



## **BAISHI, THE RURAL JUDICIAL SYSTEM OF THE CHAIN COMMUNITY: A HISTORICAL REVIEW OF MALDA AND MURSHIDABAD DISTRICTS (1922-1942)**

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### **RESEARCH ARTICLE**



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#### **Abstract**

The Chain is a little-known ethnic community in India. Apart from India, the people of this community also live in Bangladesh and Nepal. In India, they have long been settled in West Bengal, Bihar, Uttar Pradesh, Jharkhand, and Madhya Pradesh. This discussion focuses only on the Chain community residing in Malda and Murshidabad districts of West Bengal. The people of this community have been settling along the banks of the Ganges River and its nearby areas for several centuries. This community, known as the Chain Mandal, is currently included in the list of Scheduled Castes in West Bengal. Since the British era, this community has lagged behind in education, politics, business, and commerce. As they have distanced themselves from mainstream society, modern influences have not fully reached them today. The main focus of this discussion is on the caste justice system within this community.

**Keywords:** *Ethnic Community, Traditional, Chain-Mandal, Judiciary - Baishi, Social status*

### **Introduction**

The Chain community lives in large numbers in Malda and Murshidabad districts. In this context, I will explore a significant aspect of the Chain community's village arbitration or judicial system. This discussion highlights the social structure of the Chain community in India under British rule, focusing on the village heads and their social activities. These village heads were active in nearly every village during British rule, often resolving issues through meetings with local residents. When a major problem arose or there was a need to discuss changes in the social structure of the Chain community, the village heads from a large section of the community would gather in one place to address the issue. This context also covers several events related to social structure changes within the Chain community.

### **Methodology**

This article entitled 'The Baishi, The Rural Judicial System of The Chain Community: A Historical Review of Malda and Murshidabad Districts (1922-1942)' focused on historical overview on Baishi system in Chain community in the both district during 1922 to 1942. In this article I have used historical method to understand actual brief scenario and historiography of Baishi system in the Malda and Murshidabad Districts during the above-mentioned period. The information was collected from sender and primary source like books, journals, online sources, interviews, group discussions etc.

### **Baishi in Chain Community**

In the Chain community, a meeting was held on a specific day at a particular place with prominent community members, village heads, and influential people. This meeting was called 'Baishi.' Baishi is a type of village arbitration meeting. It was conducted with the leaders of twenty-two villages and notable figures of the Chain community to resolve any issues they faced. However, if an issue couldn't be settled through village arbitration, this Baishi would be convened. Additionally, in the name of protecting the ethnic purity of the Chain community, 'Baishi' would be held to address major problems. The text highlights several 'Baishi' events that took place in different locations within the Chain community, all claiming to serve the purpose of safeguarding the community's ethnic purity.

There were several punitive provisions in this Baishi trial, which were adopted by the village heads of the Chain community in India under British rule in the name of protecting ethnic purity.

1. The guilty family or individual was punished by being deprived of drinking water from the village well.
2. They were either banned from associating with other neighbors or forced to live in isolation.

3. There was a specific punishment for molesting girls. They were required to walk around the court where the trial took place, with their heads shaved, faces painted with ink, and a pitcher filled with water on their heads.
4. Baishi had rules for ostracism or expulsion from society due to rape.
5. The guilty person received corporal punishment for theft and robbery. A separate individual was appointed in Baishi to carry out the punishment. In the case of corporal punishment, the guilty were beaten with a stick.
6. Sometimes a financial fine was also imposed. If the money could not be paid within the required time, they had to do forced labor at the village headman's house until the fine was settled.
7. Such a harsh punishment for women was unheard of in the Baishi judicial system. If a woman was involved in an illicit relationship, society would arrange for her to marry the man if both parties agreed.
8. If a boy physically abuses or beats a girl, the boy would be fined significantly.

### **Historical Overview of Baishi in Murshidabad District**

In March 1922, a large Baishi of the Chain community was held in the village of Kashinagar (Benia) in Farakka, Murshidabad district. The main topic of this Baishi, or rural bichar sabha, was fishing in the Ganges. That is, people of the Chain community could catch and eat fish, but they were not allowed to sell them in the market. Those who sold fish were expelled from society. This Baishi bichar sabha was led by Bholanath Mandal, the landlord of the Chain community in Farakka. In this context, Tulsi Charan Mandal wrote in his article: "I heard that the people of the Chain community had a caste trial there for several days and smoked so much hookah that 30 shers of burnt tobacco ash had accumulated." Of course, the subject of the trial was not trivial. Since the people of the Chain community lived along the riverbanks, they were naturally skilled at fishing. In that sense, every household of the Chain community had fishing nets, rods, and related gear. They mainly fished and ate fish, not selling them in the market. However, there was a big uproar in the Baishi of Benia village over this incident. The common working poor, living day to day, refused to accept all the decisions from the Baishi's judgment. In this Baishi of Benia village, a group of people went out and announced that they would sell fish in the market. From this, the Chain community divided into two sub-communities: those willing to sell fish in the market became 'Chhoto Chain,' and those who opposed the sale of fish in the market became 'Boro Chain.'

### **Historical Overview of Baishi in Malda District**

A large Baishi was held in Malda district in 1940 in the name of protecting racial purity. Surendra Nath Mandal was present at the Baishi's trial; some of his experiences are highlighted here. The Baishi centered around an incident involving Sitaram Mandal from Tetul Tola village in the Dakshin Chandipur area of the Manikchak block. Sitaram Mandal had bought water from Pulintola Dhab as water tax for fishing. However, trading fish was considered a crime in the Chain society. During this Baishi, Tetul Mandal, Mahadev Mandal, Narayan Mandal, Govardhan Mandal, and other dignitaries along with village heads were present. About two hundred people from nearby villages gathered to watch the trial. Elders sat in a circle in the courtyard, with villagers surrounding them to participate in arbitration discussions, although common folks had no right to voice opinions. Sitaram Mandal said in the trial concerning him: "I did not catch the fish, I did not weigh or sell the fish myself; the fishermen or fishmongers did all the work. If I have committed a crime in this case, then I will not do this business again." He apologized with folded hands to the judges or village heads on the Baishi grounds and promised he would never engage in the fish-selling business again. This incident shows how guilty the crime of selling fish was among the people of the Chain community.

Another large Baishi was held in Panchanandpur, Malda district. In 1942, Radhanath Sarkar, a descendant of the landlord of Jhaubona in Panchanandpur, organized a Baishi. Prominent members of the Chain community, including village heads from far and wide, attended this event. About two thousand people gathered there. During the Baishi, he declared, "I will not stay Chain, I will become Vaishya, I will leave Mandal and take the title of Das." And that is what he did. Though a landlord, he chose to become Vaishya instead of remaining in the Chain community. In the name of protecting caste purity, he adopted the title of 'Das' instead of Mandal and Sarkar. Later, he brought Brahmins from Kashi and performed a yagna in the area to safeguard caste purity. However, apart from his family members, no one from the Chain community abandoned their surname to preserve their ethnic identity.

### **Conclusion**

The people of the Chain community are usually busy with their farming lifestyle. They grow crops and vegetables on their farms all day and then take their produce to the market to sell for their livelihood. However, since most residents live along the banks of the Ganges River, they lag behind in urban modernity. This article highlights the efforts of the Chain community to preserve their ethnic identity. Nevertheless, prominent community leaders did not want their community to seem small or inferior to other social groups. Conservatism, under the guise of maintaining ethnic purity, was common in society. This article illustrates an example of that conservatism. Notably, the community repeatedly held 'Baishi' trials and faced divisions over fishing and selling fish. As society changes, so do the people of the Chain community. This article also sheds light on the Baishi arbitration meetings during the British period (1922-1942), where village leaders, often with help from local police, resolved disputes internally and externally. These meetings usually only dealt with internal community issues, while other matters were handled by police intervention. Such Baishi arbitration meetings haven't taken place for around 30 to 50 years. Today, people seek legal help for minor disputes, and society has moved away from its conservative roots to adopt a more open-minded attitude. In a society driven by modern technology, village arbitration meetings have mostly become outdated.

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### Notes & References

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