

Colonialism and Culture: A Comparative Study of Spanish Colonial Rule in America and British Colonial Rule in India

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Abstract

The present study will be comparing the cultural implications of British colonial rule in India and Spanish colonial rule in America. It will be using Systems Theory and its relation to culture as its theoretical framework. For the present study the following variables have been selected: the institution of family, the institution of religion, the economic institution the political institution, and the educational institution. By pondering on Amos Rapoport, the concepts of hybridism and cultural identity in the ideas of Homi Bhabha, and Michael Hay's ideas of culture and form and Systems Theory and its relation to culture and also Cultural Imperialism as its theoretical framework, it tries to show the relationship between culture and colonialism. It will attempt to illustrate how the host country has accepted the new colonial culture and whether a synthesis of culture or cultural assimilation, or cultural disapproving and cultural genocide has taken place. Thus the historic and cultural backgrounds of the colonists and the indigenous culture and the relation between the colonized and the colonizer are realized.

Keywords: Culture, Colonialism, British Colonial Rule, Spanish Colonial Rule

1- Culture and Systems Theory

Culture is sometimes seen by some people as the primitive aspect of man's existence. The future is a derivative of the past and present. This perception is so because of the all-inclusive nature of culture. It includes characteristics and systems; for this reason, Spencer says: "The pattern unit of cultural system consists of several kinds of smaller parts." Thus culture traits in different culture complexes differ, thus resulting in the different traits and complexes in the systems. (Goetz 1992) T.S. Eliot, a writer who has attempted to define the term culture, speaks of a way to describe cultures using this notion of wholeness in his book *Notes Towards the Definition of Culture*. He says that a culture can be analyzed in terms of the individual, the group or class, and the whole society. (Eliot, *Notes towards the Definition of Culture*, New York: Harcourt, Brace and Company 1949) Each culture will grow differently depending upon the degree of development each aspect of the culture has undergone. Culture, therefore, should be understood as involving more than the values and needs of a group of people but the entire "way of life" of that society. The nature of the symbolic systems operating in a particular social system (values, beliefs and professional standards held by members; the organizational "culture) becomes important. The basic point here is to stress that symbolic systems (cultures, knowledge systems, ideologies, values) are a vital part of the systemic approach without which neither a social system's structure nor the working of its central mechanism(s) can be effectively modeled. A brief glance at the management literature shows that semiotic schemes, such as "change strategies," play a central part in the running of the corporation and in the management's attempts to engineer a particular kind of organizational culture. (Pickel 2019) This implies that cultures are a matrix of aspects which affect many levels of society, with values being one of the primary aspects which organize the system. As one of the primary organizing aspects of culture, values shape the overall cultural system. The cultural system can only maintain itself with cohesion of these values. This means that the system is dependent upon a series of values rather than a single dominant value. "Culture occurs only with a combination of the values, not with the sole perfection of a single value." (Eliot, *Notes Towards the Definition of Culture* 1949, 21)

A systems view of culture states that the entire series of values are responsible for the overall cohesion of the society with no one aspect of the culture given in due importance within a society. This directs many cultural aspects to be considered in the definition of the society. If a thorough understanding of the culture is to be attained, it would be useful to at least be able to limit the number of cultural aspects for review.

Inherent in systems theory is the concept of a system of interrelated parts. No one aspect of the system can be analyzed out of context to the whole. "No single cause-and-effect relationship [can be] separate from the system as a whole." (Talbot 1991, 41) Only through analyzing the qualitative relationships between the various aspects of the culture can one begin to formulate possible hypotheses about these relationships. (Kenney 1994, 3) Similarly, the dynamic or changing nature of cultural systems requires that the individual parts not be viewed out of context to the entire matrix of the society. "The complexity of man and his history cannot be encompassed in neat formulas." (Rapoport, House, Form and Culture 1969, 11)

2-1 Definitions of Colonialism

The overseas kingdoms of Western Europe formed the history of all of the continents and peoples of the world during the half millennium from their origins in the mid-fifteenth century to their final dissolution in the mid-to-late twentieth-century. The colonial empires of the West (Portugal, Spain, France, Great Britain, the Netherlands, Belgium, Germany, Italy and the United States) claimed ownership at one time or another all of the Americas and Australia, ninety-nine percent of Polynesia, ninety percent of Africa and nearly fifty percent of Asia. (Benjamin, 2007, p. xiii) These Western colonial powers, created the first maritime empires that included the globe. In so doing Western colonialism shipped European colonialists to every inhabitable region, implanted and spread Christianity throughout the colonial world and exported the languages, laws, institutions, technology and values of the West to nearly all lands, peoples, and cultures worldwide. This political, economic, and cultural expansionism reshaped the non-European societies and cultures with which it came into sustained contact. One can easily understand that the history and very nature of Western colonialism has been a subject of great dispute and conflicting moral claims. This history is not a closed and forgotten chapter without relevance to the problems and promise of today. Thus, terms and concepts such as *colonialism*, and *imperialism* are far from simple and self-evident words that all scholars define in the same way. Because the history of Western colonialism and imperialism is politically, economically, and culturally relevant to contemporary issues and, therefore, controversial, these terms themselves are no less disputed. Nonetheless, it is possible to provide cautious yet useful definitions. Throughout human history empires have been defined by the political domination of one or more territories by a powerful polity or state, often called an imperial metropole. Imperial in the English language was borrowed from the old French term *emperial*, which was derived from the Latin word *impera're*, meaning to command, to rule and from the word *imperium*, meaning power, mastery, and sovereignty. Imperialism can be defined as the domination and rule by a strong state over a subordinate state, territory and people that exist beyond the boundaries of the imperial metropole. Again throughout history, empires have possessed colonies. The English word *colonial* came directly or indirectly from the Latin verb *colere*, meaning to cultivate and till the land. The Romans established *coloniae* as their empire expanded, including *Colonia Agrippi'na* or what is today called the city of Cologne, in Germany. Colonies are dependent territories and populations that are possessed and ruled by an empire. 'Colonialism' refers to the processes, policies and ideologies used by metropolises to establish, conquer, settle, govern, and economically exploit colonies. In the age of Western colonization, as well as before, colonization meant not only ruling other peoples but also sending one's own people to settle a foreign territory, or colony (Benjamin, 2007, p. xiv) According to Horvath, Colonialism is a form of domination, the control by individuals or groups over the territory and or/behavior of other individuals or groups and this idea of domination is closely related to the concept of power. Thus he explains the intergroup domination which is the domination process in a culturally homogenous society. Colonialism is that form of intergroup domination in which settlers in significant number migrate permanently to the colony from the colonizing power. Hence concept of Imperialism rises in which it is a form of intergroup domination in which few, if any, permanent settlers from the imperial homeland migrate to the colony which contrasts with informal imperialism which is synonymous with neo-colonialism, semi colonialism and economic imperialism and is a type of intergroup domination in which formal administrative controls are absent and power is channeled through a local elite. (Horvath R. , 1972) Jürgen Osterhammel's more recent and frequently quoted definition of colonialism, also insists on foreign rule over a colonized demographic majority. In his outline, colonialism is a relationship of domination between an indigenous (or forcibly imported) majority and a minority of foreign invaders. (Veracini, 2010, p. 5) The fundamental decisions affecting the lives of the colonized people are made and implemented by the colonial rulers in pursuit of interests that are often defined in a distant metropolis. Rejecting cultural compromises with the colonized population, the colonizers are convinced of their own superiority and of their ordained mandate to rule.

2-2 Colonial Knowledge and Colonial Rule

Bhabha believes that the discriminatory effects of the discourse of cultural colonialism, do not refer to a 'person', or a dialectical power struggle between self and other, or to a discrimination between mother culture and alien cultures. Produced through the strategy of denial, the reference of discrimination is always to a process of splitting as the condition of subjection: a discrimination between the mother culture and its bastards, the self and its doubles, where the

trace of what is disavowed is not repressed but repeated as something different, a mutation, a hybrid. It is such a fractional and double force that is more than the mimetic but less than the symbolic, that disturbs the visibility of the colonial presence and makes the recognition of its authority problematic. Accordingly, if the essentialist reference to race, nation or cultural tradition is essential to preserve the presence of authority as an instant mimetic effect, such essentialism must be exceeded in the articulation of 'differentiatory', discriminatory identities. (Bhabha H. , 1994, p. 159) Gandhi borrows from Bhabha's words, to envision 'the image of post-Enlightenment man tied to, not confronted by, his dark reflection, the shadow of colonized man, that splits his presence, distorts his outline, breaches his boundaries, disturbs and distorts the very time of his being'. It is with this agenda in mind, that Gandhi and Fanon revision the narrative of Western modernity to include the repressed and marginalized figures of its victims. In this revised version, industrialization tells the story of economic exploitation, democracy is split by the protesting voices of the suffragettes, technology combines with warfare, and as Fanon states the history of medicine is attached to the techniques of torture and thus Gandhi's Hind Swaraj everywhere determines the structural violence of Western 'modernity'. (Gandhi, 1998, p. 21) According to Gandhi, Foucault clearly equates European knowledge and the mirage of Western rationality with the 'economic domination and political hegemony' of colonialism. Similarly, Derrida's 'White mythology: metaphor in the text of philosophy', stands out for its suggestion that the very structure of Western rationality is racist and imperialist. Both essays are, however, typical of Derrida's and Foucault's work in their unhesitating challenge to the universal validity of Western culture and epistemology. (Gandhi, 1998, p. 26) Ashis Nandy adapts Foucault's analysis of power to account for the particularly harmful consequences of the colonial encounter. For Nandy, however, modern colonialism is not just a historical illustration of Foucault's paradigmatic analysis. It is, more suggestively, a kind of critical historical stage at which power changes its style and first begins to elaborate the strategies of wealth which Foucault theorizes. Nandy's book (*The Intimate Enemy*) builds on an interesting, if somewhat argumentative, distinction between two chronologically distinct types or genres of colonialism. The first, he argues, was relatively simple-minded in its focus on the physical conquest of territories, whereas the second was more deceptive in its commitment to the conquest and occupation of minds, selves, cultures. If the first bandit-mode of colonialism was more violent, it was also, as Nandy insists, transparent in its self-interest, greed and selfishness. By contrast, and somewhat more confusingly, the second was pioneered by rationalists, modernists and liberals who argued that imperialism was really the messianic harbinger of civilization to the uncivilized world. Gandhi though believes that despite Nandy's compartmentalization of militaristic and civilizational imperialism, modern colonialism did, of course, rely on the institutional uses of force and coercion. In addition, it enacted another kind of violence by instituting 'enduring hierarchies of subjects and knowledge (the colonizer and the colonized, the Occidental and the Oriental, the civilized and the primitive, the scientific and the superstitious, the develop and the developing)'. (Gandhi, 1998, pp. 100-101)

2-3 Justifying Colonialism

A traditional difference between *colonialism*, as exercised over colonized peoples, and *colonization*, as exercised over a colonized land, is a long-lasting and recurring feature of settler colonial representations, and a characteristic that contributes significantly to remove settler colonialism from view. While this difference is premised on the systematic denial of any indigenous presence, recurrently representing *colonialism* as something done by someone else and colonization as an act that is exercised exclusively over the land sustains fantasies of *pristine wilderness* and innocent *pioneering endeavor*. Furthermore, the very shape of the various national historiographies contributes to making settler colonialism difficult to identify. If, in metropolitan historiographies, the *settlers* are vague from the *emigrants*, and these terms are used interchangeably, in the various national settler historiographies, the settlers are the inhabitants of a polity to come: proto-Americans, proto-Australians. In both cases, the settler can hide behind the emigrant and the future citizen, and the transmission of specific type of political sovereignty is blocked out by a disappointment to adopt a transnational outlook. (Veracini, 2010, pp. 14-15) Colonialism marks the historical process whereby the *West* attempts systematically to cancel or negate the cultural difference and value of the *non-West*. Thus, Nandy's psychoanalytic reading of the colonial encounter evokes Hegel's paradigm of the master-slave relationship. In fact, postcolonial theory queries what Irene Gendzier describes as 'the Other, directed nature of the reactions of the colonized and his need to struggle to free himself of this externally determined definition of Self'. (Gendzier, 1973, p. 23) Bhabha's stereotype-as-suture is a gratitude of the ambivalence of that authority and those orders of identification. The role of fetishistic identification, in the construction of discriminatory knowledges that depend on the 'presence of difference', is to offer a process of splitting and multiple and contradictory belief at the point of enunciation and subjectification. By 'knowing' the native population in these terms, discriminatory and authoritarian forms of political control are considered appropriate. The colonized population is then deemed to be both the cause and effect of the system, imprisoned in the circle of interpretation.

What is visible is the obligation of such rule which is justified by those moralistic and normative ideologies of improvement recognized as the Civilizing Mission or the White Man's Burden. However, there coexist within the same apparatus of colonial power, modern systems and sciences of government, progressive 'Western' forms of social and economic organization which provide the manifest justification for the project of colonialism. (Bhabha H. , 1994, p. 119)

To conclude, the difference of colonial discourse as an apparatus of power is a device that turns on the recognition and disavowal of racial, cultural, historical differences. Its predominant strategic function is the creation of a space for a *subject peoples* through the production of knowledge in terms of which surveillance is exercised the location of culture and a complex form of pleasure and displeasure is provoked. It seeks authorization for its strategies by the production of knowledge of colonizer and colonized which are stereotypical but antithetically assessed. The objective of colonial discourse is to construe the colonized as a population of degenerate types on the basis of racial origin, in order to justify conquest and to establish systems of administration and instruction. Despite the play of power within colonial discourse and the shifting positionalities of its subjects, Bhabha refers to a form of governmentality that in marking out a 'subject nation', appropriates, directs and dominates its various spheres of activity. Consequently, despite the 'play' in the colonial system which is vital to its exercise of power, colonial discourse crops the colonized as a social reality which is at once an 'other' and yet entirely knowable and visible. It uses a system of representation, a regime of truth, that is structurally similar to realism. And it is in order to intervene within that system of representation that Edward Said proposes a semiotic of 'Orientalist' power, examining the varied European discourses which constitute 'the Orient' as a unified racial, geographical, political and cultural zone of the world. (Bhabha H. , 1994, p. 100) According to Bhabha (Bhabha H. , 1994, p. 119), a form of governmentality in which the 'ideological' space functions in more openly collaborative ways with political and economic exigencies is created if one believes in Fanon's idea about the peculiar visibility of colonial power is justified, thus, the barracks stands by the church which stands by the schoolroom; the cantonment stands hard by the 'civil lines'. Such visibility of the institutions and apparatuses of power is possible because the exercise of colonial power makes their relationship obscure, produces them as fetishes, spectacles of a natural, racial pre-eminence.

3-British Colonial Rule in India and its Implications on Culture

3-1 British Colonial Rule in India

The main conditions comprised in colonialism can be viewed in three perspectives: first, a contact situation between two cultures and the value-systems on which they are based. Second, this contact takes place between two cultures which have different forms or levels of economic, social, technological and political organization and development. Such differences result partly from the differences in value systems and from the power structure of the colonial situation itself. Third, the relationship in which this contact takes place is one of dominance-dependence where the ultimate source of social, economic and political power rests in the metropolitan society, with physical force being the ultimate sanction in the colonized society. (King, *Cities in the Developing World, Colonial Urban Development, Culture, Social Power and Environment*, 2007, p. 38) It is clear that, primarily, the first and dominant variable is that of culture, out of which the other two variables or components of colonialism, the economic-technological order and the power structure of colonialism arise. Technology is a cultural product and political systems depend, among other things, on the values and beliefs of a culture and the political and economic relationships they substitute with other societies. Once the political system of colonialism is operative, nevertheless, it is convenient, for empirical reasons, to treat the three different variables as interrelated. Therefore, the impact of colonialism on urban development in non-Western areas is to be understood as the impact of a Western (culturally British or Spanish in our study), capitalist-industrial (a form of economic technological order) and colonial (politically dominant) power. Support for the use of these variables in investigating colonial urban cities, derived independently in the manner outlined above, is to be found in Sjoberg's essay on *The modern city* (1968). Technology, cultural values and social power appear to be the most beneficial variables for predicting the changing patterns within the modern city, that is, one built upon the industrial and scientific revolution. Further confirmation exists in Balandier's analysis (Balandier, 1951, pp. 54-55) in which he suggests that the contact between the colonial and metropolitan cultures arose in the special circumstances of the colonial situation. The most noticeable of these settings were firstly the domination by a foreign minority, racially and culturally different, of an indigenous population, inferior from a material perspective; secondly the linking of radically different civilizations in some form of relationship; thirdly the obligation of an industrialized society onto a non-industrialized society and last but not least with the need in preserving this domination, not only to resort to force but to a system of pseudo explanations and stereotyped behavior.

(King, *Cities in the Developing World, Colonial Urban Development, Culture, Social Power and Environment*, 2007, p. 39) In any explanation of the social and spatial structure of the colonial city and the impact of colonialism on the larger environment, it is essential that these three variables, briefly summarized as culture, technology and the power structure of colonialism, implicit in the concept of modern industrial colonialism, are recognized.

3-3 Systems Theory and the Cultural Variables

For the present study the following variables have been selected: a) The institution of family, b) The institution of religion, c) The economic institution d) The Political institution, e) The Educational Institution (Language, Knowledge, Science)

3-3-1 The Institution of Family

In a culturally homogenous society, such institutions as marriage, the family, property and religion are common to the total population. Where cultural plurality attains, different sections of the total population practice different forms of these common institutions. In a culturally divided society, each cultural section has its own quite exclusive way of life, with its own distinctive systems of action, ideas and values and social relations. Often, these cultural sections differ also in language, material culture, and technology (Smith M. , 1965, p. 81) In the indigenous Hindu culture, the joint family involves usually of three generations. Household units may thus consist of upwards of fifteen members. The preparation of food, its consumption, ritual observations, sanitation practices and system of social behavior are all governed by caste beliefs and practices. Recreation is largely family-centered and generally connected with certain religious festivals in the Hindu calendar. Also, in the indigenous Hindu urban community, associational patterns are based mainly on criteria of kinship, caste, sex, language and age. Different parts of the indigenous dwelling and its immediate area are associated with different groups. For example, certain rooms are largely the preserve of female members; unclean castes are prohibited from entry to areas where food is prepared. Traditionally, different sections of the town are occupied by members of different castes, and festivals or celebrations are one of the main forms of social activity which, amongst kin, usually take place in the house. Eating away from one's own kitchen is unusual owing to restrictions which caste rules place on this. If it is accepted that the ideas and models of modern industrial society generally understood under the insufficient label of modernization were presented into many colonial countries by the means of British imperialism, it could also be argued that the first model of modern urban residential life, in most cases that of a suburban elite, was also presented as part of the same process. (King, *Cities in the Developing World, Colonial Urban Development, Culture, Social Power and Environment*, 2007, p. 259) In India, this model, characterized by low-density, low-rise development was quite contrary to previous urban traditions, determined by indigenous family structure, the urban economy, prevailing technology as well as cultural institutions. Furthermore, the models and theory established in the colonial third culture in India were spread to other areas of colonial rule.

3-3-2 The Institution of Religion

The institution of religion finds diverse expression in each of the cultural sections in the colonial city. These differences are similarly reflected in the physical-spatial environment. In contrast to the formally acknowledged Christianity of the colonial culture, the belief system of Hinduism is characterized by a world-renouncing or other-worldly orientation. According to Nakamura (Nakamura, 1964, p. 136) there is an Indian inclination 'to alienate the objective natural world and to live in the world of meditation'. Being an ethnic, rather than universalizing religion, Hinduism does not preach. The vast Hindu pantheon gives rise to a variety of temples, large and small, which, contrasting to the church of the Christian community, are god-centered, rather than community centered. In the external environment, certain rivers, rocks and plants are sanctified. The cow enjoys a symbolic status as a sacred beast and is permitted to wander freely through Hindu areas of settlement. In comparison to the world view of the colonial culture, that of Hinduism highlights adjustment of expectations to the environment rather than the environment to expectations, a view which materially affects activities and actions as they relate to the natural environment. In legitimizing the caste system, traditional Hinduism structures social relationships. These beliefs are exemplified in the physical-spatial form of the built environment in the indigenous city. Naturally, spatial areas are occupied, inhabited and modified according to caste criteria. An idea central to Christianity and relevant to the man-environment relationship is that the natural world of animals, fish and birds is subordinate to man, whose role as warden of the earthly domain is legitimized by Christian theology. This permits not only the domestication of animals but also, unlike in Hinduism, the right to extinguish animal life in order to obtain food. (Glacken, 1967, p. 157)

In Bombay, Calcutta, Madras, Pondicherry, and Cochin too, each of the religious, ethnic, and caste communities were allowed to set up their own panchayats or councils for the governance of affairs related to their Colonial Port Cities and Towns, South and Southeast Asia respective communities. They also tended to congregate around symbolic centers, especially shrines, temples, mosques, or churches, associated not only with their religious affiliation as a whole, but also with their places of origin and with other ethnic or caste markers.

Despite this segregation along ethnic, religious, and caste lines, the growth of mestizo (mixed-marriage or hybrid) populations was also an important feature of these European port towns. In Batavia and other Dutch East India Company port towns in the archipelago, intermarriages between trading company officials and local women, often IndoPortuguese mestizos or slaves, were common and seen as inevitable. So was the practice of concubinage, because of the disproportionate gender ratio in migrant populations. The Portuguese, and later, the Dutch, saw this group of mestizos as crucial to the establishment of a community with links and loyalty to the Europeans. (Benjamin, 2007, p. 259)

3-3-3 The Economic institution

The interdependent relationship between India's promising capitalist and elite classes and the East India Company started to come under new pressures during the first quarter of the nineteenth century and, by around 1830, can be seen to have given way to a new formation of political forces, marked much more clearly by British dominance and the trappings of colonialism. Numerous factors caused this shift. First, India's terms of trade with the rest of the world economy had changed. Until the 1820s, the Company had generally maintained and exploited the mercantilist system developed in performance with forerunner regimes. But then, the proportion of finished textiles exported from India was reduced and the amount of raw cotton to supply Britain's textile mills increased; secondly, the pattern of export blasts and collapses became more marked. Both were consequences of the deepened diffusion of the world economy in general and that of its European leader, Britain, in particular, along with an advancing incorporation of a national market and monetary system in India under colonial supports. This historic reversal in India's trade with the rest of the world was the first sign of its financial subservience. These shifts in the patterns of trade, together with the growing power of Britain's industrial monopoly, changed the character of the relations between British and Indian capital. The Company was reliant on Indian capital from the very start of its processes in the early seventeenth century, and this dependence continued after the East India Company assumed territorial control in the later eighteenth century. (Stein, 2010, pp. 215-216) The change in relations between British and Indian capital and the conversion to a new capitalist order in India was most thoroughly related with the governor generalship of Lord William Bentinck, which began in 1828. Under his administration, policies which had restricted the ambitions of government to those inherited from previous regimes began to be abandoned and stronger, if by no means wholly committed, policies of reform and improvement were replaced in their stead. In the economic domain, Bentinck invested in improved transport facilities, which improved the impact of British imports and opened the way for cheap, industrially produced cloth to exchange Indian textiles and to deal a death-blow to the ancient commercial structure. The obviously interventionist policies in social and economic matters marked a sensitive confidence in the British rulers. (Stein, 2010, p. 216) One can analyze economic situation in the form of urbanization and urban development in those parts of the total colonial territorial area, the Empire or Commonwealth, which result from the economic and political policies of colonialism and which were previously either relatively uninhabited or, in comparison with the metropolitan society, at lower levels of economic development. These include those areas where the main colonial function was one of agricultural or mineral exploitation such as, sugar, cotton, tea, cocoa, rubber, rare metals and stones. In those areas where such policies were practiced (West Indies, South and South-East Asia, South and East Africa), specific patterns of urbanization brought about and, as a result of the transplantation of millions of people from one culture area to another (King, 2007, p. 41)

3-3-4 Political Institution

Regarding Law and the Colonial State in India Cohn believes that the story of Sir William Jones was an attempt to recover an *ancient Indian constitution*, suggesting that the learning of language, in this case Persian and then Sanskrit, was very critical in the effort to rule India properly and profitably. Jones believed that the Manu Dharmashastras were the most authoritative Indian law books, reifying Indian conceptions of revelation and textual authority in the context of his own European philological sense that he could find the oldest and most original sources of legal theory in Indian tradition. Colebrooke carried on Jones' attempts to understand and organize Indian law, developing a philological model of legal schools that was intended to reveal the structural relations between different laws and their textual traditions. Jones, Halhed, Colebrooke, and other British legal scholars all shared a distrust about the honesty of Indian scholars, and wished to develop an unmediated relationship to authoritative texts. But, Cohn argues, in the attempts to reconstitute genuine Indian law, Indian legal traditions and principles were systematically refigured. British convictions that all Indian traditions were based on texts, and that different commentaries and interpretations could be systematically sorted out by school and region, led to the changing of a system of law that increasingly looked like the precedent-based case law of British tradition. (Cohn, 1996, p. 32) Thus, colonialism produced a level of institutional self-mimesis in India that was completely at odds with its own self-representation. In Madras, and later in Bombay, the key European administrator was called the Collector, and his task was to supervise land surveys and to issue an individual revenue agreement to each of tens of thousands of small cultivators in twenty revenue districts in his province. The Collectors were aided in this onerous task by thousands of Indian subordinates.

The chief spokesman for the Madras system, Thomas Munro, resisted for years to achieve an appropriate judiciary for this sort of arrangement. Munro finally succeeded in replacing the Cornwallis judiciary by one of his own design during his governorship, between 1819 and 1827. Under his judicial system, substantial judicial authority was vested in Indian local officials who, Munro argued, should rightly be involved in revenue and legal administration. Subsequent territorial additions to Company dominion produced further changes, but, in the main, the administration of most later achievements was set in agreement with the Madras pattern. This meant preserving more of the pre-colonial institutional fabric than was acceptable under the expressly modernizing policy of Bengal. (Stein, 2010, p. 209)

3-3-5 The Educational Institution

Ranjit Guha explains how the notion of colonialism as a homogenizing force is essential to both of the dominant historiographies whether neocolonialist or nationalist. According to him, the former characterizes it in positive terms as either a cultural or an institutional power. According to one of its versions, the colonial regime politicized India by the introduction of liberal education, and the ideas and activities of a Western-educated elite in the course of its cooperation with the Raj were all that was there to Indian politics. According to the latter, which succeeded the first, it was not so much the metropolitan liberal culture as the colonial administration itself which created a political arena for the natives by connecting them in a scramble for rewards in the form of privileges and power in governmental institutions developed by the Raj. With either versions, it is the civilizing or institutionalizing function of the regime that demonstrates as the generative impulse of Indian politics and its unifying force in this neocolonialist view. The nationalist standpoint shares the same assumption, but turns it to its own advantage by defining the content and character of politics simply in terms of the indigenous elite's reaction to colonial rule and the sum of all the ideas and activities by which it dealt with the government of the day. (Guha, 1997, p. x)

Education requires the provision of schools, colleges or corresponding means for socializing the young. A socially important sector in the colonial city is providing for the educational needs of the community. The use of education in the language and culture of the colonial society had long been renowned as an instrument of cultural change. In addition to missionary schools, other Government Schools and Colleges were familiarized as part of government policy, the largest being set up in the old Residency and in Chandni Chowk in Delhi. (King, 2007, p. 198) Also, Warren Hastings's interest in the revival of Oriental learning and arts led to the foundation of the Calcutta Madrasa (1781) and the Asiatic Society (1784). (Benjamin, 2007, p. 175) The establishment of the printing press (1777) stimulated the growth of public opinion. Fort William College, founded in 1800, was designed to impart the knowledge of Indian languages and culture among East India Company civilians. The spread of English education was facilitated through the foundation of Hindu College in 1817 and Bethune School, the first public school for girls, in 1850. Calcutta Medical College and Calcutta University were established in 1835 and 1857 respectively.

4- Spanish Colonial Rule in America and its Implications on Culture

4-1 Spanish Colonial Culture and its Imperial Strategies

The spirit of Western culture today differs from that animating the conquistadors. According to Dallmayr, whereas apart from the quest for lucre-Spanish colonizers aimed at or justified their conduct in terms of religious conversion and evangelization, modern Western culture is dedicated to the yardsticks of science and democracy, both secular in character. Yet, the difference is deceptive, disguising a deeper linkage. (Dallmayr, 1996, p. 202)

4-1-2 Colonial Government

One of the special features of the system of colonial government introduced by the Habsburg kings of Spain was the use of special commissioners who undertook investigations into colonial officials through the *residencia* (legal investigation of civil servants) and the *visita* (inspection of bodies or authorities). Over the course of the seventeenth century, royal power began to be replaced by local power as a consequence of the loosening of relations with the metropolis and of the growing influence of Creoles in the colonial bureaucracy. This situation was brought on by changes in the economy and the administration of the empire. At the end of the century, the Peruvian viceroyalty was virtually up for sale. The result was that large sectors of administration were placed in the hands of the rich Creole elites, and colonial government had become *Americanized*. The eighteenth century began with the inauguration of a new dynasty on the Spanish throne, and successive kings sought to reverse the trend toward decentralization that had marked the rule of their Habsburg predecessors. The law system of the Spanish Empire was built on the twin pillars of church and state, on canon law and crown law. Although the institutional framework of the colonial legal system clearly originated in Iberia, the degree to which the formal and customary laws governing the colonies reflected Spanish political and legal hegemony is disputed by historians. Rather than being an absolutist system, throughout the Habsburg and much of the Bourbon reigns, the legal system in Spain's colonies was a patchwork of laws and overlapping jurisdictions.

Despite royal protection of native custom, every aspect of native traditions and customary law was transformed during the imperial period. Spanish settlement in that region was largely confined to religious missions, a few small civilian towns, and military posts intended to prevent encroachment by Russia, France, and England. It was not until 1749 that Spain established the first civilian town in Texas, a town that eventually became Laredo; and not before 1769 did Spain establish permanent settlements in California. (Butzer, 1991)

4-2 The Institution of Family in the Pueblo Society

The heart of Zapotecan social organization was the pueblo, or yetze. A yetze was the union of several lineages or family lines, as a rule three or four, characterized by a powerful sense of common identity. The notion that the people who made up a yetze embodied the prestige of their community was a central element in their identity and in their daily lives. As a concept, the prestige of a pueblo is invisible, but its members struggle constantly to endow the concept with observable, material sustenance; in the past this support took the form of a sacred power made manifest in the temple and its objects, in the person of the pueblo's leaders and power holders, and in the land. Moreover, out of all the lineages, one was deemed the most powerful and prestigious, and its leader served as the head of the full group of family lines. The prestige that an individual enjoyed in his pueblo was dogged by the position that he held within his lineal group. His proximity to the sacred founders of the lineage, the capacity to trace his own descent from them in a direct line, and how well he knew his own genealogy. Thus, these factors controlled whether he belonged to what the Spaniards well-defined as the indigenous nobility. The serfs in this system were those who could not establish a clear line connecting themselves to the ancient founders of the group. This fact leads us to think that the lineages were patrilineal, that leadership positions were occupied by men, and that the possession of land passed down to male heirs. Yet to see the settlement as the power of the law establishing a great family does only partial justice to the vigorous networks of solidarity and mutual aid that existed among its members, networks that, in remote times, must have been similar to those that continue today to be active ingredients in the life of Pueblo's indigenous communities. The most frequent cause of such ruptures, though, was the struggle waged by leaders of secondary lineages to accede to the position of highest prestige and power in the pueblo. The conflicts that broke out within a pueblo did not take place merely between one man and another; rather, they involved one or another group or groups of families. The conflicts took place, then, between different lineages. (Medrano & Kellogg, 2010, pp. 115-117) As such, they were nothing less than its birth certificate, its Bible, its Koran, its own sacred book: they were the ultimate proof of its existence as an autonomous community.

Eastern pueblo relativism is even more advanced than that of the Spanish villages because the influence of the positivistic Catholic church is sturdier in the villages than it ever has been in the pueblos. But these pueblo people, adapted to the widespread supremacy of the father in concepts pertaining to the family, the secular government, the religious societies, find it easy enough to picture the visiting priest in the village church as a padre (father), who is directed by a vaguely conceived Pope, a higher father, who obtains his dictates from God, the highest Father. Christ and the saints typically are put upon a single lower level and sometimes receive prayer-sticks when such sticks are put out for the native katchina-spirits at the time of native village ceremonies. The prayers which the pueblo people hear the priest make in church are likewise generalized for the good of the people. From the history of our own culture we know that the Protestants broke away from the Catholics because they desired more individualism than that expected in the Catholic church; the Catholic system is noticeably closer to the basic system of authority and group wellbeing behind the religion of the patrilineal pueblos than Protestantism could be or than the proselytizing priests ever could have realized without more knowledge of pueblo religion and organization than was acceptable to them. Nevertheless, these similarities as well as such similarities in ritual practice as making images of the saints (as of katchinas) and of using an altar and paraphernalia, when carefully pointed out by the priests, carried by the eastern pueblos so that they came to profess Catholicism as a part of their native system even after outside pressure was removed. As Titieue (Hawley, p. 413) points out, this governmental system is decentralized. The very decentralization of the government presumes cooperation of the people for the good of the village unit, an end which is stressed in the childhood training gained from one's own family as well as from the outside village group.

4-3 Economic Institutions

Dozier states that two types of changes can happen in an Indigenous community regarding modification and Westernization of the Pueblos, firstly indigenous alterations arising from within a community or because of contact with other Indigenous people; and acculturation, resulting from contact with whites. About the pueblos, he detected: "The first major change was the shift from subsistence farming to a credit system . . . The second dramatic shift, from credit buying to a cash economy, was brought about by the influx of tourists and the operators of craft shops who bought the handicrafts directly from the Indians, paying cash" (Dana & Anderson, 2007, pp. 330-331)

While Pueblos reserved some rights under Spanish-colonial law, their economic position deteriorated with the progress of a strong barter economy from the mid eighteenth to the mid nineteenth centuries. Ross Frank encounters the depiction of New Mexico as an impoverished existence society of isolated villages encircled by violent nomadic Indians. Frank argues that Pueblo-Hispano relations turned as trade increased between New Mexico and northern Mexico in the middle of the eighteenth century. Spaniards used Pueblos as auxiliaries to defend the settlements central to New Mexico, but disregarded them in the growing economy. Frank's analysis of the material culture of Bourbon Northern New Spain reveals that Hispanos increasingly co-opted the traditional crafts and therefore the economic life of the Pueblos. Spanish introduction of the loom guaranteed superior productivity in intertwining and the growing market for Pueblo pottery affected its quality. Both were sold in a market that Hispanos progressively controlled. (Baca, 2015, pp. 42-43) Forrest claims that while federal relief undeniably saved villages from total economic collapse, its conservative policies were affected with ethnocentrism, uncertainty and paternalism. As reform-minded liberals required to preserve Hispano villages in northern New Mexico, they painted the region's identity as timeless and unchallengeable, using crafts and art production and to fight the undesirable depiction of northerners.

4-4 Political Institution

The great volume of judicial records that exists today in state and national archives is perceptible evidence that Spanish power managed to reach into the most remote areas of southern New Spain. To grasp just how this was accomplished is complicated and involves identifying and understanding overlapping relationships of power, relationships between the metropolitan center of New Spain and the more peripheral indigenous regions, on the one hand, and among the Indian communities themselves on the other. The two sets of relationships became intertwined, thus the application of Spanish colonial law must be studied in relation to the internal organization of the Indian pueblos and their own conflicts and rivalries. Although translated into Spanish, the Zapotecan titles were cast aside, the content of their sacred histories was overlooked and, still worse, devalued and made the object of derision. The foundations for manipulating the laws and for dragging out their implementation indefinitely were put in place in those long-ago times. The practice of manipulation was and continues to be a central component of structures of power. (Medrano & Kellogg, 2010, p. 128) Also, the historicization of negotiation is vital in understanding of colonialism in New Spain. The historical literature has stressed hegemonic processes such as the disputed nature of evangelization of the native population, the integration of indigenous elites into the colonial bureaucracy through the system of native cabildos, and the channeling of indigenous grievances through the legal system. This importance on cultural and political negotiation in the literature has both aided significantly to our understanding of Spanish colonialism and produced its own set of problems. The reshaping of *costumbre* by native extralegal collective action and legal strategizing had a reflexive effect. The transition in New Spain from a colonial regime characterized by "strong legal pluralism" during the first two centuries of colonial rule to a "state-centered legal system" during the last century of the colony undercut the political and legal space for negotiation between pueblos de indios and the state and concentrated the state and its legal institutions more firm and monolithic. The legal flexibility and jurisdictional complication of New Spain's colonial institutions had allowed for extensive negotiation between local people and colonial authorities. In the end, this flexibility and complexity had guaranteed the process of colonial state formation, native autonomy, and the success of the Spanish imperial plan. The Bourbon attack on this system in the name of greater political control shaped the opposite consequence in the long term. By lessening space for negotiation, the Bourbons traumatized the colonial system that was a product of two centuries of political struggle as well as the opportunity for renegotiation. Perhaps the recourse to rebellion, violence, and extralegal forms of conveying discontent on the part of pueblos de indios during the last decades of the eighteenth century may have caused in part from the apparent uselessness of negotiation. In this regard, the weakening of romantic-primordial *costumbre* during the last decades of the colony may have indicated the end of the colonial order. (Medrano & Kellogg, 2010, p. 166)

4-5 The Institution of Religion and its Resistance and Acculturation

Traditionally, Pueblo religion was pantheistic and deeply spiritual. It introduced an important part of daily life, as Pueblo society was founded on a set of divine instructions from the great spirit. The people were told to plant and harvest in order to live. Rather than have dominion over nature, the Pueblo people were taught by the great spirit to be a component of it and to obey the laws of nature, under the leadership of a spiritual guide mentioned to as a *Cacique*. Within the native system are four categories of ceremonial practices, in a range from sacred to profane. First are the rites performed in connection with the masked *kachina* cult and the secret societies. In this category, rituals allocating with initiation and with preparations for a public or semipublic ceremony is guarded sensibly and restricted to members and novitiates. Ritualistic practices involve the observance of fasts, abstention from certain kinds of foods, and restriction to aboriginal foods. The masked dance itself may be observed by townspeople. The second category of ceremonies in the native system are those in which the whole pueblo takes part and which are under the supervision of moiety priests. All able-bodied persons are required to take part in the dance which is held in the plaza.

The foundation for this speculation is the similarity between the dancing and songs in a number of category and those in kachina performances. One may infer that masks were removed in order to appease Spanish civil and church officials who were especially offended by the masked dances of Pueblo. In the third category are small-group dances open to the public but, at least in the past, under the supervision of secret societies. These entail primarily of animal and war dances, and preparations and costuming take place in society houses or in the home of the society leader. A fourth category of ceremonies may also be linked to the native system, but they contrast from the first three in that they are essentially secular and are performed primarily for entertainment. They also vary in that novel forms are permitted and improvisations are frequently introduced; such novelties are strongly discouraged and controlled in the other three categories. These dances frequently burlesque the whites, and their purpose is obviously one of entertainment rather than the serving of religious ends. (Dozier, 1958, pp. 440-442)

To conclude, some like Hawley believe that apart from congratulations for offering for their cleverness in the preaching Spanish making padres a use of line scattered of retrospective parallels between Catholic and Pueblo ritual, anthropologists have abandoned the problem of nominal acceptance of Catholicism by the eastern pueblos. The problem, although largely a matter of theoretical consideration of a past event, becomes the more interesting when we realize that the western pueblos, after a brief taste of Catholicism, banned it forcefully, killed the priests, burned the missions, and even defeated the village of Awatobi when its inhabitants showed a tendency to accept the acculturation so passionately proffered. The historical explanation of close link between Pueblos and Spaniards in the Rio Grande area indubitably would have been an important aid in dissemination of the new faith, but unless some part of that religion actually was acceptable to the proselytes they would not have retained it after the outside compulsion was removed. (Hawley, p. 407) Likewise other scholars such as Dana and Anderson, believe that Taos Pueblo people have preserved their traditional culture throughout history, often adopting superficial changes but preserving the old ways and beliefs in secrecy. Stating: "Pueblo Indians, baptized as Christians, agree the white man's saints even while carrying out their old tribal rites." Alongside Catholicism, pueblo people preserve ancient beliefs and many indigenous rituals are practiced. (Dana & Anderson, 2007, pp. 327-329)

4-5 The Educational Institution and the Disciplined Natives

The colonial rule of the Americas finished in 1833 after many wars of independence. Soon after the defeat, Catholic instructions reached in Spanish America. They started monasteries and opened schools. During the colonial period in the whole Spanish Empire, education was nearly completely in the hands of the Catholic Church. Thus as Freedman clearly explains, a major goal of education was to force the indigenous population to receive Spanish culture and Roman Catholicism. Thus, teaching was in Spanish and entailed of little more than training in the catechism, appeared by the essentials of reading and writing. In all, little education happened. The colonial rulers restricted education of the natives dreading it would lead to revolt. Schooling was provided for a small minority only. The education of girls was largely ignored and Indians were also mainly excluded from education, specifically beyond the primary level. Discrimination was experienced against those not considered to be of "pure blood": the mulattoes, mestizos and blacks. Infrequently, these people were even deprived of becoming literate. The Jesuits dominated education until the Spanish king expelled them in 1767 and they provided education mostly to the sons of the creole elite. The Jesuits' secondary education was to a comparatively high standard but all their teaching continued strictly within an officially approved theological framework. The expulsion of the Jesuits, which was revoked only in 1814, had a substantial negative impact on educational and in many places, especially in small towns and villages, there was nothing to substitute them. (Feldmann, 2016) One factor that sustained to affect education in the former Spanish colonies post-independence was the high degree of political and economic discrimination, which continued to limit educational establishment for everyone excluding the wealthy. Another factor was the continuing strong influence of the Catholic Church. These two factors mainly explain the determination of many characteristics of the colonial system of education: the imperfect provision of education for girls, the poor and those living in rural areas, and the fact that Spanish continued the only, or at least prevailing language of instruction. (Feldmann, 2016, p. 35)

5- Conclusion: Cultural Assimilation or Cultural Genocide

Conquest involves the physical subjugation of alien populations and sometimes also their enforced cultural assimilation: where the latter feature predominates, conquest gives way to conversion. While often closely linked, conquest and conversion are not always or essentially connected. History teaches that there have been conquests without any overt efforts of assimilation. Although modern style take-overs usually involve also the dissemination of general ideas, religious or ideological; conversely there have been conversions in the absence of conquest or forced subjugation and sometimes even as counter-moves to political and cultural domination. Though distinguishable, the two modes of outreach share one prominent feature: the denial of meaningful human difference.

In the case of conquest, alteration is actually affirmed but in a radical-hierarchical way which martyrs mutuality in favor of the rigid schism of mind and matter, culture and nature, civilized people and savages. In the case of conversion, modification is denied through the insistence on a common or identical human nature, an identity which predestines native populations to be willing targets of proselytizing missions."(Dallmayr, 1996, pp. 9-10) Colonial conquest was not just the consequence of the power of superior arms, military organization, political power, or economic wealth. Colonialism was made possible, and then sustained and supported, as much by cultural technologies of rule as it was by brutal modes of conquest that first established power on foreign grounds. The cultural effects of colonialism have too often been ignored or displaced into the foreseeable logic of modernization and world capitalism and it has not been sufficiently recognized that colonialism was itself a cultural project of control. Colonial knowledge both enabled conquest and was produced by it; in certain important ways, knowledge was what colonialism was all about. Cultural forms in societies newly classified as "traditional" were reconstructed and transformed by and through this knowledge, which created new categories and oppositions between colonizers and colonized, European and Asian, modern and traditional. West and East. Thus, it is in this respect that Cohn argues in his book *Colonialism and its form of knowledge, The British in India*, that ruling India through the delineation and reconstitution of systematic grammars for vernacular languages, representing India through the mastery and display of archaeological memories and religious texts, Britain set in motion transformations as powerful as the consequences of military and economic imperialism. (Cohn, 1996, p. xii)

One can realize great lessons were learnt from history such as The Mutiny. The Mutiny which is off course familiar to all historians and scholars was defeated; but it taught a lesson which the British afterwards were not slow to learn. This was that Indian interest and opinion had to be consulted more closely in any modern development under colonial rule. Too quick or rapid a move to impose Anglicist conventions and mores ran the risk of estranging important collaborators and promoting disaffection. From then on, the Raj would advance with greater caution and, if its objectives still remained some species of modernization, they would have to be at least partly attached in Indian society itself. The mission adopted in Bentinck's time, to convert Indians to Englishmen, was abandoned after 1857 in favor of a turning back to collaboration, although as Stein clearly states on terms in which the metropolitan power of Britain was firmly emphasized. (Stein, 2010, p. 223) Thus, it was through time that the British moved from almost total delusion of their position in the eyes of the Indian rulers to virtually total acceptance of their role within the system. Paradoxically, this role, negotiated over time, drew them into seeking territorial control so that they would have the financial resources to support that role. The initial misconceptions of the colonial rulers were fueled in part because the British were ignorant of any Indian language. Cohn states that in the late years of the eighteenth century, general British incompetence in Indian languages yielded to a concerted effort to produce a set of texts (grammars, dictionaries, teaching aids) which were to make the achievement of a working knowledge of the languages of India available to those British who were to be part of the ruling groups in India. Cohn claims, even grammar could be converted from an Indian form of knowledge into a European object. Language was to be learnt to issue commands and to collect information. Information was required in order to assess and collect taxes and law and order, and identify and classify groups within Indian society. (Cohn, 1996, p. 1) There were long-term and unchanging institutions in India at the local level. The traditional Indian state was epiphenomenal and had no political order, rather India turned out to be a land of unchanging institutions based on family, caste, and the village community. The discovery of the relationship between the classical languages of Europe, Latin, and Greek, and of Indian Sanskrit, led to modification of comparative method. This enabled the Europeans to provide India with a macro history organized into developmental stages. Certain universal features were constructed as markers of progress. (Cohn, 1996, p. 130)

Charles Gibson and many others have contributed in meaningful ways to the study of both the impact of the Spanish colonial project on native people and the ways these people not only responded to but shaped that project. James Lockhart, and many others contributed studies that not only advance our understanding of regionally and culturally specific responses to the Spanish presence but also help to produce a usable, practical rendering of the past with implications for the present by showing, for instance, that indigenous languages not only were preserved but were viewed by the institutions of colonial governance as legitimate forms of communication, even in the legal ground. The present study establishes that while colonial rule led to many negative significances for native peoples, resistance occurred, and cultural vitality and creativity existed and have a lengthy history. The negotiating pattern had consequences for the development of colonial New Spain's and, later, Mexico's legal system as well as for indigenous-state relations. (Medrano & Kellogg, 2010, p. 3) By defining rights and providing a context through which conflicts over competing interests can be mediated and sometimes resolved, empires and states provide forms of conflict resolution between individuals and/or groups and institutions. Yet forms of conflict perseverance may themselves help shape states and their political formations at particular times.

The forms of conflict resolution, as these evolved through dialogue, negotiation, resistance, and conflict between indigenous people and the representatives and institutions of the Spanish Crown, indeed shaped aspects of colonial governance from the sixteenth through the eighteenth centuries. At the same time, the increasing dependence of indigenous communities and people on colonial legal institutions for dispute resolution affected political power and office-holding within native communities and the creation and recreation of ethnicity in many regions. Given the array of legal compilations that councils and officeholders had to draw upon and given that bureaucrats and councils carried both administrative and judicial responsibilities, competing jurisdictions and overlapping laws led accusers, almost inevitably, in both Spain and New Spain to seek to exploit the system to their advantage. The matters of political authority and legitimacy, land tenure and inheritance, and rights to and abuse of labor became sources of grave conflict within indigenous communities and between indigenous individuals and communities and Spaniards. The right of native people to enter legal authorities and institutions grew out of medieval elements of Spanish law granting protection to miserables in combination with the need to adjudicate the new kinds of arguments as well as the Crown's tendency to use law as a means of establishing its authority in the America. These constitute practical learning that might provide a resource for contemporary or future native peoples as they seek to redefine and refresh their identities and assert rights relating to language and religion, ownership of lands and natural resources, rights of self-determination and self-government, and protection of cultural and intellectual property whether in India or in the United States of America. Thus, to conclude, where colonial communities originate from different metropolitan societies, having similar levels of economic and technological development, and are established in the same host society and environment (for example, the British in India or the Spanish in the Americas) the extent to which they differ can be attributed to the fundamental cultural characteristics which they carry with them.

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