

CHAPTER FIVE

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Motivation of the British Behind Using Ordeal and Torture in Tamilnadu

Introduction

The practice of obtaining police confessions and extorting the payment of arrears of revenue by means of ordeal and torture was a crime. Its occurrence prevailed for centuries under native rulers. Universally practised, the British adopted the system in India for their easy takeover of the control of the authority over the provinces and for keeping the inhabitants under the threat of constant terror. The prevailing system of trial by ordeal and torture, social, political and economic conditions of the country motivated the British to use this system elaborately in Tamilnadu.

Social and Domestic Relation of the Natives

The social and domestic relations of the natives motivated the British using the trial by ordeal and torture in their judicial set up with the support of the native subordinates. The practice of inflicting cruelty and oppression was in the habit of the natives for suppressing the oppressed, keeping in a constant threat of terror and for the betterment of their life.

Every man and woman of the society was a potential torturer. The hope of this potentiality and its expression were extended by the fact that what, by the persecuted party was recognised as torture might not and probably in many circumstances was not recognised or admitted by the individual responsible for putting the torture into operation. This non-recognition or non-acceptance of torture by the individual, by the mob and in certain circumstances by the State was responsible for the wide practice of ordeal and torture through the ages.¹

For example, the mode in which the Brahmin treated the Sudra, the priest exercised his authority over the people, the landlord over his tenant, the master over the servant, the teacher over the pupil, the husband over his wife and the mother over the child.² The Indian mothers often made their children as a punishment stand in painful positions looking at the sun. The priests placed *kitti* and *annantal* before the Tirupathi idols and exposed them to the sun if their votaries were backward in their offerings.³ These kinds of punishment were practised by the natives during the time of the East India Company also. These habits of the Tamils induced the British and they adopted it with their idea of oppressing the natives for their consolidation of the State.

The peculiar idiosyncrasy of the Hindu mind made the attempt of the British easy. The cruelty of the Indian character was evinced from the various

¹ George Ryley Scott, *Op. cit.*, p. 6.

² *Report of the Commissioners for the Investigation of Alleged Cases of Torture, Vol. I.*, pp. cxli – cxlii.

³ *Ibid.*, p. cxliii.

extraordinary tortures prescribed in their religious codes and was mentioned in every work that treated of their disposition, which was favourable to the practice of the British, especially when used towards the more degraded classes and the thief castes, with whom the better orders had no sympathy, whose depredations and cruelties they dreaded and whose persons they hold in abhorrence. The respectable classes approved of a police officer's obtaining the conviction of a gang of really guilty robbers by means of proofs obtained by torture.⁴ They encouraged and would not expose the abuse, on account of their utter inability to comprehend any other system that would work as well and gave them an equal prospect of security of life and property.⁵

Native Judicial System

While the British entering into Tamilnadu, there existed a system of 'bullying' in the native judicial system, not so much for collecting the revenue that was due, but for extorting illicit demands. It was so injurious to the welfare of those over whom they were placed. It was opposed by Europeans or natives. While such system had been inherited from the former rulers of this country, there was so much in the habits of the natives that though the government and its officers were very anxious to visit and visited with severe punishment, all subordinates convicted of

⁴ *Ibid.*

⁵ *Ibid.*, p. ccviii.

oppression. The change of government, education and civilization never made them behave with more consideration to those who were subjected to their authority.⁶

Punishments in the Vernacular Schools

The teacher demonstrated many of the forms of torture on the pupils in the schools. Edgar Thurston gave accounts about the infliction of punishment on the youth in the vernacular schools. They were as follows:

- The teacher used the rod, which was a rattan about a quarter of an inch thick and three feet in length, sometimes ornamented with a silver ferrule at each end. There was no restriction as to parts of the body to which the rod was applied, but the palms of the hands, buttocks and the back were the most favourite spots. Caning was sometimes resorted to in lieu of a fine for bad conduct. Sometimes boys had to keep their buttocks uncovered during the whole time they in school, so that they were ready for caning if they were naughty.
- Pulling and screwing the lobe or helix of ears or boxing the ears.
- Hitting the head with the knuckles.
- Slapping the cheeks.
- Pinching the fleshy parts of the body, more especially the thigh.

⁶ *Ibid.*, p. cxli.

- Putting some sand or powdered granite dust on the bare thigh, and pinching the part.
- The boy stood with his feet together, and, crossing his arms in front, held the lobe of his right ear with the left hand, and of his left ear with the right hand. He was then made to stoop down, and touch the ground with his elbows from ten to a hundred times according to the gravity of the offence.
- Passing one hand under the leg, catching hold of the nose, and rising and sinking alternatively.
- A stick, four or five feet long, was passed under the knees, and the boy placed his elbows beneath it. The thumbs and big toes were tied together by separate strings. Thus trussed, he was rolled away into a corner of the school-room, there to meditate on his fault.
- The boy was converted into a horse, and made to carry about another boy seated on his back, with frequent turnings.
- There were some plants (nettles), the leaves of which, when rubbed into the skin, caused a burning and pricking sensation. The hands of the boy were tied in front, and the leaves applied to the back. The effect lasted for several hours, at the end of the time coconut oil was rubbed in to prevent swelling.
- The boy was made to stoop, with only the big toe and forefingers of the right side touching the ground, and the whole weight of the body

was thrown on the toe and forefinger. If the other toes and fingers touch the ground, they were rapped with the cane. This punishment was called standing on needles.

- The right ankle being crossed the left thigh; the boy had to stoop with the tip of the right forefinger touching the ground.
- The boy stooped down with his legs stretched apart, and his right hand on the ground about three feet in front of him, while he read a book held in the left hand.
- Kneeling alternately on the right and left knee, while the ears were clutched with the hands of the crossed arms.
- Standing or hopping on one leg.
- Another form of punishment was known as sitting like a chair. In this the boy, with his hands tied or crossed in front, or stretched out at right angles to the trunk, was made to squat with his back touching a wall, and the buttocks on a level with the knees. Sometimes spiny fruits were placed in the hollow of the bent knee-joints. A line was drawn on the wall above his head, which must not be raised above the line. The steel style used for writing was fixed into the ground with its sharp-pointed end towards the buttocks. In a modified form of this subtle punishment, the school slates were piled up on the boy's lap or head.

- The feet being several feet away from a wall, the forehead was made to touch the wall, the forehead was made to touch the wall, and, in this uncomfortable attitude, a book held in the hands was read.
- The legs being stretched wide apart, the boy had to sit alternately on the right and left buttock.
- The boy sat on the floor, with his clothes removed, and hands and feet tied. His face, body, and limbs, and the ground around him, were smeared with jaggery water. Ants and other insects were attracted by this, and the skin became covered with them.
- The boy was made to stand up with the arms crossed in front. His feet were then dragged apart, and he had to stand with the legs widely separated.
- The boy had to crawl between the outstretched legs of the pupils.
- The boy was made to stoop down. A loop of string was passed round his neck and one of the big toes, or the thumbs were tied to the toes. The punishment was increased by placing a heavy stone or another boy on his back.
- As a punishment for bad handwriting, the boy was made to hold his right arm horizontally, bent as in the act of writing. Then any article which was at hand, such as a slate, piece of paper, or strip of palm leaf was placed over the elbow-joint, and the boy had to write

without letting the article fall off. If it did, he was caned, and the performance was repeated.

- A boy was punished by scattering the live occupants of a nest of red ants over his body.
- Hanging by the hands, or punishment of the bow. A rope or bar, which was sometimes bow-shaped, strong enough to bear the weight of the boy, was suspended like a trapeze from the roof, and clutched with interlocked or tied fingers. Burning paddy husk or chillies, sharp stones, thorns, or prickly-pear, were spread on floor beneath him, so that he was afraid to let go his hold.
- If a boy wanted to relieve nature, he was made to spit on a tile heated by exposure to the sun, and returned before the saliva, which took the part of a sand glass, had dried up.
- The boy was made to masticate straw like donkeys or bullocks.
- He had to spit on the joints of the fingers, dipped them in the sand, and stroke them forcibly on a bench or stone.
- If a boy refused to do his lessons, another lad told him that he would bring butter out of his thumb, the back of which he rubbed with dry earth or sand till it began to abrade the skin.
- The boy was ordered to stand in the blazing sun with a weight, e.g., a stone, on his head or in his hand; and, if he refused to obey, received a caning, or was pushed out of the room by the other boys.

- Two naughty boys were made to seize each other by the ears, and stood up and sunk down alternately; while they sang “You and I were shameless fellows”.
- The boy kneeled down, and heavy stones were stones were placed on his calves.
- He was rolled in the sand during the hottest part of the day.
- Placing block and chain. This consisted of a block of heavy wood, sometimes shaped like a club, to which was attached a strong iron chain four or five in length. The log was placed on the back of the naughty boy, who had to read a book while in a stooping attitude; or the free end of the chain was fastened by a padlock to the leg of the boy, who had to drag or carry the block about with him, it was for several days.
- In the case of boys who shrank attendance at school, the teacher, accompanied by his pupils, proceeded to the house of the truant, and put on his head a fools-cap made of paper, bamboo, palm-leaf or grass matting. He was then marched off, or carried by his fellow students to school amid the clapping of hands and beating of drums.
- Two boys, who were guilty of chatting or quarrelling in the school-room, were made to stand face to face. They got a good grip of each other’s ears, and tugged till their foreheads came in painful

contact. If they were slow, the teacher seized hold of their heads, and brought them forcibly together.

- Boys were made to kneel down on the hard ground, sometimes with arms outstretched and a heavy stone in the hands, till they had learnt their lesson.
- The introduction of benches into school-rooms had created a novel form of punishment. The boy lied flat on the bench, back upwards, and was tied to it by strings round the neck, waist and legs. While he was thus captive, his arms were stretched out by two other boys, and he received a caning.
- The naughty boy was made to do menial services for the schoolmaster, such as drawing water from the well, etc.
- The boy's parents, sister or other near relations were spoken of, in his presence, in vulgar and abusive language.⁷

The way of punishments in the vernacular during the British rule in Tamilnadu motivated them to inflict much more torture on the natives.

Motivation of the British for Inflicting Ordeal and Torture

When the British consolidated their power in Tamilnadu and started to administer the country, the native people were under the impression that the 'government or its European officers' in the slightest degree authorised or gave

⁷ Edgar Thurston, *Ethnographic Notes*, pp. 433 - 438.

countenance to any of the cruelties in collecting the revenue and for the discovery of crime.⁸ But the British fostered the use of torture by the unreasonable eagerness with which they expected the detection and punishment of suspected parties and the restoration of stolen property.⁹ The officer of the government used the infliction of torture for government purposes.

From the report of the Torture Commission, it was understood that the Commission was not an inquiry into the practices of oppression of the British officials. The Commission aimed to expose the oppressive actions of the native officials and declared that in which British had no part. It stated that the cruelest tortures and the basest treatment were sustained by the poor ryots from their own countrymen. Yet it was not at all for the collection of the public revenue as the people in England considered it, nor did the British Government allowed it that the tortures might be used in the collection of their revenue. But it was by the over placed government servants in order to realise their own self-interest, they used the cruel tortures towards the poor ryots and threw the blame thereof upon the government.¹⁰

Further, the report affirmed that the British officials were totally unaware of the malfeasance of their subordinate native officials and no native would knowingly venture to have recourse for any such practice in the presence of the

⁸ *Report of the Commissioners for the Investigation of Alleged Cases of Torture, Vol. I.*, p. cxli.

⁹ *Ibid.*, p. ccviii.

¹⁰ *Ibid.*, Vol. II., p. cxlvi.

British officials.¹¹ The Commissioners of the Torture Commission said that the natives looked upon torture in criminal cases as necessary and right and it excited no abhorrence, no astonishment and no repugnance in their minds. It was practised in every relation of the domestic life.¹² Colonel A. McCally, Commissioner General of Madras forwarded to the Commission that the practice of torture was in a great measure merely a tradition, handed down from former times. During the rule of the British in the provinces, it only existed in isolated cases. He further mentioned that the stories which had been circulated by the press were exaggeration. The ryots were impressed with the certainty of obtaining protection from the Europeans placed over them.¹³ These kinds of ideas and thoughts, that the natives were tortured by the natives in which the British had no part, motivated the British to practice ordeal and torture in Tamilnadu.

The British officials were so ill-natured that they regarded the natives as worse than rubbish. They thought that the natives were no better than sheep. The lives of natives were miserable at the hands of the British. The murder of natives by British soldiers was becoming very common in all parts of Tamilnadu.¹⁴ They thought that the natives of Tamilnadu were cruel and so they were to suppress with the cruel punishments. The British used torture to break the heart of any man of a decent social position. They used this kind of atrocities to deter those who

¹¹ *Ibid.*, Vol. I., p. 14.

¹² *The Annual Register, or A View of the History and Politics of the year 1856*, London, 1857, p. 190.

¹³ *Report of the Commissioners for the Investigation of Alleged Cases of Torture, Vol. I.*, p. cciii.

¹⁴ *Vrittanta Patrika*, 3 March 1892, MNPR, 1892, p. 53.

lived by crime, or the atrocity of whose conduct in any particular case betrayed their radical corruption; unless whipping was to be carried on like knouting. For men of these classes, both in their cases and as an example to others, the sentence was transportation. This was the evidence to prove the cruel nature of the British in Tamilnadu.¹⁵

In proof of this, the *Naier-i-Asifi*, the Madras native newspaper, of 8 March 1900, cited an instance that two British officers, who beat an aged native to death merely for the reason that he did not make them salutation. These officers were punished only with the slight fine. It was an evidence to prove that the lives and property of the natives were not safe under the British in Tamilnadu.¹⁶ The *Swadesabhimani*, of Salem, of 15 April 1892, stated that the magistrate of Salem awarded cruel punishment to a painter for representing on canvas one of the *lilas* or sports of Krishna. The paper further affirmed that the punishment simply evinced the bias of the magistrate who was a British inasmuch as he took no notice of the nude pictures and models that came from England.¹⁷ The description of James Welsh in *Military Reminiscences* proved the practice of torture by the British officials.¹⁸

The motivation for practicing torture by the British in Tamilnadu was retribution, deterrence and isolation of criminals from society besides providing

¹⁵ *MJP, Vol. IV., Consultation No. 109*, 18 November 1863, p. 1346.

¹⁶ *MNPR*, 1900, p. 93.

¹⁷ *MNPR*, 1892, p. 89.

¹⁸ James Welsh, *Op. cit.*, p. 135.

means for expiation of crime.¹⁹ Being revenue as the main concern of the British, any method that was efficacious to overcome the ryots' professed inability or unwillingness or stubbornness in the matter of clearing the liabilities were tacitly practised and sanctioned by them.²⁰ The British adopted and practised such coercive activities for the regular collection of taxes, to keep the people law abiding and subordinate to the government, to threaten the person not to do any wrong against the government and to suppress the riots that was the weapons of the people during this time. Thus the people of Tamilnadu groaned under the cruel oppression of the British.

Motivation of the Servants to Inflict Torture under the British Rule

The direct application of infliction of ordeal and torture by the British was less. Under their supervision, the low-paid native servants committed cruelty on the natives. Knowing that all the torturous activities were directed with the full support of the British, the natives feared to make complaints against the tormentors. There were evidences to prove this in the report of the native newspapers. The natives those who wished to make complaints on the tormentors had to travel. They feared that by misinterpretation their complaints were sent with ordinary endorsement of a reference to the tahsildars by the collectors. From these evidences it was proved that the investigation of alleged cases of torture by the British authorities was an eye wash. They mainly relied upon the reference of the

¹⁹ P. Jegatheesan, *Op. cit.*, p. 153.

²⁰ P.N. Chopra, T.K. Ravindran and N. Subrahmanian, *Op. cit.*, pp. 125 - 127.

tahsildars for further investigation. Mostly the reference of the petition to the tahsildar was likely to end in nullity. It showed the immense power of the native servants in the districts and in the office of the collector which rendered all the complaints to the superior British officials nugatory. If any trial took place before the *tahsildar* the complainant's witnesses were either bribed and bought off or intimidated or if they appeared that their statements were not believed or garbled and an unfavourable report upon them returned to the collector. Above all the conviction that who seek redress at the hands of the British was thenceforth a marked man against the native officials. His whole future peace and safety were jeopardised by this attempt and that every means of annoyance and of oppression even to false accusations of felony was brought into play against him.²¹

The motivation of the native servants to inflict torture was to obtain payment of debts illegally for a legal purpose to the revenue consisting of rents, for the illegal object of obtaining bribes and as illegally, for a legal purpose to procure evidence.²² Bribery was a major motivation of the native servants to inflict torture on the people. It was universal in all the establishment of the government. When payment was not obtained by fair means, foul was resorted to. Though silent machinery, bribery brought into play in all perfect. It combined the forces of revenue demands and police authority. It was a common practice with the native officers to give their own illicit demands precedence when pecuniary means were

²¹ *Ibid.*, pp. 125 - 126.

²² *Tait's Edinburgh Magazine, from January to December 1856, Vol. XXIII.*, London, 1856, p. 311.

more plentiful or easily procurable.²³ The servants bribed their superiors in order to oppress the people.²⁴ The process of extraction was more readily compiled with under hopes and promises of future services perhaps that of assisting in cheating government among others expressly with a view to keep the revenue demand as a *corps de reserve* to fall back upon.²⁵

A correspondent to the Salem *Suthasabhimani* of 20 June 1881 clearly stated the practice of bribery in the legal aspects of the country. It described that Srinivasan, the Acting Deputy *Tahsildar* and Sub-Magistrate of Omalur Division, did not reside in the *casbah* (fortress), but was always going out on circuit oppressing the village authorities. He was addicted to the taking of bribes in criminal and other cases, and those who did not bribe him, put off (hearing their case) for four or six months. He then dismissed those cases in which guilt was proved and awarded punishment in those which were concocted. It was said that he sent monthly to the bank a money order for two or three hundred rupees through a person at Suramangalam.²⁶

On the other hand, the Hindus, who held high positions in the Government of Madras, were intoxicated with pride and liquor; and it was customary for them to go in this condition to their offices. When they went to their officers, they ordered that *Vakeels*, editors and others should obtain permission

²³ P.N. Chopra, T.K. Ravindran and N. Subrahmanian, *Op. cit.*, p. 125.

²⁴ *Reports on Native Newspaper for the Month of July 1884*, p. 3.

²⁵ P.N. Chopra, T.K. Ravindran and N. Subrahmanian, *Op. cit.*, p. 125.

²⁶ *Reports on Native Papers in the Madras Presidency for the Month of June 1881*, p. 3.

before entering a place. Though the practice of entering with permission was not in force in the High Court of Madras and other courts, it was in practice in some places of Salem. They decided cases without any considerations of justice, and according to the strength of the recommendation or the amount of bribe which the parties brought with them. There was no opening left for appeal, inasmuch as the punishment of whipping was awarded and executed then and there in the presence of the court. The bystanders exclaimed against such proceedings, and that the punishment was unmerited and the victim innocent. This was enough to show that the decision of the Hindu officials was unjust and the punishment cruel. The government had not thought of putting an end to such a state of affairs and of refraining from investing the native officials with the power of whipping.²⁷

Causes for the Atrocious Activities of the Revenue Officials

The system of landed tenures in Tamilnadu was a social evil and that coercion and the ill-treatment of the native cultivators were necessary consequences of its continuance by the revenue officials. The manner in which this detestable land system carried out was responsible for demoralising the revenue servants, degrading the agricultural classes and devoting the private possessions of the natives to ruin and confiscation.²⁸ The English East India Company intended by the

²⁷ *Report on Tamil Newspapers for the Week ending 30 August 1879, Report on Native Newspapers in the Madras Presidency for the Month of August 1879*, p. 2.

²⁸ Patrick.B. Smollett, *Op. cit.*, p. iv.

organised system of compulsion to dictate the terms of cultivation, to infringe on the personal liberty and free exercise of the labour of the ryot.²⁹

The consolidation of the British rule introduced the payment of army, police and other public establishments and the collection of land tax in cash. Before that wages to revenue, military, police officials and to agricultural labourers were generally paid by grants of land during tenure of service and in grain. Grain was also the common medium of exchange. The ordinary people lived in a restricted and simple life. Money was needed only for the purchase of luxuries which were strictly limited to the affluent classes. The rule of the British changed all traditional structure of the Tamil society. In the meantime, the British raised the value of money and money assessment was enforced in the assessment of land. It proved inadequate for the settlement of the ryots. The British administrators never minded the hardship of the people and increased the assessment rates without reference to the existing conditions. They also encouraged the tax collectors employed every spices of ordeal and torture to collect the dues.³⁰

The public feeling was strongly against the practice of inflicting ordeal and torture, for no ryots knew when he might not become a defaulter himself. But on the other hand, the higher officer was aware that the character of a revenue officer depended to a great degree on the punctuality of his collections, so that

²⁹ *Speech of the Earl of Albemarle on Torture in the Madras Presidency*, p. 19.

³⁰ P.N. Chopra, T.K. Ravindran and N. Subrahmanian, *Op. cit.*, pp. 124 - 125.

regard to his own interests might frequently prompt him to harsh measures.³¹ In some cases, with the view to show their abilities to their employers, the revenue officers inflicted torture both on the poor and the rich.³² The revenue servants, those who were from inferior rank in the society and the educated individuals of their community, received rates of remuneration lower than the ordinary domestic servants. It was absolutely impossible for them to do all their needs on the pittance allowed to them and their means were eked out by illicit contributions extorted from the ryots.³³

The practice of bribery became an everyday unavoidable necessity in the country. It was generally practised on the lower order of the ryots whose circumstances least permitted of their making any complaints on the one hand, whilst their ignorance and timidity render them more submissive on the other which was the character of the natives that very often those able and ready to pay their dues would not do so unless some degree of force was resorted to.³⁴

Causes for the Oppressive Policy of the Police Officials

The police establishment was also a scourge that threatened the life of the peaceable and well-disposed people all over Tamilnadu; to thieves and rogues it posed no threat. It had become the bane and pest of the society, the terror of the community and the origin of half the misery and discontent that existed among the

³¹ *Report of the Commissioners for the Investigation of Alleged Cases of Torture, Vol. I., p. cxlvi.*

³² *Ibid., Vol. II., p. cxliii.*

³³ Patrick.B. Smollett, *Op. cit.*, p. 32.

³⁴ P.N. Chopra, T.K. Ravindran and N. Subrahmanian, *Op. cit.*, p. 126.

subjects of the government. Corruption and bribery were paramount throughout the establishment.³⁵ The police officials were mischievous. They looked for their own profit to such an extent that they were implicated torture in most of the cases.³⁶ If a theft was committed, the police, in conjunction with the offenders, tried to conceal a portion of the stolen property. In any other case, they would deal with the affair according as they got money or not.³⁷

It was painful to note that the people were beginning to lose all confidence in government, regarding security of person and property, in consequence of the fragrant abuse of authority on the part of the police of Tamilnadu. It was the duty of government to see that the police authorities discharged their functions properly. But the British higher officials encouraged such activities and promoted for their sake. Taking advantage of the power vested in their hand, the police constables abused their power by taking hold of innocent persons for no other purpose than to levy black-mail from them. They even took hold of children who were quite ignorant of the rules of the police.³⁸

The police officers hesitated at strengthening a case by very rough ill-usage, if not torture, deceit and perjury. It was usual with them to make out true cases to be false and false ones to be true. Various motives concurred to drive them to such courses. It was considered that police department was the weakest part of

³⁵ *Ibid.*, p. 127.

³⁶ *Andhraprakasika*, 16 January 1892, *MNPR*, 1892, p. 15.

³⁷ *Kerala Patrika*, 30 May 1891, *MNPR*, 1891, p. 142.

³⁸ *Janamitran*, 11 June 1892, *MNPR*, 1892, p. 143.

the judicial administration of the British. Service of the police had been unpopular with the natives of superior stamps and men of character avoided entering it.³⁹ As the inferior officers employed in the police department were anxious to display their ability and got promotion by returning a large number of detected cases, they had recourse to this heinous practice of torturing the accused to a confession of his guilt or the witnesses to depose in their favour. In all such cases the police had the support of their superior officers, at whose instance or connivance most of their wicked deeds were perpetrated, and this was the reason why the superior officers in the police department were anxious to help their subordinates. This kind of practice was unknown to the other departments of the government.⁴⁰

The chief cause of all the evils in the police department was the appointment of uneducated men to responsible posts, the low pay they got and their not being selected from respectable families.⁴¹ The report of Torture Commission stated that the British appointed uneducated natives as revenue and police servants. From the statement, it was understood that the British excluded educated natives in the services of the government. The report of the native newspapers affirmed the statement and pointed out exclusion of educated natives from higher appointments by the British. The offices of Superintendents and Assistant Superintendents of Police were given to uneducated British in partial to educated natives.⁴²

³⁹ Richard Temple, *India in 1880*, London, 1880, p. 201.

⁴⁰ *Swadesamitran*, 25 August 1900, *MNPR*, 1900, pp. 253 - 254.

⁴¹ *Ibid.*, p. 254.

⁴² *Vrittanta Chintamony*, 13 April 1892, *MNPR*, 1892, p. 78.

The native police servants had little or no formal education. They were not given any training. Their incompetence made them recourse to cruelty and tyranny in the execution of duties. They had well known that it was against the genius and principles of the government to practise torture upon offenders on any account or to coerce into a confession of guilt.⁴³ Some of them did not hesitate to kill a man if only they could get an increase of pay.⁴⁴

The British appointed the persons who were experts in their wicked deeds as station-house officers. Very often they rose to the rank of police inspectors, and the police superintendent who had no local experience of the districts was led by these police inspectors. If, instead of the British, the natives were appointed as District Superintendents of Police, then they were not guided by the inspectors. But, on the pretext that the natives were not clever detectives and that they could not manage a district on occasions of riots, these appointments were given only to the British. On the other hand, the fact was that natives could do much better than the British in putting down a riot, if only they were asked to do it. The government overlooked all the faults of the Anglo-Indian Superintendents of Police and came down upon the native officers for petty mistakes.⁴⁵ It affirmed the oppressive mind of the British on the part of the natives.

⁴³ Malcolm Lewin, *Torture in Madras*, London, 1857, p. 18.

⁴⁴ *Kerala Sanchari*, 19 October 1892, *MNPR*, 1892, p. 241.

⁴⁵ *Swadesamitran*, 25 August 1900, *MNPR*, 1900, p. 254.

The police officials considered that they were only showing a fit regard to their own character, to the interests of the public and of government by convicting as many rogues as possible. When they saw a man of whose guilt they were satisfied, they felt no compulsion whatever in completing the chain of evidence by irregular mode. They rather congratulated themselves that they were not as other men were, if they refused to seize a man of bad character, but not connected with the particular crime and endeavour to prove that he committed it.⁴⁶ They got up false evidence in lot of cases to get the name of being able officers. If it was a murder case, the police were ready to present not only the man who saw the accused going to perpetrate the murder but also the smith who made the weapon and the man who bought it and even the box in which the weapon was kept after the murder.⁴⁷ The heads of police usually looked to confessions by torture as the means of satisfying their superior. Whenever the police authorities were unable to detect the culprits in the cases brought to their notice, they took hold of any innocent person at random and to substantiate a charge against him with the help of false witnesses. It had become a habit of the police authorities.⁴⁸ Innocence was no security against torture, while the same torture fell on the innocent was found capable of working impunity to the guilty.⁴⁹

⁴⁶ *Report of the Commissioners for the Investigation of Alleged Cases of Torture, Vol. I., pp. cxliii – cxliv.*

⁴⁷ *Kerala Sanchari*, 19 October 1892, *MNPR*, 1892, p. 241.

⁴⁸ *Swadesamitran*, 18 October 1892, *MNPR*, 1892, p. 240.

⁴⁹ Malcolm Lewin, *Op. cit.*, p. 18.

The *Ayul Vedabhaskaran* of 15 February 1891 made an observation on the issue that the system under which the police shut up persons accused of criminal offences in lock-ups, far removed from public view, had a good deal to answer for. This system frequently led to the miscarriage of justice in cases tried and disposed by the British magistrates. For the police officers, who arrested persons suspected of an offence, were bound to prove the guilt of the accused, and on that account they had recourse to various methods of torture for wringing out a confession from the accused. The result was that even innocent persons, owing to their inability to suffer torture, obliged to make a false confession of guilt before the magistrate, and were thus convicted. Besides the accused were as a rule unable to prove to the satisfaction to the magistrate that they had been tortured into a confession of guilt, because such torturing took place in rooms far removed from public view. Thus the accused were unable to get injustice at the hands of magistrates and judges.⁵⁰ This attitude of judiciary promoted the British police officials to practice ordeal and torture.

Conclusion

The prevalence of ordeal and torture in the private life of the Tamil society and the officials recruited from the land made the task easy to the British. As soon as, the uneducated natives entered upon public duties armed with authority from the government, they carried out the same oppressive principles and exercised

⁵⁰ *MNPR*, 1891, p. 63.

that authority most arbitrarily. From these it was cleared that every man in the society cringed to everyone above and trampled every one below him.

The British made use of all the circumstances in Tamilnadu for their steady establishment. They practised the methods of ordeal and torture for the regular collection of taxes, to keep the people law abiding and subordinate to the government, to threaten the people not to do any wrong against the government and to suppress the riots that were the weapons of the people during this time.