

GLOSSARY

This glossary offers simple definitions of some Indian words used in this issue that may be unfamiliar to non-Indianists and of some legal terms that may be unfamiliar to nonlawyers. In compiling it, I have relied heavily on the Handbook to Indian Civilization (Syllabus Division, University of Chicago Press, 1961) and H. H. Wilson's Glossary of Judicial and Revenue Terms (enlarged edition, edited by A. C. Ganguli and N. D. Basu. Calcutta: Eastern Law House, 1940). Spellings used by the authors in this issue have been retained and common variants have been indicated in parentheses. No attempt has been made to follow any single system of transliteration. —M.G.

ADALAT (Adawlut, Udalat)

Court of justice. Hence adalati (judicial) panchayat (qv) and sudder adalat (chief court).

ANGLO-INDIAN

In contemporary usage, Eurasian, one descended from a union of an Indian woman with a resident European male; a community (qv) of such persons in India. Nineteenth century: of or pertaining to the British resident in India.

ARTHASASTRA

A branch of classical Hindu learning, the science of wealth and power. A text on polity and administration, ascribed to Kautilya (possibly third century B.C.).

BACKWARD CLASSES

Groups, who because of their low social and economic position, are singled out for special preferential treatment in education, recruitment to government service, etc. Sometimes used inclusively of Scheduled Castes (qv) and Scheduled Tribes (qv), who are the principal beneficiaries of such policies, but sometimes refers only to the other groups, somewhat higher in social standing, so treated. (= Other Backward Classes.) Usually the groups are castes or communities (qv) but recently some states have used occupational and income tests to select the backward classes.

BANIA (Baniya)

A trader, shopkeeper, moneylender; a commercial agent; any of several trading castes, particularly those of northern India.

BRAHMIN (Brahman, Brahmana)

A member of the priestly-scholarly class, the first of the four varnas or orders into which society is divided by Hindu tradition.

CHOWKIDAR (Chaukidar)

A watchman, guard, attendant, peon.

CHUPRASI (Chaprasai)

A messenger, orderly or attendant, particularly in offices.

COMMUNITY

In recent Indian usage, a section of the population differentiated by religion or caste or both. (*E.g.*, the Muslim community, the Brahmin community, the Agarwal Jain community.) The meaning shifts according to the context. (*E.g.*, the Hindu community comprises both Brahmin and non-Brahmin communities and these in turn may be divided into communities.) COMMUNAL does not mean things held in common, but refers to any arrangement or view which emphasizes religion or caste groupings as social or political units. COMMUNALIST and COMMUNALISM refer to persons or ideologies that support such arrangements and are ordinarily pejorative.

CRORE

Unit of 100 lakhs (qv) or 10 millions.

DIWANI (Dewanee)

Of or relating to a Diwan (a chief officer of state, a minister, especially one with power over revenues); civil as opposed to criminal. Hence Dewani Adalat (qv), a civil court.

DHARMA

Righteousness, duty; the path which a man should follow in accordance with his nature and station in life; the sacred law.

DHARMASASTRA

The science of dharma (qv) including "Hindu law"; the body of authoritative learning on the subject. (Dharmasastras = individual texts comprising this science.)

DHARMASUTRA

Early manuals on dharma (qv), parts of large Sutra collections attributed to legendary sages, probably c. 600-300 B.C. Predecessors to the specialized Dharmasastra (qv) literature.

DYARCHY

A term applied to the government of the provinces in India after the Government of India Act, 1919, from its provisions for division of powers between elected Indians and appointed officials.

GAONTIA

(Oriya) Headman, acknowledged leader of the village community; one of a class of village managers in the land revenue system in Orissa.

GURU

Hindu teacher or spiritual preceptor.

HARIJAN

(Lit. "people of Hari.") Term for untouchables coined by Mahatma Gandhi c. 1933. Sometimes employed for official purposes as = Scheduled Castes (qv).

HINDU MAHASABHA

A Hindu communal party (founded 1906) was prominent in public affairs from the mid-twenties to independence.

I.C.S.

Indian Civil Service.

JANA SANGH

The most important of the Hindu communal parties, founded 1951. It received 9.33% of the popular vote (for Parliament) in the 1967 General Election.

JATI

"Caste" in the sense of the endogenous local caste groups. (Compare varna = one of the four great orders of Hindu society in classical Hindu sociolegal theory, which is also translated as caste.)

KAZI (Qadi, Qazi, Cauzee)

A Muslim judge appointed to administer civil and criminal law, according to the Shari'a (qv); hence, in British India, advisors on Muslim law in the Government's courts.

KISAN

Common term for "peasant, farmer" throughout northern India.

LAKH

Unit of 100,000; 100 lakhs equal one crore (qv).

MADRASSA

School for Muslim learning, often, though not necessarily, attached to a mosque (masjid).

MOFUSSIL (Muffasal)

Hinterland, countryside, provinces, outlying stations as opposed to the sadar or principal station or town.

MUFTI

A Muslim law officer whose duty was to expound the Shari'a (qv) (which to the Kazi (qv) was to execute). Cf. jurisconsult.

MUKHTAR

An agent, a representative, an attorney. In British India, originally unauthorized law agents; recognized as the lowest grade of lawyers in 1879. Mukhtars are no longer recruited.

MUNSIF (Moonsif)

In British India a native judge of the lowest rank.

NABOB (Nawab)

Under the Mughal government, a viceroy or governor of a province; later a Muslim ruler of a princely state, any Muslim of high rank.

NIBANDHA

In dharmasastra (qv), a digest containing a commentary on the Dharmasutras (qv) and Dharmasastras (qv).

NYAYA

Justice, hence nyaya (judicial) panchayat (qv).

PANCHAYAT

Skt., "coming together of five persons"; hence: council, meeting; court consisting of five or more members of a village or caste assembled to judge disputes or determine group policy. Each member is a pancha.

PANCHAYAT RAJ

(Regime of panchayats.) The Indian Government's policy of encouraging elective village panchayats as the units of local self-government.

The judicial branch of these are nyaya (qv) or adalati (qv) panchayats.

PARGANA

A subdivision of a district comprising several villages.

PATWARI

“Village accountant” who collects land revenue and is in charge of land records.

PUNDIT (Pandit)

“A learned man, scholar”; esp. a Brahmin (qv); one learned in Sanskrit, and in the dharmasastra (qv).

RYOT (Raiyat)

A cultivator, peasant. Hence rayati (ryotwari) settlement—a system of land tenure under which land is held directly by the peasant proprietor.

SAMHITA

One of the four collections of hymns that make up the Vedas, the earliest Hindu scriptures.

SATYAGRAHA

f. Skt., (Satya = “truth” + Agraha = “urge”, polite insistence) “steadfast adherence to truth”; a term for nonviolent resistance, coined by Gandhi; one who practices this is called a satyagrahi.

SCHEDULED CASTES

Those social groups designated by the Government of India to receive educational, employment, housing and other concessions and privileges; castes or communities traditionally looked upon by orthodox Hindus as impure and “untouchable”; see also Harijan.

SCHEDULED TRIBES

Those tribal groups, or adivasis, designated by the Government of India to receive special concessions and privileges in education, employment, etc. in order to integrate them into the Indian society as rapidly as possible.

SHARI‘A

The sacred law of Islam.

SLOKA

A distych used for didactic and narrative verse. Hence, couplets or stanzas in which dharmasastra (qv) texts are written.

SMRTI

“Remembrance or recollection”; (as opposed to Sruti, “heard, revealed” *i.e.*, Vedas). The authoritative, canonical law books comprising the dharmasutras (qv) and the dharmasastras (qv).

SUBAH

A province, a government; one of the larger subdivisions of the Mughal dominions.

SUNNUD (Sanad)

A grant, diploma, charter, patent. A document conveying titles, privileges, offices, etc.

TAHSIL (Tehsil)

A subdivision of a district. *Cf.* Taluk.

TALUK (Taluka, Taluq)

A subdivision of a district. *Cf.* Tahsil.

TOUT

An intermediary who, for remuneration, persuades a person to engage a particular legal practitioner or secures clients for such a practitioner.

VAKIL (Wakil, Vakeel, etc.)

Originally an agent, a person invested with authority to act for another, an ambassador or representative. Subsequently, practitioners authorized to appear in law courts. A grade of the legal profession lower than barristers and advocates, but higher than pleaders practicing in the subordinate courts.

VAKULATNAMA

Credentials, letter of authority from client to attorney.

ZEMINDAR (Zamindar)

A landlord (usually large), who has duties to collect revenue from, and rights of governance over, his tenants.

ZILLA (Zila)

A subdivision of a province or state; under the British, the area under the jurisdiction of a collector (qv) *i.e.*, a district.