

Participatory State Formation

Illegible Lands, Unruly People, and Technologies of Government

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Abstract

Agrarian tensions between landowners and tenants in colonial Punjab escalated steadily through the early decades of the 20th century, even as the colonial state struggled to address the rising threat of soil erosion from the sub-montane tracts to the growing irrigation economy. Coercive strategies for control of erosion were thwarted by 'illegible' landscapes that defied the natural/agrarian dichotomy of colonial property. At the same time, policy efforts at addressing agrarian trends of increasing indebtedness and tenants' resistance failed to have any impact. In response to the dual threat, to the political economy of irrigation and to the rule of law and maintenance of order, a new technology of government was introduced. This took the form of 'community' institutions, whereby landowners were organized into cooperatives for the management of 'illegible' landscapes. These institutions served a dual purpose; they located these lands within the colonial grid of property for the purpose of legibility, in addition to incorporating landowners into the expanding political economy of forest products, particularly pine resin. However, landowners recruited state power to their own ends and used the institutions to delegitimize the claims of tenants over these lands, thus exacerbating agrarian tensions. The optic of governmentality provides an appropriate lens to analyze the negotiation of power in this case; the 'governmentalizing' of localities through 'community' institutions helped the colonial state in projecting its power over the hitherto 'illegible' landscape. If the fragility of the project of domination is universal, then the art of government comprises of the deployment of new technologies in response to challenges to the exercise of power; conversely, limits of the legitimating framework for the exercise of power are overcome through the maintenance of a repertoire of technologies – savoir-fair – that could be deployed when the need arises.

I. Introduction

“I begin with the assumption that the archaeology of political institutions has more than antiquarian value. As the products of previous conflicts and confrontations, institutions have embedded in them the sediments of earlier struggles.”

*Florencia E. Mallon*¹

Concern regarding the deleterious impact of soil erosion from the sub-montane tracts of colonial Punjab peaked in the 1930s, and colonial officials laid the blame squarely on their continued inability to control and regulate the activities of local populations in these areas. Grazing was the major culprit, but agrarian tensions between landowners and tenants counted as a close second as the factor responsible for this failure. Given the heavy investments made in irrigation infrastructure in the preceding decades, uncontrolled soil erosion threatened the political economy of the region, even as it shifted from timber to irrigation revenues. However, by the mid-1940s, landowners were being organized into cooperatives in several parts of Punjab, particularly the sub-montane areas of Kangra, Hoshiarpur, Ambala and Rawalpindi districts, with responsibility for the control of activities in the ‘problematic’ lands. These institutions were considered by the colonial bureaucracy to be extremely successful in their primary objective, where nearly four decades of state efforts at coercive protection had failed miserably. This ‘success’ in projecting state power over ‘illegible’ landscapes and ‘unruly’ people was a consequence of a new technology of government – decentralization of authority to local institutions – that transcended prevalent forms of colonial rule. This historical episode provides a unique window into the projection and exercise of state power over landscapes and

¹ Florencia Mallon, “Reflections on the ruins: Everyday forms of state formation in nineteenth-century Mexico” in Gilbert Joseph and Daniel Nugent (eds.) “Everyday forms of State Formation”, 1994, Durham: Duke University Press.

peoples, for an examination of how the limits imposed on the exercise of power by its own legitimating discursive framework are overcome, as well as in terms of how new forms of coercion achieve legitimacy.

Colonial historiography of India has witnessed several fissures of its own over the last two decades. 'Elitist' or 'nationalist' histories have been challenged by powerful studies of the Subaltern School. Agrarian histories have been besieged by counter-claims from environmental historians. Careful historical ethnographic studies have demonstrated the fractured nature of state power, questioning histories of the 'unified colonial state'. As the Indian historiographic imagination proliferates, there appears to be room for an integrative study of the interplay of political economy and property rights in producing fields of power, legitimating its exercise in hitherto undertheorized ways. This paper looks at the constitution of cooperative institutions in colonial Punjab in the 1930s for the control of soil erosion in order to understand both the localized failure of state projects at legibility, regulation and control, as well as the establishment of a new discursive framework through the deployment of a new technology of government for legitimating coercion. It explores environmental and socio-political factors simultaneously, while attending to mutating forms of state power in its response to a shifting political economy. One-dimensional lenses are insufficient to capture the process as it unfolded in Punjab during the late colonial period; environmental historians would see colonization of the plains through irrigation and degradation of the Shiwalik mountains, agrarian scholars would emphasize continuing resistance by tenants to domination by upper-caste landowners, nationalist historians would notice the emergence of left-wing mobilization and the consolidation of the Congress-Muslim League divide, while economic historians

would underline changing regimes of property and flows of resources. This paper moves away from locating itself in any of these highly persuasive themes, and towards an eclectic opportunism in understanding the local/regional dynamics of power-in-operation in a colonial setting.

The next section focuses on the early period of colonization – the second half of the nineteenth century – especially as property rights to land and environmental resources evolved in the region. It depicts the production of a particular configuration of state power as the consequence of the dominant political economy of timber, required for the Royal Navy as well as civil and military infrastructure development in Punjab, and its interaction with the social structure that the British found. I argue that legitimacy for the exercise of state power was built on the foundation of an ideology of rule of law and faith in private property², suitably adjusted to the post-mutiny attention to local custom. However, in its local evolution, this legitimacy was contingent upon the formulation of a common discursive framework for legitimating the exercise of power through rituals of rule (such as census and courts of law) that were derived from the exigencies of the political economy of timber. Needless to say, this legitimacy was accepted (or denied) in varying degrees by colonial subjects, depending on their location vis-à-vis the political economy of timber. Nevertheless, the discursive framework that defined the nature of domination and the limits of resistance was strongly influenced by the prevailing political economy.

² Pathak, Akhileshwar. 2002. *Laws, Strategies, Ideologies: Legislating Forests in Colonial India*, New Delhi: Oxford University Press.

In the third section, The Political Economy of Irrigation, the paper examines the response of state agencies to the shift in regional political economy in late nineteenth century from timber to irrigation. Even as better technology for monitoring populations and landscapes illuminated spaces and groups that were perceived as requiring the extension of regulation and control, new demands that arose from a shift in the political economy limited the exercise of state power. Property rights in land and forests that had evolved in response to the political economy of timber, and were embedded in a legitimating framework of rule of law and private property, prevented a straightforward implementation of colonial priorities. Coercive solutions, to problems arising out of dissonance between the regional needs of irrigation (control of soil erosion) and local property rights, collided with the discursive framework that legitimated the exercise of power. New restrictions, and old forms of regulation and control, were singularly unsuccessful because they violated the legitimating discursive framework.³

Section four examines a new technology of government introduced in the region to resolve the disjunction between the needs of political economy and the legitimate exercise of power. This involves the creation of a regulatory community which is devolved the authority to implement coercive policies (of exclusion from forest lands and ‘illegible’ spaces).⁴ The legitimating discursive framework for the exercise of power is modified and localized, as a ‘community’ of landowners is constituted to regulate the

³ Widespread historical evidence has been presented to demonstrate such localized resistance to state restrictions on access to resources during the colonial period. See Agrawal, Arun. 2001. State formation in community spaces? The forest councils of Kumaon”, *Journal of Asian Studies*, 60(1): 1-32; Guha, Ramachandra, and Madhav Gadgil. 1989. State forestry and social conflict in British India. *Past and Present*. 123:141-177; Saberwal, V. K. 1999. *Pastoral Politics. Shepherds, Bureaucrats and Conservation in the Western Himalaya*. Delhi: Oxford University Press.

⁴ This idea of a ‘regulatory community’ is borrowed from Arun Agrawal (2004, forthcoming), *Environmentality: Technologies of government and the making of subjects*, Durham: Duke University Press.

‘unruly’ people (and their animals) that are perceived to be the problem. The localization of the authority to exclude is the consequence of, corollary to, and builds upon, the domination of landowners over tenants. This domination was itself the result of an interaction of the political economy of timber and the underlying social structure, which resulted in the particular configuration of property rights. The new technology not only reformulated access to various categories of land, *de facto* and *de jure*, but also incorporated landowners into the emerging political economy of forest products such as Pine resin and *Eulaliopsis* grass. The local institutions allows state power to be projected on to landscapes and peoples that had been difficult to discipline; and helps local and colonial elites forge alliances at the expense of the rest of the population.

The concluding section discusses the implications of the analysis for theories of state power, state formation and legitimacy. It looks critically at the analytical distinction between state and society, and argues that this separation needs to be problematized, even where it is analytically useful, and empirically interrogated instead of taken for granted. Forms and modes of power are not only historically determined, but are also contingent upon wider social, political, economic and environmental processes. The optic of governmentality provides a useful analytical tool in understanding the extension of ‘governmental rationality’ to the ‘illegible’ lands and ‘unruly’ people. Local elites participated actively in the production of this rationality and the forms of power that it generated locally, manifested in the local ‘community’ institutions. State formation proceeds through the willful or resentful participation of all social groups and individuals involved. This could be as true for the numerous decentralization policies being implemented in India and elsewhere presently, as it was for Punjab in 1930s, producing a

new discursive framework for legitimating domination. This meso-politics of power, combining the micro-politics embodied in property rights and social identities and macro-politics represented by the politics of the greater common good, of environmental protection and social welfare, can only be understood as a historically grounded, locally contingent, and multi-layered negotiation of the exercise of power.

II. Separating the Arable, Securing the Sylvan

“The success of colonial discourse was that, through the census, landholding, the law, inter alia, some Indians were given powerful stakes in new formulations and assumptions about caste, versions that came increasingly to resemble the depoliticized conditions of colonial rule.”

*Nicholas Dirks*⁵

The British annexed Punjab in 1846, at the end of the Anglo-British wars, but effective control over the territories was established only in 1849 when the sundry rebellions by smaller chieftains were crushed. Favours were distributed liberally, with many local kings being rewarded with limited autonomy. Kangra, Hoshiarpur, Kullu, Lahaul and Spiti were brought under direct British administration.

One of the first tasks of the new rulers was to simplify the land revenue administration. The Sikh system was cumbersome, complicated to monitor and presumed to be onerous.⁶ The summary Revenue Settlements following annexation carried out two far-reaching and profound changes. Firstly, the Settlements constituted private property over land and converted land revenue from a royal share in the produce to a tax on property. Secondly,

⁵ Nicholas Dirks, “Introduction”, in *Colonialism and Culture*. 1992.

⁶ Baden-Powell, B.H. 1892 [1972]. *Land-Systems of British India: Vol I-III*, New York and London: Johnson Reprint Corporation.

they abolished the myriad cesses that characterized pre-colonial extraction, mostly in kind, and converted all tax requirements into a single money equivalent.⁷

Settlements were the instrument by which peasants were drawn into the British rule of law. They served the purpose of fixing people to land, and set up rules to arbitrate land-related disputes.⁸ A Revenue Settlement was designed as a 20-year contract for the payment of revenue between the land-owner and the state. Needless to say, it required clear identification of property rights over agricultural or private land that could be taxed for revenue. The first regular Settlements were carried out in the 1850s in Kangra and Hoshiarpur, as these were the most densely populated and prosperous agricultural districts in the whole of Punjab.⁹ These early Settlements, carried out by civil officials, were focused on delineating land that could be ‘privatized’ and therefore taxed. In order to ease revenue collection, the Settlements created small fiscal units roughly comparable to a cluster of hamlets, and converted these into co-parcenary bodies that were jointly responsible for payment.¹⁰

The first Settlements in Kangra and Hoshiarpur awarded joint ownership over the *soil* of the ‘commons’ to the collective body of land-owners within the boundaries of the smallest fiscal unit, while the state claimed full proprietary rights to all natural tree growth. This share in the ownership of the commons, in proportion to the land revenue paid, was restricted to land owners and, significantly, excluded the landless, agricultural

⁷ Singh, Chetan. 1998. *Natural Premises: Ecology and Peasant Life in the Western Himalaya 1800-1950*, New Delhi: Oxford University Press.

⁸ Saumarez Smith, Richard. 1996. *Rule by Records: Land registration and village custom in early British Punjab*, New Delhi: Oxford University Press.

⁹ This was before the alluvial floodplains were colonized through the spread of irrigation in the late nineteenth century, and the consequent transformation of the demography of Punjab.

¹⁰ Baker, Mark. 2001. “Colonial Influences on Property, Community, and Land Use in Kangra, Himachal Pradesh”, in Agrawal, Arun and K. Sivaramakrishnan (eds.). *Agrarian Environments: Resources, Representations and Rule in India*, Durham: Duke University Press.

labor and service castes. In many instances, these comprised more than half the population of the village. Even more importantly, not even were all cultivators honored with ownership; custom was brought into play by upper caste landed gentry to lay claim to ownership on the basis of ‘hereditary’ or ‘ancestral’ shares in the land.¹¹ Thus, a large proportion of cultivators were rendered ‘tenants’ with a stroke of the pen. This marked the beginning of the process by which the extant social structure with the associated hierarchies of caste was mapped onto the landscape in the form of property rights.¹² In a curious divergence, the process in Kullu was similar to Kangra and Hoshiarpur, except in one dimension. There, the co-parcenary body was not given ownership over the commons or ‘waste’ and the state claimed full ownership over all land not recorded as private. This divergence may be traced to the very low population density and the vast stretches of forests in Kullu, as opposed to the more densely populated and complex agrarian relations in the lower hills, which made Kullu less attractive as a source of land revenue and, consequently, the people were given fewer concessions.

With the agrarian districts getting most of the attention in the early years of colonization, it took several years before any attempt was made to extend government to the forest wealth. As mentioned earlier, the ‘wastes’ – a common synonym for forests in the early colonial period – were not considered very valuable compared to the land revenue from Kangra and Hoshiarpur, and not much was done in the first Revenue Settlements regarding forests except proclaim state ownership over all standing trees and natural arboreal growth in perpetuity, on all lands that were not held in private. This claim

¹¹ Saumarez Smith, Richard. 1996. *Rule by Records: Land registration and village custom in early British Panjab*, New Delhi: Oxford University Press.

¹² For similar processes in South-East Asia, characterized as the ‘racialization of the landscape’, see Peluso, Nancy and Peter Vandergeest. 2001. Genealogies of the political forest and customary rights in Indonesia, Malaysia, and Thailand”, *Journal of Asian Studies*. 60(3): 761-812.

resulted in a mixed ownership pattern, whereby large tracts in Kangra and Hoshiarpur were handed over to ‘community’ ownership on everything but the trees.

There was some concern for the safety of the forests, and the first attempts at conservation were aimed at providing incentives for forest protection to the newly created communities of landowners. Rules were issued for the purpose in 1859, with two major components. Firstly, a one-fourth share in the income from trees was given to the coparcenary body, in order to “generally interest them in forest conservancy”, called *haq chuharram*. Secondly, restrictions were put on the hitherto free access to trees for domestic purposes and a small fee was constituted for access to good timber trees (particularly *chil* and *deodar*). Additionally, the rules also directed the district authorities to initiate forest enclosures by dividing the forest area (after leaving enough for the exercise of bona fide domestic requirements of residents) into three parts and closing them in rotation (*trihai*).¹³

Meanwhile, the demand for timber was rising, as civil and military infrastructure expanded in the Punjab.¹⁴ For the first few decades of British rule, this demand was met from the princely states rather than British-administered territories.¹⁵ Large-scale felling started in 1851 in the Pangi valley of Chamba state to feed the construction of the cantonment at Sialkot, although traders had already penetrated the fastnesses of timber-rich states in the 1840s and logs were being floated down the Yamuna from Bashahar

¹³ Report on the revision of settlement records of the una parganah of the Hoshiarpur district, by C A Roe. Lahore: Victoria Press, 1876; Settlement Report of Kangra, 1875, by James Lyall, Himachal Pradesh State Archives Library, Shimla.

¹⁴ Agnihotri, Indu. 1996. “Ecology, Landuse and Colonization : The canal colonies of Punjab”, *Indian Economic and Social History Review*, vol. 33:1, 1996, pp 37-58.

¹⁵ Rangarajan, M. 1994. “Imperial Agendas and India's Forests : The Early History of Indian Forestry, 1800-1878”, *Indian Economic and Social History Review*, 31 : 147-167, Sage, New Delhi.

state before annexation.¹⁶ In 1864, the British signed treaties with both Chamba and Bashahar states for the supply of timber on a regular basis.¹⁷ However, by the end of the 1860s, the timber wealth of Kullu within the British territories was becoming lucrative.

The report of a survey of timber-yielding forests in the Western Himalayas between rivers Yamuna and Indus, presented to the Government of India in 1864, provided a comprehensive view of the region for the first time. Consequently, 26 forests were demarcated in Kullu district and handed over to the incipient Forest Department for management in 1866.¹⁸ The evolution of property rights in forests, from this pre-history, was driven by two concerns that emerged in the late 1860s. The first was growing disillusionment, particularly of the Forest Department, with ‘joint’ ownership with communities and was translated into a desire for ‘full’ ownership of a few chosen sylvan estates free of encumbrances.¹⁹ The second concern emerged from the growing power struggles and rivalry between the Revenue and Forest Departments and took the form of a demand for ‘permanent’ forests that could not be put to the plough at the mercy of revenue officials.²⁰ These concerns worked themselves out in a spatially segregated fashion but had major repercussions for the future of property rights in the region. The ‘full’ ownership process was confined to the low hills of Kangra and Hoshiarpur and resulted in Reserved Forests; the ‘permanent’ forest process played itself out in Kullu and framed the structure of property rights in the rest of the forests of the region.

¹⁶ Singh, Chetan. 1998. *Natural Premises: Ecology and Peasant Life in the Western Himalaya 1800-1950*, New Delhi: Oxford University Press.

¹⁷ Stebbing, E.P. 1922. *The Forests of India: Vol I*, London: John Lane and Bodley Head Limited.

¹⁸ Brandis, D., B.H. Baden-Powell and Lieut.-Col. W. Stenhouse. 1877. *Suggestions regarding the Demarcation and Management of the Forests in Kullu*, Calcutta: Office of the Superintendent of Government Printing.

¹⁹ Settlement Report of Kangra, 1875, by James Lyall, Himachal Pradesh State Archives Library, Shimla.

²⁰ Brandis, D., B.H. Baden-Powell and Lieut.-Col. W. Stenhouse. 1877. *Suggestions regarding the Demarcation and Management of the Forests in Kullu*, Calcutta: Office of the Superintendent of Government Printing.

The ‘give and take’ policy, as it was called, was initiated in Hoshiarpur in 1870. It essentially denoted a negotiation between the government and landowners for the surrender of all property rights in some part of the forested estate, in exchange for greater rights and/or concessions in the rest. Between 1870 and 1875, more than 15,000 acres of forests were acquired by the state in Kangra and Hoshiarpur districts.²¹ Needless to say, these negotiations excluded those not owning land – approximately three-fourths of the entire population. Major concessions were made to the landowners – one-third instead of one-fourth share in the income from trees (which belonged to the state), an undertaking to *never* enclose any of the remaining forests without the explicit consent of all the co-owners in the property, and a one-third share in the taxes collected from migratory herders.²² The acquired forests were constituted as Reserved Forests – the most restrictive category – under the brand new Indian Forest Act of 1878, while the lands over which concessions were granted were classified as Unclassed Forests – the most amorphous legal category possible. Soon thereafter, as the attention of the Forest Department shifted to the far more valuable temperate forests of Kullu, the give-and-take policy was abandoned as too costly and leaving too much in the hands of the landowners.²³

The rise of the Forest Department, coincident with the changing imperial political economy in terms of relative significance of land revenue and timber in the colonial scheme of things, brought the rhetoric of ‘scientific’ management of forests to the hills of Punjab. There was growing dissatisfaction with the supply regime of timber controlled by

²¹ Report on the revision of settlement records of the una parganah of the Hoshiarpur district, by C A Roe. Lahore: Victoria Press, 1876; Kangra Forest Settlement Report, by Alexander Anderson. Lahore: Government Printing, 1886.

²² C A Roe, Settlement Officer, Hoshiarpur, to Commissioner and Superintendent, Jalandhar div. No 217, dated 13th nov 1872. (published in Supplement to the Punjab Gazette, 19th June, 1873), Oriental and India Office Collections, British Library, London (henceforth OIOC, London).

²³ Kangra Forest Settlement Report, by Alexander Anderson. Lahore: Government Printing, 1886.

princely states through treaties with the British. At the spatial level, attention shifted from the low hills (Kangra and Hoshiarpur) to the lush forests of Kullu, which became the battleground for the rivalry between Revenue and Forest Departments.²⁴ By 1897, the forests of Kullu had been demarcated successfully under the Indian Forest Act of 1878 and a hierarchy of property rights in forests provided the much-desired legibility of the people and landscape to state officials.²⁵ The Forest Settlement Report for Kullu created three sub-categories of State Forests, in addition to Reserved Forests. The ‘permanent’ forests were classified as Demarcated Protected Forests of 1st and 2nd class, with the best timber localities in the former. All or most rights, that were recognized in the Settlement, were transferred from 1st class forests into the 2nd class, which were of less commercial value, were inaccessible or considered important only for their conservation services. The remaining ‘wastes’ were constituted as Undemarcated Forests, areas that could be diverted towards the expansion of habitation or cultivation. In other words, the whole area of Kullu was territorialized, with boundary pillars marking the demarcated forests as ‘permanent’.²⁶ Another major element of the Settlement was further ‘racialization’ of the landscape, a process that started in Kangra and Hoshiarpur. Thus, only landowners were accorded property rights in the Demarcated Forests, whereas the rest – tenants, artisans and service castes – were relegated to the Undemarcated Forests. However, the result was far less insidious in Kullu than in Kangra and Hoshiarpur, as the proportion of landowners in Kullu was much higher and the Undemarcated Forests were a sizable proportion of the total forest estate.

²⁴ Chhatre, Ashwini, 2003. The Mirage of Permanent Forests : Politics of Forest Demarcation in the Western Himalayas, 1875-1897. *Conservation and Society*, 1(1): 137-155.

²⁵ Sharma, H.C. 1996. *Forest Settlements In Himachal Pradesh*. Bishen Singh Mahendra Pal Singh, Dehradun.

²⁶ Kangra Forest Settlement Report, by Alexander Anderson. Lahore: Government Printing, 1886.

Forest Settlement was also carried out in Kangra almost simultaneously with Kullu, and finalized in 1887. However, the extent of the landscape covered was far less than in Kullu, as the prevailing ‘joint’ ownership arrangements as well as the concessions granted to village communities in Unclassed Forests during the give-and-take of 1870-75 prevented much of the forests from being covered. No Forest Settlement was carried out in Hoshiarpur (it also had far less forest cover outside the concessions) and forests, co-owned by the landowners, were gradually divided up and converted into Private Forests.

III. Political Economy of Irrigation

“...state formation is about creation of institutions and knowledges that systematize practices in ways that are recognizable and manipulable by existing state authority and the creation of state-sanctioned authority that is recognized as legitimate by citizens.”

*Arun Agrawal*²⁷

As the rule of law progressed from a simple administration of land revenue to more complex social and environmental engineering, intermediate spaces became visible that required the extension of government. In the nineteenth century, the focus was more on laying proprietary claim on trees of natural growth wherever these were growing outside of purely private agricultural land, pursuant to the political economy of timber. Although this intention remained as one of the driving forces for the extension of government to such intermediate spaces, towards the end of the nineteenth century, the locus of such efforts had shifted to control of soil erosion and destructive flooding in the plains.

James Lyall carried out the first revision of the Revenue Settlement in Kangra district between 1868 and 1872. He discovered large areas of ‘enclosed’ waste that appeared to

²⁷ Agrawal, Arun. 2001. State formation in community spaces? The forest councils of Kumaon”, *Journal of Asian Studies*, 60(1): 1-32.

be neither private nor state.²⁸ It was certainly not being assessed to revenue though they were being used. These were *kharetar* lands, devoted to hay production and closed to grazing and other activities for four months and open for the rest. In many instances, Lyall found that these enclosures were ‘private’ in the sense that the same family was using a particular enclosure every year in mutual agreement with others in the village. Since these lands were classified as *shamlat* or common lands in the first revenue settlement, these were subject to the joint property arrangement whereby the trees were state property whereas the rest belonged to the village co-parcenary body. Keeping this in mind, Lyall entered these lands under new categories and assessed them to revenue while maintaining the state’s claim to all natural tree growth.²⁹ Around the same time, in 1867, the Punjab Government issued an order relinquishing its claim on all trees growing on lands that had been assessed to revenue (such as *kharetars*) while retaining it for trees on village common lands. It was the logical culmination of the ideology of private property, whereby the state withdrew all its claims from lands that were being taxed for a long period. In subsequent revenue settlements (in 1890 and 1910), these lands were increasingly assessed to revenue and thus ‘privatized’, in tandem with more and more of the common lands being so enclosed. The Forest Department was unable to control or influence this conversion since most of these lands in Kangra were the Unclassed Forests where the state had ceded significant concessions in the 1870s in exchange for full proprietary rights to a few forests.

In the meanwhile, the Forest Department was being similarly frustrated in Hoshiarpur, but for slightly different reasons. There, the first Revenue Settlement had not made any

²⁸ Settlement Report of Kangra, 1875, by James Lyall, Himachal Pradesh State Archives Library, Shimla.

²⁹ Ibid.

clear arrangements for property rights in forests, but had concentrated on clarifying the tenant-owner dichotomy.³⁰ This tricky problem was resolved by reliance on ‘custom’ and ‘hereditary’ claims of the upper castes (Brahmins and Rajputs), which left almost three-fourths of the population with a dependent relationship to land.³¹ In the 1870s, as mentioned earlier, major concessions over many forest tracts were offered in exchange for forest reserves. The vast scrub forests, not valuable within the prevailing political economy, came under the co-parcenary ownership of the landholders, which comprised only about a quarter of the population. Thus, while Forest Settlements were being carried out in Kullu and Kangra in the 1880s, the Forest Department was cooling its heels in Hoshiarpur, being restricted to management of the small reserves under its control. However, by the end of the nineteenth century, destruction of property and loss of revenue caused by flash floods in the *cho* or mountain rivers in Hoshiarpur and by erosion due to the alleged mismanagement of *shamlat* lands in Kangra was the center of attention of both the Revenue and Forest Departments as well as at the provincial and national levels.

Beginning in the 1880s, efforts were made to bring these intermediate spaces into the rule of law and property.³² On the one hand, these spaces violated the neat symmetry of the arable/natural landscape superimposed on private/state property. On the other, this lack of governability was also increasingly perceived as having serious repercussions on economic production and provincial political economy. In particular, soil erosion and

³⁰ Report on the revised settlement of the Oonah, Hoshiarpur, Gurshunkur, and Hurriana pergunahs of the Hoshiarpur district in the trans Sutlej states. By P S Melvill, Lahore : Punjabi Press, 1860.

³¹ Saumarez Smith, Richard. 1996. *Rule by Records: Land registration and village custom in early British Panjab*, New Delhi: Oxford University Press.

³² Gazetteer of the Hoshiarpur District. 1883-84. Lahore: Punjab Government Printing, 1884.

flooding were detrimental to the maximization of land revenue as well as a threat to the newly colonized irrigation colonies in the plains downstream. As the lands covered by irrigation expanded into the twentieth century, concern about soil erosion became a focal point for a call for action.³³ The illegibility of the intermediate spaces in the landscape became acute at the interstices of the political economy of timber and irrigation.

These lands, however, were also rendered illegible by the agrarian conflict spawned by colonial property rights. Another class of people created by the colonial property regimes was tenants. Land was privatized and rents were monetized by the British, radically transforming the existing systems in two significant ways. Firstly, the changes institutionalized social inequality in access to land. Secondly, it created a market in land as well as set up a judicial system for the settlement of disputes under a rule of law. These two consequences worked themselves out in contrasting, and sometimes contradictory, fashion in the evolving property regimes in Kangra, Hoshiarpur and Kullu. In Kullu, where tenancy was virtually unknown and the proprietors were also cultivators, the changes had the least impact except a demand for cash income to pay the rent. In Kangra and Hoshiarpur, the new agrarian relations created no end of trouble for the British, an issue that retains its potency even today .

The first consequence of constituting private property over agricultural land was the creation of a thriving market in land and a sharp increase in rural indebtedness.³⁴ The thrust of privatization was maximization of revenue but the reliance on custom in determining ownership left a large majority of cultivators without sufficient incentive to

³³ Final report of revised settlement, Hoshiarpur district, 1879-84. Capt. J A L Montgomery, Calcutta : Calcutta Central Press Company, 1885.

³⁴ Proceedings of the Hon'ble Lt. Governor of the Punjab in the Revenue and Agricultural (Revenue) Department, no. 81, dated 28th March 1890, OIOC, London.

increase production. The Punjab Tenancy Act was passed in 1868 to address some of these anomalies. It divided tenants into two classes – occupancy tenants and tenants-at-will – in order to increase security of tenure and encourage investment. Occupancy tenants could not be evicted without recourse to a lengthy and complicated procedure, thus giving these cultivators effective control over their agricultural holdings. The law was rewritten in 1887 with much stricter provisions for eviction as well as a loosening of the conditions for claiming occupancy. However, rural indebtedness, land mortgage and alienation continued to increase through the last decades of the nineteenth century, just as tenant-landlord relations continued to worsen.³⁵ Much of this tension was over access to the *shamlat*, forested common lands that had been gradually privatized over the previous half century. While neither tenants-at-will nor the landless artisans (comprising of the lowest castes) had property rights to the *shamlat*, it was the occupancy tenants – mostly comprising of the cultivator castes of *Bahti*, *Ghirth* and *Chaudhary* – that claimed property rights in *shamlat* and resisted the privatization process in Kangra and Hoshiarpur. Emanating not only from agrarian relations and around agricultural land but also access to forests and the associated property regimes, these tensions made it extremely difficult, well nigh impossible, for the colonial state to implement coercive conservation policies.

The first response to this threat was legislation.³⁶ Soil erosion was attributed to the inability of the state machinery in curtailing grazing and inappropriate cultivation practices on marginal lands, especially lands over which concessions were ceded during

³⁵ Darling, Malcolm Lyall, *Rusticus Loquitur, or the old light and the new in the Punjab village*, Humphrey Milford: Oxford University Press, 1929.

³⁶ Punjab Government Proceedings A (Revenue & Agriculture) Forests, December 1895, OIOC London.

1870-75.³⁷ It was precisely the ideology of the rule of law based on property rights that prevented the Revenue Department from seizing these lands to prevent erosion.³⁸ Legislation was the preferred method of cloaking any coercion with legitimacy. After extensive deliberation in the 1890s, the Punjab Land Preservation (Chos) Act of 1900 was passed, giving power to the Revenue Department to enclose lands forcibly to control soil erosion.

In 1902, plans were laid down and legal notifications were issued for closures in 142 villages in Hoshiarpur district, and provision was made to hire five guards for enforcement.³⁹ The enclosures were fiercely resisted by landowners, who responded by intensifying the pace of partitioning of lands held in common since it was more difficult to justify enclosure of private land. The partitioning, in turn, was resisted by the tenants, who claimed a usufruct right over the commons. In Lohara village, the tenants went to court to claim their rights to the commons in 1912. The case went up the judicial hierarchy, and was finally settled in the Punjab High Court, the highest court in the province, *in favor of the tenants*.⁴⁰

By 1915, the enclosures were getting nowhere. The report of the revision of the Revenue Settlement in different parts of Hoshiarpur documented the stiff resistance of the landowners to the scheme, as well as deteriorating agrarian relations between landowners

³⁷ Final report of the Revision of the Settlement of the Una Tehsil of the Hoshiarpur district 1914, by H L Shuttleworth, Civil and Military Gazette Press, Lahore, 1915.

³⁸ No. 23, Punjab Government Proceedings A (Revenue & Agriculture) Forests, December 1895, OIOC London.

³⁹ Punjab Forest Proceedings A, January 1902, Nos. 6-11; and Punjab Forest Proceedings A, September 1902, Nos. 32-44, OIOC, London.

⁴⁰ Oral sources and Court Records preserved by the litigants.

and tenants.⁴¹ By the mid-1920s, tenants and lower castes were up in revolt, primarily against the state practice of forced labor, but also against exclusion from the commons.⁴² The annual report of the Punjab Forest Department for 1930 lamented the fact that “only 9% of the forest area was entirely closed to the grazing of cattle and 18% to the browsing of sheep and goats. No less than 80% was open to animals of all kinds and 86% to cattle”.⁴³ The illegible landscape refused to be tamed by available technologies of government.

IV. A New Technology of Government

“Key questions then become NOT *who* rules but *how* is rule accomplished”

*Philip Corrigan*⁴⁴

“And the particular function of the ideological [mode or dimension of domination] is to misrepresent political and economic domination in ways that legitimate subjection.”

*Philip Abrams*⁴⁵

In 1930, the Government of Punjab constituted a committee of experts to take a fresh look at the problem of erosion.⁴⁶ The recommendations of the committee led to the appointment of an officer on special duty, exclusively devoted to anti-erosion work. A.P.J. Hamilton, a Forest Department officer, took charge of the problem in earnest. Significantly, the Erosion Committee recommended that measures be undertaken to elicit

⁴¹ Final Report of the Second Revised Settlement, 1910-1914, of the Hoshiarpur District, by R Humphreys, 1915, Lahore : Superintendent, Government Printing, Punjab; Final report of the Revision of the Settlement of the Una Tehsil of the Hoshiarpur district 1914, by H L Shuttleworth, Civil and Military Gazette Press, Lahore, 1915.

⁴² Darling, Malcolm Lyall, *Rusticus Loquitur, or the old light and the new in the Punjab village*, Humphrey Milford: Oxford University Press, 1929, pp23.

⁴³ Progress Report on Forest Administration In the Punjab, 1936-37, Lahore : Superintendent, Government Printing, Punjab, 1937.

⁴⁴ Philip Corrigan, “State Formation”, in *Social Forms/Human Capacities: Essays in Authority and Differenece*. London: Routledge. 1990.

⁴⁵ Philip Abrams, “Notes on the difficulty of studying the state”. 1988. *Journal of Historical Sociology*, 1(1): 58-89.

⁴⁶ Garbett, G.C. 1938. *Report of the Punjab Government Forest Commission*, Lahore, Civil and Military Gazette Press.

cooperation from the landowners, a distinct move away from coercive conservation policies. Hamilton was entrusted with the task of negotiating such cooperation in the affected villages.⁴⁷ This was, however, not the first time that the colonial state had sought villager cooperation in protecting forests. To reiterate, the village co-parcenary bodies in Kangra and Hoshiarpur were awarded a one-fourth share in the income from trees – *haq chuharram* – as an incentive to protect forests as far back as 1859. Again, a special clause was inserted in the village papers during the revision of revenue settlement in Hoshiarpur in the 1880s, providing for a partial remission of revenue if lands were devoted to tree plantation.⁴⁸ Also, in 1897, during the debate regarding the necessity of legislation for the control of erosion, Revenue Department officials in Hoshiarpur had proposed a scheme for voluntary closures.⁴⁹ Till the 1930s, these attempts at ‘cooperation’ had always floundered on the bedrock of coercion. The one-fourth share in revenues was abandoned by the Forest Department on all lands that came under its jurisdiction as early as 1866.⁵⁰ And the suggestion for voluntary closures in 1897 was sidelined in favor of the seductive charm of legislating exclusion and enclosure. Only when these technologies proved inadequate at controlling the illegible landscape and unruly people that cooperation became important.

⁴⁷ Progress Report on Forest Administration In the Punjab, 1936-37, Lahore : Superintendent, Government Printing, Punjab, 1937, pp13.

⁴⁸ Proposals for Chos Plantation, letter to Settlement Commissioner, Punjab, no. 397, dated 10.3.1881, by Capt. J A L Montgomery (Punjab Government Proceedings A (Revenue, Agriculture and Commerce) June 1881;

⁴⁹ Punjab Government Proceedings A (Revenue & Agriculture) Forests, Nos. 14-17, April 1898, OIOC London.

⁵⁰ C A Roe, Settlement Officer, Hoshiarpur, to Commissioner and Superintendent, Jalandhar Division, No 217, dated 13th November 1872, Supplement to the Punjab Gazette, 19th June, 1873, pp558, OIOC, London.

But cooperation with whom? The sub-montane tracts, particularly Hoshiarpur district, had witnessed escalating agrarian conflict through the 1920s between the landholders and tenants. While the origins of the conflict lay in the unequal distribution of property rights, monetization of rents, and rural indebtedness, the proximate causes of the escalation can be traced to the changing political economy of local forests. It may be recalled that the illegibility of these tracts was partially a result of their lack of value as repositories of forest products. After the First World War, as a consequence of changes in the global flow of resources within the British Empire and advances in technology, two products from hitherto neglected scrub forests became valuable. Pine resin, as the raw material for industrial rosin and turpentine, became a valuable commodity after supplies from China became precarious and commercial technology was available for the conversion of the resin of the Indian Pine into rosin and turpentine. Secondly, the demand for natural fibers rose exponentially during the same period to cater to the demands of the growing paper and pulp industry. *Baggad*, a grass growing naturally in the sub-montane forests became valuable as an input into the print industry.

These two products – pine resin and baggad – were present largely on the ‘illegible’ lands, legally co-owned by the landholders, and hence ‘private’. However, in practice, access to these forests was governed by a moral economy of reciprocity, whereby the domination of the landholders was legitimized socially through a continuation of customary use of the forests by all sections of society. With the increase in value of these lands and its products, the landholders were tempted to restrict customary access to corner the benefits, with limited success. These attempts at exclusion, in violation of the moral economy, elicited a series of protests from tenants and the landless and threatened

the hegemony of the landholders. Thus, even as state agencies were looking at ways to restrict grazing and other subsistence activities in these forests, the interests of the landholders converged with those of the state, though for different reasons. The rhetoric of ‘cooperation’ that emerged in the mid-1930s represented the marriage of interests of the state and the landholders.

Starting in 1932, Hamilton was successful in persuading landowners in several villages to enclose privately-registered lands against grazing and other collection activities within a few years.⁵¹ The success was driven in large measure by escalating tenant-landowner tensions, with the demand for access to the ‘private’ forests at the forefront. Hamilton offered the landowners the possibility of enclosing such lands by deploying a hitherto unused section of the Indian Forest Act that allowed individual owners of forest to cede management control to the Forest Department for a period of twenty years. Section 38 of the Forest Act, pertaining to private forests, was instrumental in the evolution of ‘community’ institutions for forest management that followed. The agrarian tensions interacted with the need to control soil erosion, as landowners recruited state power to assert their ownership and control of the contested lands. Once the enclosures were officially handed over to the Forest Department, any infringement was no longer merely a reflection of social conflict. It was also a contravention of Forest Law and invited the wrath of the state machinery. While everyday use of the commons was so restricted for the non-owners, the income from these lands would go to the ‘legal’ owners. This income was also increasing by leaps and bounds during the same period, with rising demand and prices for the resin of the Pine tree for the manufacture of turpentine, as well as the sale

⁵¹ Progress Report on Forest Administration In the Punjab, 1936-37, Lahore : Superintendent, Government Printing, Punjab, 1937.

of Euloliopsis grass as raw material for the paper and pulp industry. Both these commodities were available in plenty in these lands but till recently had limited market value. The enclosure by the Forest Department aided the landowners in securing the incomes from these products while passing on the costs and responsibility of exclusion and enclosure on to the state.

By 1935, Hamilton had secured enclosures in several villages in the Hoshiarpur shivaliks.⁵² In this district, with very few state forests and limited presence of the Forest Department, Hamilton was forced to work with other agencies in creating viable units for the management of forests so assumed under section 38.⁵³ The Cooperatives Department was very active in the region successfully encouraging the formation of credit and savings societies as an antidote to indebtedness and land alienation.⁵⁴ The region also had prior experience with cooperative management of common lands – a society comprising of landowners in village Panjavar had been actively managing its common lands since 1892.⁵⁵ Its success, in both containing tenant resistance as well as earning income from the produce, had spurred similar efforts that were capitalized and built on by Hamilton. With the help of the Cooperatives, Revenue and Forest Departments, Hamilton organized landowners into Soil Conservation Cooperative Societies. The lands assumed under Section 38 were handed over to these societies for management, thus reducing the cost of monitoring and enforcement while retaining operational control through strict rules for their management. The first Soil Conservation Cooperative was registered in 1935, and

⁵² Progress Report on Forest Administration In the Punjab, 1936-37, Lahore : Superintendent, Government Printing, Punjab, 1937, pp13-14.

⁵³ Ibid, pp11.

⁵⁴ Report on the Working of the Co-operative Societies in the Punjab : 1st August 1939 to 31st July 1944. Cooperatives Department, Government of Punjab, OIOC, London.

⁵⁵ Darling, Malcolm Lyall, *Rusticus Loquitur, or the old light and the new in the Punjab village*, Humphrey Milford: Oxford University Press, 1929.

by then more than 8000 acres of land in 14 villages was already under voluntary closure.⁵⁶

Developments at the provincial level provided the next spur for the fledgling experiment at cooperation for the control of erosion. About 24 percent of the adult population (and a higher proportion of adult male population) was granted suffrage in the provincial elections of 1935.⁵⁷ The Unionist Party, comprised exclusively of large landholders, won a majority in the assembly, on a platform of security of private property against the claims of the growing tenant resistance.⁵⁸

In 1935, the Punjab Government set up a Commission of Enquiry to look into the complaints of villagers regarding forests in mountain areas.⁵⁹ Covering the sub-montane districts, the Commission presented its report to the government in 1938 after extensive consultations with village gatherings at more than 50 places. It recommended the involvement of local communities in the management of degraded forests as the only way to combat the menace of soil erosion in Kangra. Interestingly, Hamilton was the Secretary to the Commission, chaired by a senior civil servant (G. C. Garbett) and consisting of four members of the Punjab Legislative Assembly, all affiliated with the Unionist Party. Without doubt, Hamilton's experience and success in Hoshiarpur provided the inspiration for the recommendations. Equally interestingly, the report made no mention of the landowner-tenant tensions that animate the correspondence of revenue officials of the time, reflecting the interests of the legislators on the Commission.

⁵⁶ Progress Report on Forest Administration In the Punjab, 1936-37, Lahore : Superintendent, Government Printing, Punjab, 1937, pp14.

⁵⁷ Kirpal Yadav, *Elections in Panjab, 1920-1947*. Delhi: Manohar, 1987.

⁵⁸ I. A. Talbot, "The 1946 Punjab elections", *Modern Asian Studies*, 14:1 (1980), 65-91.

⁵⁹ Garbett, G.C. 1938. *Report of the Punjab Government Forest Commission*, Lahore, Civil and Military Gazette Press.

The tenants reacted to this conflation of state power and local domination with alacrity. A series of incidents of forced entry into the enclosures were reported in the following years. By 1939, the resistance had taken the form of a movement, and invited state reprisals. Several leaders of the resistance were arrested, tried and sentenced to imprisonment in 1939, even as the pace of registering Cooperatives picked up.⁶⁰ In 1939, 10 such societies were functioning.⁶¹ The Government of Punjab was satisfied with the performance of the new technology, even though there was a noticeable increase in 'forest offences'.⁶²

Even as the Soil Conservation Cooperative Societies continued to multiply in Hoshiarpur in direct proportion to the intensifying agitation of tenants in the 1930s, a new scheme was notified and initiated in Kangra for setting up cooperatives for forest management.⁶³ This was a direct consequence of the different property regime that had evolved in Kangra. There, much of the *shamlat* was still held in common, and was classified as Unclassed Forests. These were lands where the state had conceded significant powers in 1875 under the give-and-take policy. Several new categories with complicated joint property arrangements had appeared during the intervening years, particularly those governing *kharetars* or haylands, for example, as well as large tracts of Undemarcated Protected Forests with a heavy burden of rights. These classes of lands were in addition to the Demarcated Protected Forests and Reserved Forests with a lower *de jure* but significant *de facto* pressure. The new scheme – Kangra Village Forests Scheme – was

⁶⁰ Oral sources and Court records in possession of local people.

⁶¹ Progress Report on Forest Administration In the Punjab, 1938-39, Lahore : Superintendent, Government Printing, Punjab, 1939, pp27.

⁶² Progress Report on Forest Administration In the Punjab, 1939-40, Lahore : Superintendent, Government Printing, Punjab, 1940, pp2.

⁶³ Rawal R.D. 1968. *Integrated Working Plan for Kangra Forest Co-operative Societies*, Vol. I , pp57-61, Himachal Pradesh Forest Department, Shimla.

designed to combine all categories of lands requiring protection from soil erosion into one block of forest by persuading the proprietors – individuals and collectives – to join a cooperative and pool their property rights with those of the state.⁶⁴ Thus, starting from 1940, the Forest Cooperative Societies of Kangra came into being, comprising only of landowners, to the formal exclusion of everyone else. The tenants continued to resist, but the success of the new technology was not to be denied.⁶⁵ By 1944, there were 247 Soil Conservation Cooperatives and 30 Forest Cooperatives in Kangra and Hoshiarpur.⁶⁶ The general outlook of state agencies on the performance of these institutions was extremely positive.⁶⁷

Conclusion : Participatory state formation

“Humanity does not gradually progress from combat to combat until it arrives at universal reciprocity, where the rule of law finally replaces warfare; humanity installs each of its violences in a system of rules and thus proceeds from domination to domination.”

*Michel Foucault*⁶⁸

Acts of government are only possible because state and society can be conceptualized as separate entities. But it is the strategies of government that produce the effect of separation. Forms of colonial power in nineteenth and twentieth century Punjab, fragmented as they might appear in historical perspective, manipulated society (through laws, census, property arrangements, and electoral processes) to manufacture a social

⁶⁴ Progress Report on Forest Administration In the Punjab, 1939-40, Lahore : Superintendent, Government Printing, Punjab, 1940, pp27.

⁶⁵ Ibid. pp 1, 23.

⁶⁶ Report on the Working of the Co-operative Societies in the Punjab : 1st August 1939 to 31st July 1944. pp42. Cooperatives Department, Government of Punjab, OIOC, London.

⁶⁷ Ibid, pp11.

⁶⁸ Michel Foucault. 1977. “Nietzsche, Genealogy, History”, in *Language, counter-memory, practice: Selected essays and interviews*. Edited by D.F. Bouchard, Ithaca: Cornell University Press.

structure that would help to stabilize an extractive regime.⁶⁹ Much of this process – which can be characterized, following Philip Abrams, a ‘state project’ – unfolded through projects of legibility,⁷⁰ and the production of specifically colonial forms of knowledge.⁷¹ Admittedly, this super-text of domination, comprising many local and inter-weaving sub-texts of domination and resistance, was embedded in a legitimating discursive framework for the exercise of power.⁷² William Roseberry cautions against imputing too much unity to this discursive framework, pointing to its mere presence as an indicator of “the fragility of a particular order of domination.” However, “to the extent that a dominant order establishes such legitimate forms of procedure, to the extent that it establishes not consent but prescribed forms for expressing both acceptance and discontent, it has established a common discursive framework.”⁷³ And such a framework, of course, is established through political practices and rituals of rule.⁷⁴ These practices and rituals, in turn, function to separate state from society, and locate individuals in differential proximity to power.

In these discourses, there is not much room for mutating forms of power; domination and legitimacy are countered only by resistance and rebellion. When and why do legitimating discursive frameworks break down and need to be reconstituted? Legibility is not only constrained by the levels of technology, but also defined by the ends of state power.

⁶⁹ Nicholas Dirks, *Castes of Mind: Colonialism and the making of modern India*. Princeton: Princeton University Press. 2001.

⁷⁰ James Scott, 1998. *Seeing like a state: How certain schemes to improve the human condition have failed*. New Haven: Yale University Press.

⁷¹ Bernard Cohn, 1996. *Colonialism and its forms of knowledge: The British in India*. Princeton: Princeton University Press.

⁷² Pathak, Akhileshwar. 2002. *Laws, Strategies, Ideologies: Legislating Forests in Colonial India*, New Delhi: Oxford University Press.

⁷³ William Roseberry, “Hegemony and the language of contention”, in Joseph and Nugent (eds.) *Everyday forms of state formation*. 1994.

⁷⁴ Philip Corrigan and Derek Sayer, 1985. *The great arch: English state formation as cultural revolution*. Oxford: Basil Blackwell.

Colonial forms of knowledge are implicated in a particular political economy, and lose their potency with shifts in its locus. And society itself is being transformed, even as knowledge about society is increasingly collated by state institutions. Too many aspects are changing, internal and external conflicts are constantly emerging and diffusing, and the exercise of power often appears, in its colonial form, to be illegitimate even without the challenge of rebellion.

Mutating forms of power, and new technologies of government, can be understood as ‘governmentality’ – the “ensemble formed by the institutions, procedures, analyses, and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security.”⁷⁵ As population replaces family as the model of the economy, with greater means to accumulate information and knowledge about individuals, “population comes to appear above all else as the ultimate end of government.”⁷⁶ When the discursive framework embedded in private property– based on the notion of economy modeled on the family – is inadequate to the task of disciplining subjects that threaten the political economy, a new framework is invented that is based on the bedrock of security and prosperity. “The finitude of the state’s power to act is an immediate consequence of the limitation of its power to know.”⁷⁷ The *savoir* of government, inseparable from knowledge of the population as a whole, is limited by legibility of the landscapes and

⁷⁵ Michel Foucault, “Governmentality”, in Graham Burchell, Colin Gordon, and Peter Miller (eds.) *The Foucault effect: Studies in governmentality*. 1991. Chicago: University of Chicago Press, pp 102.

⁷⁶ *Ibid.* pp 100.

⁷⁷ Colin Gordon, 1991. “Governmental rationality: An introduction” in Burchell, Gordon, Miller (eds.) *The Foucault effect*, pp 12.

subjects. Prevented thus from acting directly on the population, the new technology allows subjects to be disciplined *within local contexts*, thus making possible modes of pluralization of government within the overall framework of security and prosperity. Such a perspective also enables us to contrast theories of state to the possibility of a ‘multiple regime of governmentality’, to contribute to the “relativization of the notional boundary line between state and society.”⁷⁸

If the fragility of the project of domination is universal, then the art of government comprises of the deployment of new technologies in response to challenges to the exercise of power; conversely, limits of the legitimating framework are overcome through the maintenance of a repertoire of technologies – *savoir-fair* – that could be deployed when the need arises.

⁷⁸ *Ibid.* pp 36.