and sprinkled on the idol.

The Sugali community is not closed to outsiders, but the general rule is to admit only women who have been married to Sugali men. Women of the lowest and impure castes are excluded. They used to induct the tribal people like Gonds, into their community. But this does not happen now, because the caste has lost its occupation of carrying goods, and there is therefore no inducement to enter it.

In the olden days they were much addicted to kidnapping children – these were whipped up or enticed away whenever an opportunity presented itself during their expeditious. The children were first put into the gonis or grain bags of the bullocks and so carried for a few days, being made over at each halt to the care of a woman, who would pop the child back into its bag if any stranger passed by the encampment. The tongues of boys were sometimes slit or branded with hot gold, this last being the ceremony of initiation into the caste.

Girls were also kidnapped and they were disfigured for fear of recognition, and for this purpose the juice of the marking-nut tree would be smeared on one side of the face, which burned into the skin and entirely altered the appearance.
Such children were known as Jangad. Girls were used as concubines and servants of the married wife, and boys would also be employed as servants. The Jangad boys were married to Jangad girls, both remaining in their condition of servitude. But sometimes the more enterprising of them would abscond and settle down in a village. As stated earlier, for seven generations the children of Jangads or slaves continued in that condition, after which they are recognized as proper Sugalis. The Jangad could not draw in smoke through the stem of the hukka when it was passed round in the assembly, but must take-off the stem and inhale from the bowl. The jangad also could not eat off the bell-metal plates of his master, because these were liable to pollution, but must use brass plates. Sometimes the Sugalis used to sell off the girls whom they had kidnapped.

The social position of the Sugali may be determined by the fact that they eat from the hands of all Hindu castes except the dhobi, idiga, and the lowest unclean classes, while only the Mala, Madiga and other impure castes eat from their hands. In the internal structure of the Sugali society, the Dhalia, and Dhadi are considered as untouchables and higher caste Sugalis do not intermarry or eat together. Even the touch of the Dhalia is regarded as impure by other classes.

Actually the Banjaras are divided into four sub-tribes. — (1) Mathura, (2) Labhani, (3) Charan, (4) Dhadia. The Mathura Banjaras claim to be of the highest rank and purest blood, coming probably as their name indicates, from Mathura in upper India and tracing their origin from the mythical founder Mota, Sri Krishna’s herdsman. The Sugalis who are considered as a
Sugali Population Distribution in Andhra Pradesh
sub-tribe of charans, also consider the Dhadias and Dhalias as untouchables in their caste society. As stated earlier, the Dhadis profess themselves to be bards and genealogists of the charans, from whom they are probably an offshoot. They are a hybrid tribe, half Mohammadan and half Hindu, they observe circumcision like Mohammadans, but worship the Hindu deities, especially the Goddess Saraswathi. They subsist by begging alms from the charans and singing songs in praise of their charan ancestors and the Emperors of Delhi. It is believed that they embraced, the faith of Islam during the time of the Emperor Humayun.

The Rathods and Chouhans are considered as the higher castes in the Sugali society.

Earlier the Sugalis had their clan names suffixed to their personal names. They came down to South India as goods transporters to the Mughal armies in 15th Century A.D. The utility of their services during wars is clear from the prevailing convention that they should not be robbed by the non-Sugalis.

SUGALIS IN ANDHRA PRADESH

Sugalis are given different status in various states and their social status varies from state to state. In 1977, the Sugalis are notified as a Scheduled Tribe, and this notification invested them with all the privileges hitherto enjoyed only by the truly aboriginal tribes of Andhra Pradesh.

In Andhra Pradesh, the Sugalis are widely dispersed in the districts such as Guntur, Krishna, Kurnool, Anantapur and in Coastal Andhra. In Telangana area, Sugalis are mostly
concentrate in Mahabubnagar, Nalgonda, Warangal and Adilabad districts. Sugalis in Andhra Pradesh are recognized as Scheduled Tribes but in Telangana they are considered as de-notified tribes. Majority of the Sugalis are concentrated in Rayalaseema and Telangana regions.

STATEMENT OF THE PROBLEM

The colonial historians, ethnographers, administrators, anthropologists have studied this tribe. But all these studies have their own limitations and they could not provide complete information. The colonial and British ethnographers had studied the tribe from the administrative point of view and they had not properly assessed them. Moreover, they dealt very briefly with the status of tribal women and their importance in the family. Almost all of them are but ethnographic and neglected aspects reflecting traditional change caused by the external and due to internal reasons as well. Hence it is felt essential to analyse further the ethnography of the tribe especially customary laws and changes taking place in their present status, and factors and forces responsible for the changes. Keeping this in view it is proposed to title the study as Culture and Customary Law in Tribal Society – A Historical Perspective of Sugalis in Anantapur District.

AIMS AND OBJECTIVES

The present study is intended to explore the cultural traits and customary laws of the Sugalis of Anantapur District and analyse their conditions and status. The main objectives of the study are:
Geographical Location of Anantapur District in Rayalaseema

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STUDY AREA: (ANANTAPUR)
1. to analyse their customs, traditions, ritual structure and the oral traditions of the Sugalis.
2. to study the social institutions and customary laws of the tribe and the status of women in their society
3. to examine the social control mechanism through the Gor Panchayat and the cases dealt within the Panchayat; and
4. to study their changing society and the caste and class distinction.

METHODOLOGY

The methodology adopted for data collection is based on both primary and secondary sources. Primary data have been collected by admitting an interview schedule among the selected leaders of the two thandas of Anantapur district namely Pampanuru Thanda and Singampalli Thanda. Besides the schedules, personal interviews are also made with village people so as to ensure the validity and reliability of the data. Respondents are contacted after identifying them by the households, either on their farms or at panchayat offices or at their homes after establishing a proper rapport with them through school teachers. Interviews were conducted in the months of May-June in 2001 as well as in the month of June 2004 in these three Thandas. The researcher also adopted the method of participation/observation so as to analyse the social functions of their rituals.

The Sugali respondents of these thandas were chosen from various economic backgrounds. The respondents were mostly illiterates in Pampanuru thanda, whereas the Sugalis of
Singampalli thanda were educated. The field work was conducted in Telugu language. Census records were also made use of. Above all the technique of observation was used, which also added facts to the present study. Interview schedule covered aspects like name of the sub-tribe, origin, marital status, religion, economic status and political awareness. It is assumed that these people in Anantapur district are in the front line of development from tradition modern continuum in all spheres of life including their pattern of leadership due to the launching of developmental programmes. Hence these tribals have been selected. Owing to a degree of illiteracy they are not accurate in their memory in giving right answers. However, care has been taken in getting valid as well as reliable data after a lot of explanation to reach the objectives.

As there is no traditional data available on the Sugali women, the use of oral narratives, which serve as a more realistic, concrete and whole reconstitution has been adopted. Oral narratives are used as a tool to get the information.

**SCHEME OF THE STUDY**

The present study is divided into six chapters. The First Chapter gives a brief note on tribal customs and customary law and the need for studying the customary law. It also explains the scope, aims and objectives of the study and the methodology. It also gives the definition of the tribe, a brief introduction of the Sugali tribe, its distribution and numerical strength and ethnographic detail of the tribe with particular reference to Singampalli and Pampanuru thandas.
The Second Chapter deals with customs, traditions, ritual structure and the oral traditions of the Sugalis.

The Third Chapter deals with the customary law relating to the Sugali social institutions, status of women and their changing society.

The Fourth Chapter explains the forms and functions of the traditional council known as Gwar (Gor) Panchayat.

The Fifth Chapter explains the status of Sugalis in the contemporary society.

The Sixth Chapter is a concluding chapter, which presents comprehensive picture of the Sugali tribe in Anantapur District.
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