



National Law University and Judicial Academy, Assam

Programme: Multidisciplinary Course (MDC)

Details Of Course Offered

Odd Semester – academic year 2024-25

Sl. No	Course Code	Course Title	L	T	P	CR	CH
1	BL907-A	Prison System and Law in Colonial India	2			2	

- a. **Code and Title of the Course:** MDC(A) Prison Systems and Law in Colonial India
- b. **Course Credit:** 2 (evaluation of 50 marks)
- c. **Medium of instruction:** English
- d. **Course Compiled by:** Upasana Devi
- e. **Course Instructor:** Upasana Devi

Course Objectives: Given the multidisciplinary nature of the course, the core objectives is to understand the structural and functional aspects of prison systems in colonial India. It is also to explore certain legal and penal policies while taking references from specific case studies which have both historical and legal significance. Additionally, through this course jails and prisons would be also understood through the people involved in it (be it the prisoners themselves or the administration) and the rules and regulations implemented from time to time. The course, being confined to a specified period of time, is also intended to help students understand the ways in which colonial policies were implemented vis a vis the nature of crimes and criminals in British India. The course would also highlight one or two case studies within the time frame of the study so as to make critical assessments through the history and existing confinement practices. Overall the course would give an idea to the students about colonial practices in relation to the penal system and how certain historical developments can still find its continuity in the post-colonial times in India.

Teaching Methodology:

The methodology in this course is that of a lecture oriented course. The teaching methodology shall be participatory teaching with discussions on the topics included. The students are informed in advance of the topic for discussion and the topic of the project / assignment they have to prepare. The students prepare their topics from the sources suggested to them. The students are also encouraged to do independent research on their respective assignments which are then presented followed by an interactive question and answer session. The teacher will also be helping and guiding the students in their pursuits of learning throughout the course.

Learning Outcomes: By the end of the course the student should be able to:

1. Understand the idea of prison systems in colonial India
2. Make a connection between history and confinement politics of a particular time period
3. Also understand why history becomes important to make sense of the continuities in the corresponding times
4. Understand how colonialism in India had an impact on the way of governance with prisons being an important institution.
5. Reconstruct how social factors were also associated with crime and governance.

Module I

The history of the colonial prison: Ideologies of the Raj; The modern and colonial prison; construction of the British Prison, Bengal as a referential site in the 1800s; profiling Indian criminals; Social order, crime, and governance; Prison administration, Types of prisoners over the course of colonial India.

Module II

Penality and Politics: Rules and regulations; Prison reforms; Prison Act of 1870, 1894; Thuggee and the Company; Uprising of 1857 and incarceration in its wake; prison reforms, prisons and diseases; Case Studies

Selected and Prescribed Readings:

Waits, Mira Rai. "Imperial Vision, Colonial Prisons: British Jails in Bengal, 1823–73." *Journal of the Society of Architectural Historians* 77, no. 2 (2018): pp.146–67.

Pachauri, S.K. "History Of Prison Administration In India In 19th Century : Human Rights In Retrospect." *Proceedings of the Indian History Congress* 55 (1994): pp. 492–98.

Gibson, Mary. "Global Perspectives on the Birth of the Prison." *The American Historical Review* 116, no. 4 (2011): pp. 1040–63.

Foucault, Michel. *Discipline and Punish: The Birth of the Prison*. New York: Pantheon Books. (1977).

Adam, Hargrave Lee. *The Indian Criminal*. London: John Milne. (1909).

Anderson, Clare. *Legible bodies. Race, criminality and colonialism in South Asia*. Oxford: Berg, (2004).

Anderson, Clare. *The Indian Uprising of 1857-8. Prisons, Prisoners and Rebellion*. London: Anthem Press, (2007).

Anderson, Clare; Arnold, David (2007): *Envisioning the Colonial Prison*. In: Frank Dikötter and Ian Brown (eds.): *Cultures of Confinement. A History of the Prison in Africa, Asia and Latin America*. London: Hurst and Company, pp. 304–331.

Bailkin, Jordanna. "The Boot and the Spleen: When Was Murder Possible in British India?" *Comparative Studies in Society and History* 48, no. 2 (2006): pp. 462–93.

Mukhopadhyay, Anindita. "Crime And Criminality In Colonial Bengal." *Proceedings of the Indian History Congress* 63 (2002): pp. 968–86.

Brown, Mark. "Crime, Governance And The Company Raj: The Discovery of Thuggee." *The British Journal of Criminology* 42, no. 1 (2002): pp. 77–95.

Banerjee, Sumanta. *The Wicked City. Crime and Punishment in Colonial Calcutta*. Minnesota: Orient Black Swan, (2009).

Dayal, Surbhi. "Born Criminals: The Making of Criminal Tribes during the Colonial period in India." *International Journal of Criminal Justice Sciences*, 14, no.2 (2019): pp. 87-98.

Kumar, Mukul. "Relationship of Caste and Crime in Colonial India: A Discourse Analysis." *Economic and Political Weekly* 39 (10), (2004), pp. 1078–1087.

Warren, James. "The Rangoon Jail Riot of 1930 and the Prison Administration of British Burma." *South East Asia Research* 10, no.1, (2018), pp. 5–29.

Shankar, S. "Thugs And Bandits: Life And Law In Colonial And Epicolonial India." *Biography* 36, no. 1 (2013): pp. 97–123.

Sen, Satadru. "A Separate Punishment: Juvenile Offenders in Colonial India." *The Journal of Asian Studies* 63, no. 1 (2004): 81–104.

Sen, Satradu. "The Female Jails of Colonial India". *The Indian Economic & Social History Review*, 39, no.4 (2002), pp. 417–438. doi:10.1177/001946460203900405.

Nagla, B. K. "Prison Administration in India". *Indian Journal of Public Administration*, 35 no.4 (1989): pp. 1011–1021.

Kosambi, Meera. "A Window in The Prison-House: Women's Education and the Politics of Social Reform in Nineteenth Century Western India". *History of Education*, 29 no.5 (2000): pp. 429–442.