CHAPTER - 1

INTRODUCTION
Anthropology is the study of human beings. As a systematic body of knowledge, Anthropology tries to understand the tremendous human diversity in its socio-cultural, biological and historical dimensions and their inter-relationships. As a scientific discipline, Anthropology is concerned with all aspects of human kind – language, attitudes, traditions, customs, values, kinship, family, marriage, economy, technology, power, authority, religion, history, pre-history, evolution, inheritance, body build, pigmentation, blood types, to name just a few.

Anthropology is therefore, a holistic science, with the entire gamut of human kind as the focus of study. Other disciplines like, Psychology, Political Science, Sociology, Economics, History, etc. that deal with people normally concentrate on a single aspect of human activity. For example, economists study the production, distribution and consumption of goods, the market system and different system of exchange, but they would very rarely take into account the effect of kinship and religion on the Economic System. But Anthropology takes a broader, holistic approach wherein it tries to consider the inter-relationships between the different aspects of culture.
The division of Anthropology into four broad categories - Socio-cultural Anthropology, Physical or Biological Anthropology, Archeological Anthropology and Linguistic Anthropology, illustrates its breadth. Traditionally focussing on the less technologically complex societies of the world, the Socio-cultural Anthropology concentrates on the culture of existing peoples.

The Physical or Biological Anthropology is primarily concerned with the origin and evolution of man and primates with a special reference to higher primates, the ontogenic growth and development of man and primates, the variation existing in human populations and the origin and evolution of human and primate behaviour.

Biological Anthropologists are basically interested in the study of human variation and to analyse how this variation results from the interaction of biology and culture. Biological Anthropology is more often ecological in its perspective, in other words, the processes that bring about human variations are viewed in the context of the relationship between the species and the environment and also other organisms in the environment. But the population geneticist is primarily interested in finding answers to such questions as 'How does population 'A' and population 'B' affect the genetic structure of 'A' or in a population of
small size', "How has the inbreeding affected the distribution of genes?". (Swedlund and Ar melagos, 1976).

According to Donald Bogue, "Demography is the empirical, statistical and mathematical study of human population (1971)". The research in the field of demography centres around population growth and decline, the composition of population and the distribution of population in space. Demography is comparatively new science though it emerged as a separate branch of study as far back as 1662. Although John Graunt is to be regarded as father of demography, this honour goes to Thomas Robert Malthus, another Englishman (Srivastava, 1983). The word demography was first popularised by Acille Guillard (1885) who considered demography as the mathematical knowledge of the movement of the population as well as the physical, social, intellectual and moral condition of the population.

According to Thompson (1953:1) "Demography or study of population is primarily concerned with the following questions. What are the changes that take place in the size of population? How are these changes brought about? What is the significance of these changes? What are the changes that take place in the distribution of the population? What kind of people are found in any given population? How do these people vary from those in other groups?"
These questions clearly indicate that demography is basically concerned with the size and number, structures and characteristics, distribution and change taking place over a period of time in a population. Therefore, the subject matter of demography encompasses the study of fertility, mortality, migration and social mobility. It also includes socio-cultural explanation of fertility behaviour, demographic events like births, still births, deaths, marriages, sex and fertility experiences.

Population can be defined in a number of ways, but most population concepts involved a hierarchial classification in which units are defined in terms of the extent to which people are embraced by common characteristic. According to Harrison et.al.(1964), " Genetic or Mendelian populations are defined by the extent to which the individuals share a common gene pool " (pp.150-151). In Anthropology, a population is recognised according to certain particular components such as demographic, genetic, social, cultural and ecological. In everyday language the term population is normally used in some geographical and ecological context. One usually speaks of the population of a town, or of a city, or of a habitat. While such a population may well correspond to the one recognised by the geneticist, he is primarily concerned with the relationship rather than locality. It is convenient therefore, to distinguish the population in terms of the distribution of
genes or what is known as gene frequency. Theodosius Dobzhansky has done this by recognising the Mendelian population, which he defines, as "a reproductive community of sexual and cross fertilizing individuals which share in a common gene pool" (cited in Harrison et.al., 1964:150). The largest Mendelian population is the species. Since every individual potentially, if not actually shares all the genes present in the species, but different species, because, they do not mate together, must draw upon different gene pools.

The definition of a population for demographic purposes in which the focus is primarily directed to the analysis of fertility, mortality and migration can be made entirely on arbitrary grounds. Sometimes the group of individuals in which, a demographer is interested, may correspond more or less to a genetic, social or ecological populations. When we say that the Mendelian populations are defined by the extent to which the individuals share in a common gene pool, we emphasize on the degree of genetic and biological relatedness. When population units are socially defined, then the members of that population share common cultural heritage. Thus, there is certainly a social parallel to the genetic concept of population.
The term Anthropological population has been coined to emphasize the fact that anthropologists are primarily interested in working with a particular type and size of population unit. The major feature of these populations is that they tend to be quite small when compared to the population which most of the demographers are interested in. Demographers are involved in studying the populations at the regional or even more commonly national levels. A demographic approach in Anthropology came from population geneticists working in Physical Anthropology. Anthropologists had developed considerable scale in the collection of genetic adaptational data, most of the methodology for analysis of this data came from theoretical geneticist working outside anthropology.

It has been observed since time immemorial, that human beings, just like other organisms tend to live in or clusters or populations. We find that these populations are in one way or the other structured themselves. They are normally organised in a particular form although this form may change with time. In other words according to Harrison and Boyce (1972) "Populations are not just conglomerations of individuals, but they are ordered coherent systems. This system is something more than simply the sum total of the individuals of which they are composed. The structure of the population is normally manifest in a series of general biological and cultural characteristics
and in a particular biological and cultural history. When seen in totality the structure of a population is an extremely complex phenomena and unique in itself by being different from the structure of other populations. This complexity and uniqueness arises basically from the variation and uniqueness that we observe, in the individuals of the populations. This variation and uniqueness observed among the individuals in a population is in turn the outcome of the interaction of biological and cultural factors operating simultaneously on these individuals.

Every human population possesses a unique structure which can be understood in terms of its distribution, size, age and sex composition. Processes of fertility, mortality and migration are the key determinants of population structure. The differential operation of these processes is responsible for the determination of structural dissimilarities that exist between populations at any given point of time and within a population through time (Morris, 1973). Many attempts have been made all over the world to study the population structure of isolated tribes and the dynamic forces of evolution operating on them utilizing multi-disciplinary approach, namely - the populations of Xavantes, New Guinea, Eskimos, Malnesia, Micronesia and Central African and Central American populations. These studies have utilized Ethnography, Archeology, Geology, Demography and Population Genetics apart from sophisticated statistical
analysis and focussed their attention on the inter and intra-
population variability and microevolutionary processes. In India also several studies of this type have been conducted to understand the population structure of isolated tribes namely, Tharus (Srivastava, 1964), Pahira (Basu, 1969), Chenchus (Sirajuddin, 1994) and so on.

Since, Anthropology studies the entire range of human behaviour from holistic approach, it has not lagged behind in studying the crime and deviance, which are inseperable part of human existence. The anthropologists like, Ceasare Lambroso (1876), Hooten (1939), Majumdar (1950) Malinowski (1951) and others have made significant contributions to understand crime and deviance and laid anthropological foundations to this problem. The term Criminology also has been coined by a French Anthropologist, Paul Topinard by taking two words namely, 'Crimen' a latin word, meaning 'Crime', and 'logos' a Greek word meaning study or Science. Hence, etymologically 'Criminology' is the science of 'Crime' or the study of 'Crime'. Defining Criminology, Sutherland and Cressey (1965:1) say that "Criminology is the body of knowledge regarding crime as a social phenomenon. It includes within its scope the process of making laws, of breaking laws and of reacting toward breaking of the laws". Discussing about the criminological approach Vetter et.al.(1986:28) opine that "Criminology emerged in the twentieth century as an interdisciplinary approach
to the systematic study of crime, criminals and criminal
behaviour. Although it is primarily scientific in its
orientation and emphasis, other non-scientific approaches
occupy an important place in the criminological enquiry ".
As regard to the scope of criminology, Allen, H. et.al.
(1981 : 21-22) say that "..... Criminology might be said
to encompass the following :

1. The process by which certain types of behaviour are
criminalised - that is, made illegal - whether by
legislative or administrative action.

2. Social Control - the process by which formal and
informal measures are taken in a society to control
the activities of people so that criminal law is not
violated.

3. Preventive measures of an environmental or ecological
nature taken in a society or community to diminish
the opportunities, likelihood, or temptations for
criminal behaviour.

4. Criminal behaviour - the settings, statistics on
incidence and frequency, modus operandi and consequences

5. Criminogenesis - the factors present in individuals,
groups or a society that make law-breaking more
likely or less so, the social-structural components
of society that induce or reduce crime.
6. The Offender - who commits crimes, why, and with what rationalisations.

7. The Police - their roles, duties, privileges and responsibilities; their place in the social control apparatus and in the prevention of crime and apprehension of offenders.

8. The Criminal Justice System - the roles of prosecutors, judges, juries and defence counsel; the "rules of game" for determining innocence or guilt of the accused.

9. Penology or Corrections - the nature of punishment imposed upon the guilty offender, including probation, parole, fine, incarceration, corporal and capital punishment, exile and others; also reform and rehabilitation, and the efficacy of punishment as deterrence.

10. Victimology - the study of the victims of crime, their relationship if any to offenders; victim proneness, victim restitution, and other aspects of victimization.

As far as the boundaries of Criminology are concerned, Bemmelen (1959) opines that "Criminologists are 'the kings without countries' because their territories have never been delineated. It might be more adequate and to be sure more humble, to regard Criminology as a permanent guest who must dine in order to survive at other people's
tables. Criminology draws its basic concepts and methodology from the behavioural sciences, biology and ...........
(cited in Reckless, 1961:2-5).

Wolfgang (1963) while discussing the professional entity of a criminologist opines that those who are performing the professional role such as Probation Officer, the Psychiatrist in a Penal Institution, the Technicians in the Police Department, and so on, are occasionally referred as Criminologists. A person cannot be regarded as Criminologist if he performs a professional role. A Criminologist is one, who in persuance of his professional role is principally devoted to the task of scientific study, research and analysis of the phenomenon of crime, criminal behaviour or treatment of offenders. Further, he says that, "it becomes clear then that regardless of the diverse nature of contributory professions to criminology, there is an independent discipline to be learned and a special professional role to be performed. Whereas, it is true that no Criminologist can function as a pure Criminologist without some type of training and orientation (Sociology, Psychology, Psychiatry, the Law, etc.), there are unit of analysis, a frame work of reference, and a body of collected, organised, and analysed knowledge available constituting required learning before an individual can function as a scientific student in the field of Criminology. Thus, the Anthropologist, Psychiatrist, Psychologist, and Sociologist,
who have also obtained mastery, understanding, and knowledge of the body of information and research contained in the field of Criminology and whose professional roles are centered around the study and research of crime or of criminal behaviour are all Criminologists " (cited in Reckless, 1961 : 2-5).

The concept of crime depends on the ideas, Philosophies and culture of every society. It goes on changing when there is a change in the values and attitudes of society, what is considered as crime in one culture, may not be considered so in another culture. What act is looked upon as crime today, may not have been regarded as such yesterday and vice versa. When the new regulations are imposed in society due to change, particularly of technological nature, the concept of crime assumes new meaning. The culture and philosophy of a society is determined to a great extent by the geographical environment of the region and accordingly the laws are made. Therefore, the laws differ from culture to culture. As the laws differ from culture to culture, the crimes also differ from culture to culture and from time to time.

In many of the tribes, it is customary that, no girl would be given in marriage to a boy unless he proves himself to be an expert criminal (Ramanujam, 1975:468). Cradle marriages and child marriages were common in the past, but now, marriage below the age of 18 years in case
of a girl and below 21 years in case of a boy is not permitted. Taking dowry was a custom in our society, but now, under Dowry Prohibition Act, 1961 it is an offence. 'Sati' was glorified in early days specially in some states of northern India, but now, under Commission of Sati (prevention) Act, 1987 it is an offence. Termination of pregnancy was an offence earlier, but as per Medical Termination of Pregnancy Act, 1971, it is not an offence. Attempt to suicide was an offence under Section 309, Indian Penal Code till recently. The Supreme Court recently in P. Rathinam Vs. Union of India, held that Section 309 violates Article 21 of the Constitution. Accordingly Section 309 of I.P.C. is repealed (SCC 1994 : 394).

The term crime has been explained in different ways by different thinkers. Reckless (1940) says that "Criminal behaviour is the violation of social order. Crime, sociologically speaking, is fundamentally a violation of conduct norms which contain sanctions, no matter whether found in the criminal law of the modern state, or merely in the working rules of special groups" (cited in Madan, 1983 : 57). Morris (1953 : 21) views that "In principle, crimes are acts that are considered by those in authority to be sufficiently inimical to the general welfare as to warrant official interdiction and punishment". Allen et al. (1981:4) try to give a working definition of crime. According to them "Crime is any form of conduct forbidden by law and
for which authorised government personnel can inflict punishment when those violations carry relatively severe penalties and provoke moral outrage against the offenders ".

There is no unanimity of thinking amongst the scholars over the definition of criminal. Some scholars identify the criminals in terms of strictly legal consideration. Some emphasize on the nature of the anti-social behaviour, and still others identify the criminals on their skills, techniques, attitudes in the commission of crime. When there is no uniform thinking over the definition of criminal, naturally we have to depend on practically applicable definition. Tappan (1947) suggests that "Only those are criminals who have been adjudicated as such by the courts " (cited in Barlow, 1978 : 19). Barlow (1978:19) says that "Criminal is a person whose conduct has been labelled crime by those who create and administer the Criminal Law ".

When a crime is committed efforts should be made to know the factors that lead to the commission of crime. Various theories have been propounded by different Criminologists of the world regarding the causation of criminality. Barnes and Teeters (1966:116) opine that "A crime is committed only when a peculiar combination of personal and social factors come into juxta-position with an utterly unique physical structure of a human being to create specified crime situation".
One of the earlier theories regarding the causation of crime is demonological theory. According to this theory crime is mainly due to evil spirits a person possesses. Explaining this theory, Barnes and Teeters (1966:119) opine that "Since evil spirits infested the person and had to be driven out, the conventional notion of primitive punishment was either to exorcise the evil spirits to get rid of the one possessed by death or exile - 'social death'. In part, this doctrine was based on the concept of protecting the community or family group against further outrages by the offending individual, but far more important was the belief in the necessity and desirability of placating the gods ".

The theory of 'free-will' which is also known as classical theory is based on hedonistic psychology. Cesare Beccaria (1738-1794) and Benthan (1745-1832) are the chief proponents of this theory. According to hedonistic psychology man governs his behaviour by considerations of pleasures and pains, the pleasures anticipated from the particular act may be balanced against the pains anticipated from the same act. The actor was assumed to have a 'free-will' and to make his choice with reference to hedonistic calculations alone. This was regarded as a final and complete explanation of the causes of crime and no need for further investigation of causation could be imagined (Sutherland and Cressy, 1965: 52).
The scholars such as Ceasere Lambroso (1911), Garafallo (1914) and Enricoferri (1970) have attributed criminality to inheritance. Ceasere Lambroso, the chief proponent of positive school of Criminology, in his book, "L'umo deliquente" published in 1876, says that "the criminal is primarily born type and is marked by definite physical and mental stigmata. Lambroso was influenced more by the then current anthropological theories maintained that criminal often represents an atavistic type - i.e., a throw back to the primitive " (Vedder et.al.1953:138).

Lambroso also says that there is a close relationship between crime, epilepsy, insanity and delinquency as a whole. Lambroso contends that 'born criminality is not peculiar to Italians, but also is present in other cultures'. One such example mentioned by him was the criminal tribes of India (cited in Mannheim, 1960:209).

The theory of born criminality went under lot of criticism by Dr.Charles Goring (1870-1919) and others, when it was empirically varified under his chairmanship (Cavan, 1962). As a result, Lambroso gradually modified his conclusions especially as to the 'born-criminal and reduced the proportion of the criminals who were born criminals' from approximately 100 per cent to about 40 per cent (Sutherland and Cressey, 1966:55). Lambroso may have been wrong in insisting on his 'born-criminal' type but his contributions to the science of criminology can never be
forgotten. From his studies, there arose a science of Criminal Anthropology, which had a very popular reception during the latter part of nineteenth century (Barnes and Teeters, 1966:125). Due to his significant contribution in the field of Criminology Cesare Lambroso is considered as the father of Modern Criminology (Vedder et.al.1953:139).

Hooten (1939), agreeing with the findings of Lambroso disposed of Charles Goring's study, as unscientific, saying that he distorted 'the results of his investigation to conformity with his bias '. Hooten attempted to show that crime and other forms of anti-social behaviour are due to almost exclusively to physical and racial factors (cited in Barnes and Teeters, 1966:131).

Since there are no large scale anthropometric studies conducted on criminal tribes in India, it is not possible to formulate any valid hypothesis regarding their morphological homogeneity. However, work on this aspect is carried out by Majumdar on tribal population of U.P. Discussing on morphological homogeneity, Majumdar observes: There is a progressive broadening of the head from the Eastern to the Western districts of U.P. among the vagrant and criminal sections of the tribal population showing perhaps assimilation of brachy-cephalic element " . But the few measurements that he has given, viz. the Habura 73.71, the Bhatu 74.83 and the Dom 73.79 show that these groups are dolichocephals and closely resemble their counterparts -
the Paniyan 74 (Risley), the Chenchu 73.89 (I.Census, 1931) - in South India. But they differ so much from each other in their nasal indices. The Nasal Index of the Bhatus is 68.47, of Habura 71.21, of Dom 75.70, of the Chenchu 81.38 and of the Paniyan 95.1 (cited in Kapadia, 1952:110).

Crime was studied from the cartographic approach in England and France from 1832 to 1880. The early proponents of this approach Guerry, Quetlet and others were mainly concerned with spatial distribution of crime and delinquency.

The thinkers like Karl Marx and Friederich Engels, gave considerations to the economic factors and used them to explain crime and other social problems. They were of the opinion that crime results from existence of inequitable economic conditions (i.e., poverty) within a society. The Views of Marx and Engels were incorporated by the Dutch Writer, William Adrian Bonger (1916), in to the formal theory of deviance connecting the crime with the economic conditions. He said that the criminal is the product of capitalistic system (cited in Vetter et.al., 1986).

Anthropologists like Biswas (1960), Criminologists like Gillin (1931), Historians such as Bruce (1968) attributed tribal criminality to poor economic conditions (Simhadri, 1979). Analysing the cause of tribal criminality Starte (1936) opines that eventhough originally these
people were harmless, they could not get proper employment because of their wandering nature and restless life, and as such no employer was ready to employ them. As a result, it was not possible for them to pursue honest occupations, and in so far as they met with difficulties, they turned their attention to crime (cited in Sethana, 1989:87).

The scholars such as Sutherland, Tarde, Durkeheim, and Merton explained that the social situations and structure are primarily responsible for the violation of law in society (Simhadri, 1989:84).

The theories given by different scholars of Criminology regarding the causation of crime have not yielded satisfactory explanation. Eventually the social thinkers used the "multiple-factor" approach to explain the cause of criminality.

Explaining the cause of criminality, Ferri (1826) says that "Crime is the result of manifold causes, which although found always linked into an intricate network, can be detected however, by means of careful study. The factors of crime can be divided into individual or anthropological physical or natural, and social. The anthropological factors comprise age, sex, civil status, profession domicile, social rank, instruction, education, and the organic and psychic constitution. The physical factors are: race, climate, fertility and disposition of the soil,
relative length of day and night, seasons, meteoric conditions and temperature. The social factors comprise the density of population, migration, public opinion, customs, religion, public order, economic and industrial conditions, agriculture and industrial production, public administration of public safety, public instruction and education, public beneficience, and in general, civil and penal legislation." Explaining the causes of delinquency and crime, a British Psychologist Dr. Cyril Burt (1938) states that "Crime is assignable to no single universal source nor yet to two or three, it springs from a wide variety, and usually from a multiplicity of alternative and converging influences" (cited in Barnes and Teeters, 1966:206-207).

The multiple causation theory gained its momentum from the research works of William Helay (1969), Sheldon and Eleanor Glueck (1950), David Abrahamsen (1960) and others. Albert Cohen (1951) criticised this theory on the ground that it does not offer any single explanation regarding the cause of criminality.

Although there have been quite a few anthropologically oriented studies on tribal populations in India, indepth examination of the total life of criminal tribes have been extremely rare. Malinowski's 'Crime and Custom in Savage Society' (1951) where he has tried to examine crime, custom, magic among Malanesians of Trobriand Island
as integral part of their socio-cultural milieu having close association with other aspects of culture like agriculture, economy, religion, kinship etc., is one best example of such a study. Another important study on similar lines in India is that of Majumdar (1950) on Ho. Here, he has tried to bring to the fore, as to how the traditional rules, laws, customs are strictly obeyed by the members of the community exemplifying the nature and extent of social solidarity existing among them.

These, and other such anthropologically oriented studies on criminal tribes in India and elsewhere have basically tried to concentrate on the socio-cultural life of the criminal tribes emphasizing their traditions, customs, kinship, behaviour, economic organisation, political authority, and religious beliefs from the people's point of view. These studies have neither taken into account the examination of their criminal behaviour and its relationship with other aspects of culture, nor they have tried to look into the reformative and rehabilitative aspects of these criminal tribes. They have not attempted to look to these criminal tribes as integral part of the larger society but have only tried to study these criminal tribes as isolated entities in the so called "National Park" concept of Verrier Elwin.

Criminology, until recently, was regarded as a specialised branch of study within the discipline of
Sociology. Wolfgang (1963) opines that criminology should be regarded as a separate autonomous discipline because it has accumulated its own set of organised data, theoretical conceptualisation and above all a scientific method. Inspite of this even today, it is observed that the fundamental methods of criminology have remained by and large socio­logical incorporating in them the quantitative techniques for a macrolevel analysis. Contrary to, Mannheim's claim that "Criminology is not a normative but a factual disci­pline" (1965:13), like Sociology, Criminology has been eurocentric in its theoretical conceptualisation and normative ameliorative in its approach. Therefore, most of the studies on criminal tribes in India by Criminologists have restricted themselves primarily to reformative and rehabilitative measures. They have not attempted to examine the so called 'Criminal' activities of such tribes as integral aspect of their socio-cultural milieu.

As already pointed out, it is significant to note here that, although there have been a few studies in India on the population genetics of certain isolated tribes like Tharus, Pahira, chenchus, etc., studies on the population genetics of criminal tribes have been extremely rare.

It is clear from the above discussion that, both the anthropological as well as criminological approaches to the study of criminal tribes have their shortcomings.
Therefore, under these circumstances there is an urgent need to understand the total life of the Ex-criminal Tribes from a combined perspective encompassing socio-cultural, biological and criminological approaches which will provide a holistic perspective to the study.

While an indepth socio-cultural perspective will provide a total and comprehensive understanding of the customs, traditions, and other social institutions of the Ex-criminal tribes, the biological perspective will help in the understanding of the population genetic structure and the biological and genetic diversity of these tribes which may throw some light on the etiology of the criminal behaviour and finally the criminological perspective will enable one to understand the planning and implementation of some of the reformative and rehabilitative programmes for these tribes.

Therefore, in the present investigation, an attempt is made to study the 'Chapparband' from the anthropological point of view encompassing their socio-cultural and biological aspects. Here an indepth and comprehensive analysis of the socio-cultural institutions like family, marriage, kinship, economic organisation, political organisation, and religious beliefs has been made. A study of the demographic structure of the 'Chapparband' incorporating the sex-ratio, fertility and mortality rates have been made. The genetic structure and genetic variability of the
'Chapparband' population has been studied in terms of ABO and Rh blood groups and several dermatoglyphic determinants like pattern types, different types of indices, total ridge count, a-b ridge count, atd angle and 'C' line polymorphism. An attempt is also made to compare the results of the present study with other populations of India so as to throw some light on the origin and migration of 'Chapparband'. An attempt is also made to understand the 'Chapparband' from the criminological point of view encompassing the nature, extent, etiology, and the dynamics of their criminal behaviour. Then, synthesizing all these aspects, it is attempted to study the 'Chapparband' from socio-cultural, biological and criminological perspectives to provide a holistic approach. Finally, an indepth study of the reformative and rehabilitative programmes undertaken by the Central and State Governments, Christian Missionaries and private agencies for the upliftment of the 'Chapparband' has been made.