

Empires of Complaints

In this deeply researched and revealing account, Robert Travers offers a new view of the transition from Mughal to British rule in India. By focusing on processes of petitioning and judicial inquiry, Travers argues that the East India Company consolidated its territorial power in the conquered province of Bengal by co-opting and transforming late Mughal, Persianate practices of administering justice to petitioning subjects. Recasting the origins of the pivotal ‘Permanent Settlement’ of the Bengal revenues in 1793, Travers explores the gradual production of a new system of colonial taxation and civil law through the selective adaptation and reworking of Mughal norms and precedents. Drawing on English and Persian sources, *Empires of Complaints* reimagines the origins of British India by foregrounding the late Mughal context for colonial state-formation, and the ways that British rulers reinterpreted and reconstituted Persianate forms of statecraft to suit their new empire.

Robert Travers is Associate Professor of History at Cornell University.

Empires of Complaints

*Mughal Law and the Making of
British India, 1765–1793*

Robert Travers

Cornell University



Cambridge University Press & Assessment
978-1-009-12338-9 — Empires of Complaints
Robert Travers
Frontmatter
[More Information](#)

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,
New Delhi – 110025, India
103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781009123389
DOI: 10.1017/9781009127882

© Robert Travers 2022

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2022

A catalogue record for this publication is available from the British Library.

ISBN 978-1-009-12338-9 Hardback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Dedicated to the memory of Professor Sir Christopher
Alan Bayly (1945–2015)

Contents

<i>List of Figures and Maps</i>	page viii
<i>Acknowledgements</i>	ix
<i>Note on Transliteration and Names</i>	xiii
<i>List of Abbreviations</i>	xiv
Introduction	1
1 Petitioning, Taxation, and Law in Eighteenth-Century Bengal: The Context for Empire	31
2 Recasting Mughal Law: Company Justice after 1772	71
3 <i>Zamindari</i> Succession Disputes and Persianate Hindu Law	113
4 ‘At the Durbar’ in Calcutta: <i>Banians</i> , Revenue Farming, and the Politics of Landed Debt	163
5 A <i>Jagirdar</i> ’s Lament: An Indo-Persian Historian’s Appeal to the British Empire	205
6 Conclusion: The Making and Remaking of a Colonial Judicial State (c.1780–1793)	241
<i>Select Bibliography</i>	271
<i>Index</i>	275

Figures and Maps

Figures

- 1.1 Two Persian petitions (from Charles Stewart, *Original Persian Letters and Other Documents with Facsimiles*, London, 1825) *page* 32
- 2.1 A page from David Anderson's *Dastur-ul-'amal-i khalisa sharifa* 102

Map

- 1.1 The Provinces of Bengal and Bihar under East India Company Rule, as depicted in James Rennell's 'An Actual Survey of the Provinces of Bengal, Bahar & Ca' (London, 1776). xv

Acknowledgements

This book has taken me a long time to write, and I have accumulated too many debts of gratitude to be able to acknowledge them all individually here. Throughout the research and writing, I have been sustained by the generosity and support of very many librarians and archivists, colleagues, and students. The idea for this book began to take shape during eight months of research in Kolkata during 2008–9, where I was supported by a Robert and Helen Appel Fellowship from Cornell University. Thanks to the wonderful assistance provided by the staff at the West Bengal Archives, Historical Division, in Bhawani Dutta Lane, I was able to make my way through many volumes of the ‘Superintendent of the Khalsa Records’ proceedings and ‘Preparer of Reports’ proceedings, which gave a new perspective on the vibrant petitionary culture surrounding the central agencies of the Company state in the 1770s and 1780s. I also benefited from sharing early findings with a seminar audience at the Centre for Studies in Social Sciences in Kolkata in 2009, and on a return visit to Kolkata in January 2013, at the Netaji Research Bureau. I have also benefited greatly from conversations in Kolkata with Rajat Ray, Somen Nandy, Ujjayan Bhattacharya, and Sujan Pandit. In 2015, I was able to make a brief visit to the National Archives of India in Delhi, and thank Shubhra and Kunal Chakrabarti for their generous hospitality on that occasion.

I was fortunate in the spring of 2009 to be a short-term visiting fellow at Clare Hall College, Cambridge, and thank the Master and Fellows for providing such a welcoming environment for visiting scholars. Subsequent research visits to archives in the UK were supported by grants from the Cornell Institute for Social Sciences (2011), the Cornell Society for the Humanities (2012), and a National Endowment for the Humanities Summer Stipend (2014). Much of the research for this book was carried out in the Asian and African Studies Reading Room of the British Library, and I am especially grateful to the staff in the British Library, as well as to the librarians and archivists at the Mitchell Library, Glasgow; the Edinburgh University Library, Edinburgh; and the Ames Library at the University of Minnesota, Minneapolis. The librarians at

x Acknowledgements

the Cornell University Library have been an unfailing source of support and advice, and I especially thank Bronwen Bledsoe, Virginia Cole, and Wendy Wilcox.

After finishing my previous book, a study of British political thought in India based on English language sources, I felt that I needed to learn to read Persian in order better to understand the day-to-day workings of the Company government in eighteenth-century Bengal. Most of the Persian sources used in this book were translated into English in the eighteenth century, but I have tried to go back to the original texts to see how Persian political categories were being rendered into English. As my Persian improved, I found I was better able to understand the Persianate elements in the Company's English records, which included numerous Persian terms as well as translations from Persian and Bengali documents. But as a latecomer to Persian, lacking the skills and knowledge of a properly trained Persianist, I have relied heavily on the advice and expertise of other scholars. I was fortunate to receive my initial instruction in Persian language from Wheeler Thackston at Harvard and later from Iago Gocheleishvili at Cornell, brilliant teachers both. I am also grateful to Professor Thackston for sharing with me a draft of his new translation of the great Persian history, Ghulam Husain Khan Tabataba'i's *Siyar-ul-muta'akhhirin*, which is being published by Primus Books. This translation will be a tremendous resource for future historians of eighteenth-century India. My faltering efforts at Persian were hugely assisted by reading Persian texts with graduate students at Cornell. Rishad Choudhury, Andrew Amstutz, Osama Siddiqui, Kelsey Utne, and Du Fei generously shared their knowledge of Persian and other South Asian languages in our regular informal reading groups; their own research and ideas have also been a constant source of intellectual rejuvenation and provocation. Nicholas Abbott gave invaluable assistance in my reading of specific Persian texts and offered insightful comments on draft chapters. Muzaffar Alam, Mana Kia, and Rajeev Kinra were also extremely generous in reading drafts of chapters and giving their expert advice and encouragement. The late Kumkum Chatterjee's pioneering work on Persianate political culture in Bengal has been an important inspiration for my own work. For readers of Persian, I have included transliterations of keywords and phrases from Persian texts in my accounts of them. All mistakes in interpreting Persian texts and in any other matters are my own.

I thank all my colleagues in the History Department at Cornell for their support and intellectual companionship. Several Chairs of Department, Barry Strauss, Sandra Greene, and Tamara Loos, have helped me to balance teaching, administrative, and research duties. For their assistance

with research for the book, I am grateful to Christina Casey, Rukmini Chakraborty, Rishad Choudhury, and Aparajita Majumdar. I was very fortunate to have a year-long fellowship (in 2017–8) at the Cornell Society for the Humanities that enabled me to begin drafting the book. I thank Paul Fleming, the Director of the Society, and all that year's Society fellows for their collegial support and advice. For extremely helpful comments on a full draft of the manuscript, I am grateful to Anne Blackburn, Paul Friedland, Paul Halliday, and Rajeev Kinra. For their advice at different stages of the project, I thank Seema Alavi, David Armitage, Saliha Belmessous, Lauren Benton, Ayelet Ben-Yishai, Sugata Bose, Holly Case, Indrani Chatterjee, Nandini Chatterjee, Faisal Chaudhry, Ray Craib, David Curley, Chanchal Dadlani, Rohit De, Michael Dodson, Joshua Ehrlich, Lisa Ford, Jason Freitag, David Gilmartin, Doug Haynes, Brian Hatcher, Andrew Fitzmaurice, Isabel Hull, Mostafa Minawi, Rosalind O'Hanlon, Guy Ortolano, Norbert Peabody, David Powers, Bhavani Raman, Emma Rothschild, Julia Rudolph, Andrew Sartori, Sudipta Sen, Suman Seth, Sunil Sharma, Samira Sheikh, Sujit Sivasundaram, Julia Stephens, Rachel Sturman, Sanjay Subrahmanyam, Eric Tagliacozzo, Claudia Verhoeven, the late David Washbrook, Rachel Weil, Jon Wilson, and Anand Yang. My most knowledgeable, most wise, and most demanding reader remains Peter Marshall. Peter has been extraordinarily generous in sharing his profound knowledge of the eighteenth-century British Empire in Bengal and beyond and has with great steadiness and patience encouraged me to bring the book to completion. In Covid times, I found my perfect writing support in weekly chats with Phil Stern. I thank him for his close readings and his keen insights, but most of all for his friendship.

My thanks go to Lucy Rhymer, Rachel Blaifeder, and Emily Plater at Cambridge University Press for their sterling efforts on behalf of this book and its author. Two anonymous reviews of the manuscript were a tremendous help in the final stages of revision. I am very grateful to Kate Blackmer for expertly producing the map for this book based on an East India Company map from the eighteenth century.

My family has been a generous source of love and support, while tactfully learning not to ask when this book would be finished. I thank Pru Travers and Robert Glaze, Chris Travers and Christiane Leger, Olivia Travers, Andrew Chadwick-Jones, my nieces Hannah and Alice Chadwick-Jones, Banasree and Arun Ghosh, and Varsha Ghosh. Our wonderful neighbours, David Estes, Kate Bevington, Zeke Estes, and Sylvia Estes, have always been there for me throughout the writing of this book. Most of all I thank Durba, Ravi, and Lila for putting up with my struggles with such boundless patience and love, and for bringing joy into my life every day.

xii Acknowledgements

Finally, this book is dedicated with deep thanks to the memory of my teacher and friend, Chris Bayly. Chris died in April 2015, aged 69, just a few months after a wonderful gathering in Varanasi to celebrate his remarkable achievements. I can still vividly recall, as an undergraduate, attending Chris's lectures on eighteenth-century India in the Stirling building in Cambridge. This was a life-changing experience for me. Chris's breathtaking historical imagination, conveyed as powerfully in person as in his many books, brought a distant but endlessly fascinating world to life and showed how the concerns and dilemmas of an interconnected eighteenth-century world might be closely related to our own. Later, as my PhD advisor, it was Chris who encouraged me to explore the interactions between British empire-building in India and dynamic South Asian traditions of political theory and statecraft. Chris's untimely death was a huge loss, but his writings remain an inspiration, his teaching a model, and his kindness an enduring gift.

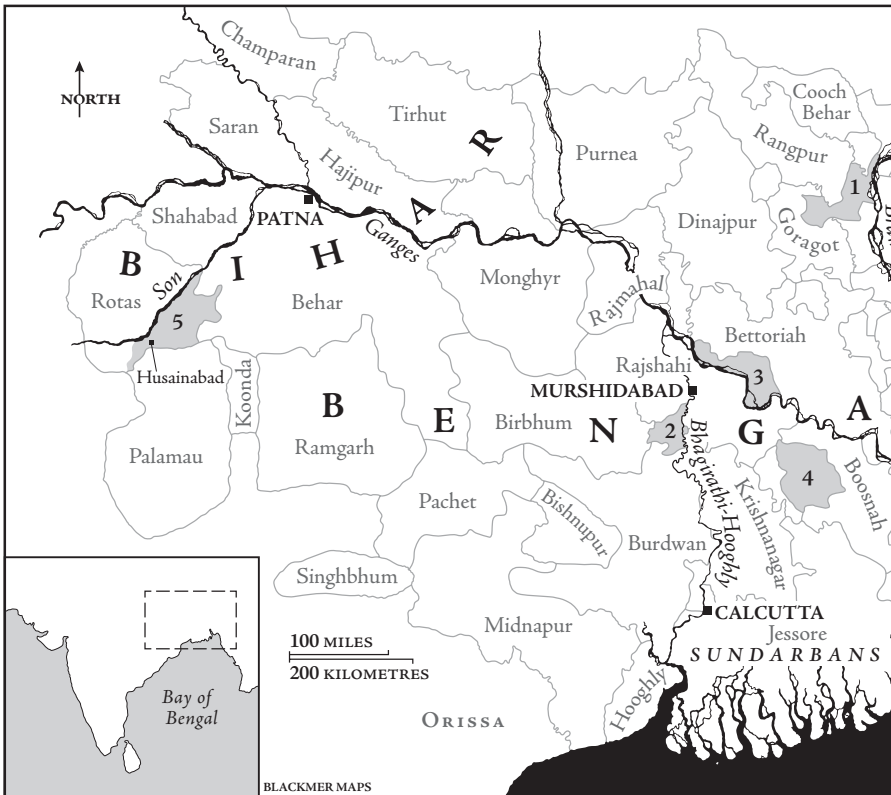
Note on Transliteration and Names

For the transliteration of Persian words, I have tried to follow the usage in Francis Joseph Steingass, *A Comprehensive Persian-English Dictionary* (London, 1892). I have not used diacritic marks except for *hamza* (◌) and *‘ayn* (◌), and I have used *-ul-* rather than Steingass’s *u’l-* for the Arabic article. Translations, when not otherwise indicated, are my own.

It is difficult to be consistent in the English rendering of names of people and places given the range of usage in contemporary sources and among later historians. For better-known figures, for example, Muhammad Reza Khan, I have tried to follow a commonly used English transcription. For less well-known people, I have sometimes used the transcription given in contemporary English records, using quotation marks in the first usage of the name to indicate this. For place names, I have generally used colonial-era English forms, for example, Calcutta rather than Kolkata and Dacca rather than Dhaka.

Abbreviations

Add. MSS	Additional manuscripts
BBRP	Bengal Board of Revenue Proceedings
BCJP	Bengal Criminal and Judicial Proceedings
BJP	Bengal Judicial Proceedings
BL	British Library, London
BRCP	Board of Revenue Central Provinces Proceedings
BRJP	Bengal Revenue and Judicial Proceedings
BRP	Bengal Revenue Proceedings
BSP	Bengal Secret Proceedings
IOR	India Office Records
IOPP	India Office Private Papers
<i>ODNB</i>	<i>Oxford Dictionary of National Biography</i> (Oxford, 2004, Online edition)
PCCRM	Proceedings of the Controlling Committee of Revenue at Murshidabad
PCRC	Provincial Council of Revenue at Calcutta Proceedings
PCRП	Provincial Council of Revenue at Patna Proceedings
PRP	Preparer of Reports Proceedings
SDA	Bengal Sudder Dewanny Adawlut Proceedings
SKR	Superintendent of Khalsa Records Proceedings
WBSA	West Bengal State Archives (Historical Division)



Map 1.1 The Provinces of Bengal and Bihar under East India Company Rule, as per Survey of the Provinces of Bengal, Bahar & Ca' (London, 1776).