

**Princes & Paupers**  
**Petitioning and Late-Colonial Governance in India and the Indian Ocean**  
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**DRAFT. PLEASE DO NOT CITE WITHOUT THE AUTHOR'S PERMISSION**

**NOTE TO READERS:**

This a very early attempt at looking at some petitions I've found while starting a new project on diasporic Indian families. As the project is very much in the most rudimentary and exploratory stages, I look forward to all of your comments and suggestions!

In the fall of 1882 the British Resident in Baghdad complained to officials in India about Mehdi Hussain, a man he described as “an intriguer and adventurer by *profession*” who was “a perfect master of petition-writing and of wire-pulling of every kind.” Mehdi Hussain was bombarding officials in Baghdad and India with petitions on behalf of his stepdaughter and niece, Kulsumnissa Begam. Kulsumnissa was involved in a struggle for control of the fortune left by her late grandmother, Taj Mahal, the widow of the former Nawab of Awadh, who passed away after migrating to Ottoman Iraq. Her fortune included a sizeable pension that the Government paid as interest on loans that the Nawab had extended to the East India Company in the decades before the annexation of the princely state. Acting on his stepdaughter’s behalf, Mehdi Hussain battled for control over the estate for nearly eight years in courts in India, Iraq, and Istanbul. He also maintained a constant correspondence with British officials, lobbying them to look after the interests of his vulnerable charge.

The British Resident in Baghdad, however, doubted the sincerity of his efforts, describing him as “a man of great ability, secrecy, craft, and dishonesty,” who had lined his own pockets by entangling his stepdaughter in growing debts to fund her legal campaign. The Resident assured officials in India that he had not become a pawn in Mehdi Hussain’s plot. He explained: “He would have liked, no doubt, to make a tool and a fool of me, but when he saw no prospect of that his visits ceased.” The Resident warned that now Mehdi Hussain was trying his tricks on the Secretary of State and Viceroy. Outraged by what he felt was the duplicitous actions of the man who claimed to be Kulsumnissa’s patriarchal protector, he suggested that the Government should step in to save her. He urged: “Were it but to rescue her from this one man, I still think the poor young Begam should return to India, equally whether declared or not declared Taj Mahal’s

heiress.” The Resident concluded his letter by urging caution, explaining that, “there are wheels within wheels which even one on the spot does not understand all at once.”<sup>1</sup>

The Resident’s complaints about Mehdi Hussain’s “petition-writing and of wire-pulling of every kind” provide a glimpse into bureaucracies that operated at the margins of colonial law, and their intimate, if often fraught, relationship with colonial social worlds. The practice of using petitions to appeal court decisions or to seek extra-legal redress was one of the most common ways that Indian subjects communicated with their imperial rulers. The growing body of scholarship on the history of petitioning in colonial India has focused on the eighteenth and early nineteenth centuries, linking petitioning with early modern forms of governance founded on relationships of “hierarchical intimacy.”<sup>2</sup> Yet petitioning persisted across the colonial period, and the British developed an elaborate bureaucracy for reading, recording, and responding to petitions at various levels of the imperial state.<sup>3</sup> This paper considers the role of petitioning during the high noon of British imperial power in India and the Indian Ocean, from the late nineteenth century through the early twentieth century. Alongside petitions from the Awadh nobles, the paper examines petitions preserved in the Judicial Records of the Bombay Presidency. The petitions reflected Bombay’s position as a global hub of transport and trade, and

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<sup>1</sup> W. Tweedie to C. Grant, 8 November 1882, K.W. No. 1, NAI/Foreign/A-General-G/January 1883/Nos. 1-11, p. 1-2.

<sup>2</sup> Potukuchi Swarnalatha, “Revolt, Testimony, Petition: Artisanal Protests in Colonial Andhra,” in *Petitions in Social History*, ed. Lex Heerma van Voss (Cambridge: Cambridge University Press, 2002), 107–30; Bhavani Raman, *Document Raj: Writing and Scribes in Early Colonial South India* (Chicago: University of Chicago Press, 2012), 159–191. Raman adopts the term “hierarchical intimacy” from scholars who have charted the overlapping idioms of religious supplication and political address in early-modern India.

<sup>3</sup> The lack of scholarship by no means reflects an absence of petitioning, or in fact, significant archival collections of petitions for the period. Majid Siddiqi, one of the few scholars to look at petitioning in the late nineteenth century, has noted that the Home Public series in the National Archives of India had a special division devoted to petitions, memorials, and addresses that contains from three hundred to one thousand petitions per year for the period from 1857 to 1885. *The British Historical Context and Petitioning in Colonial India. XXIIInd Dr. M.A. Ansari Memorial Lecture*. (New Delhi: Aakar Books, 2005), p. 22, 38 ft. 13. For another account of petitioning in late-colonial India, see Laura Bear, *Lines of the Nation: Indian Railway Workers, Bureaucracy, and the Intimate Historical Self* (New York: Columbia University Press, 2007), 108–134.

the Bombay Government's role in supervising British residencies in Zanzibar and Aden.<sup>4</sup> Like Mehdi Hussain, many of the petitions preserved in Bombay came from individuals looking for help in managing family problems spanning large territorial distances and multiple political jurisdictions. These petitions reflected both the increasing territorial expanse of British power and some of its underlying anxieties. Like the response of the British Resident in Baghdad to Mehdi Hussain's correspondence, officials often viewed petitions with an uneasy suspicion. The official responses to these petitions underlined important tensions in late imperial ideology, which both attempted to use patriarchal idioms of power and to maintain a critical distance between Indian society and the imperial state. Petitioning, with its links to ritualized forms of hierarchical intimacy, revealed the uncomfortable contradictions that emerged from merging these two modes of governance.

### **Petitioning and Late-Colonial Governance**

Bhavani Raman has recently helped to explain the petition's remarkable persistence from its roots in early-modern South Asia to its enduring role in colonial and post-colonial bureaucracies. She documents how in the early nineteenth century Company officials worked to discipline petitioning to meet their own requirements by imposing rules such as requiring petitions to be signed by an individual author. Raman argues that new rules governing petitioning encouraged Indians to report on the misdeeds of lower-level officials and register dissent through peaceful forms of address.<sup>5</sup>

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<sup>4</sup> Thomas R. Metcalf, *Imperial Connections: India in the Indian Ocean Arena, 1860-1920* (Berkeley: University of California Press, 2008), p. 6.

<sup>5</sup> Raman, *Document Raj*, pp. 159–191.

Raman's analysis extends, but also complicates, older scholarship that charted how the British in India hollowed out early-modern idioms of governance in order to repurpose them to meet their own needs. In a classic essay on the Imperial Assemblage Bernard Cohn has charted how the British redefined the meaning of the Indian durbar. In the early decades of Company rule, officials, noting the widespread use of durbars by Indian rulers, felt compelled to hold their own. Yet, according to Cohn's account, Company officials failed to comprehend the rituals of incorporation preformed at durbars, which had traditionally marked a mutual bond between ruler and subject through the exchange of gifts. Instead they transformed ritual gift giving into the contractual logic of an economized form of exchange. The decades after the Rebellion of 1857 saw a further mangling of the durbar tradition. To mark the coronation of Queen Victoria as Empress of India, the British held an Imperial Assemblage in Delhi in 1877. Styled according to a "Victorian Feudal" aesthetic, the Assemblage abandoned the durbar's purpose as a means of marking reciprocal, two-way bonds between ruler and subject. Instead the Assemblage imposed a top-down vision of British order that its Indian subjects were expected to meet with bottom-up expressions of supplication. For Cohn the Assemblage embodied a philosophy of governance premised on the assumption that "Indians were a different kind of people from the British."<sup>6</sup>

Read against Cohn's analysis, we might also take petitioning as another Indian tradition that was evacuated of its original meaning by late-colonial idioms of governance. Having already become an established feature of Company bureaucracy, petitioning gained further resonance in the post-1857 Raj, which explicitly embraced patriarchal political forms. In the decades after the Rebellion the British gravitated towards hierarchical, often hereditary, forms of social order that they believed were rooted in Indian traditions and appropriate to their stage of civilizational

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<sup>6</sup> Bernard S Cohn, "Representing Authority in Victorian Britain," in *An Anthropologist Among the Historians and Other Essays* (Delhi: Oxford University Press, 1987), quoted on p. 653.

development. As part of this overarching strategy, Britain sought the support of the very native elites whose power they had usurped in the decades leading up to the Rebellion. Along with guaranteeing to protect the remaining princely states and strengthening the hereditary rights of important classes of landlords, the British cultivated groups like the Awadh nobles, who they believed continued to command the respect of their former subjects. To secure the loyalty and stability of these hereditary elites, the British exercised forms of guardianship over their families, supervising the management of their estates and the education of their children through the Court of Wards. In describing these arrangements, Sumit Guha has evocatively suggested that the British began to envision India as a “gigantic crèche.”<sup>7</sup> During the late nineteenth and early twentieth century this philosophy of imperial guardianship also shaped Britain’s political strategy in the wider Indian Ocean. Britain built a protective cordon around its Indian Empire by establishing various forms of in-direct rule, ranging from formal “protectorate” status to informal influence gained through operating large British consular bureaucracies in places like Ottoman Iraq.<sup>8</sup> The British justified these arrangements on the grounds that local rulers were politically immature. Petitioning, with its idioms of filial loyalty, fit comfortably into this ideology of imperial guardianship.

Petitioning, however, was by no means limited to princely protégés. A much broader range of individuals petitioned British officials in the late nineteenth and early twentieth century, reflecting the diffusion of patriarchal idioms of governance. Petitions from railway employees, prisoners, and military pensioners suggest that the British incorporated many non-elite subjects

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<sup>7</sup> Sumit Guha, *Environment and Ethnicity in India, 1200-1991* (Cambridge: Cambridge University Press, 2006), 183.

<sup>8</sup> James Onley, “The Raj Reconsidered: British India’s Informal Empire and Spheres of Influence in Asia and Africa,” *Asian Affairs* 40, no. 1 (2009): pp. 44–62; Sugata Bose, *A Hundred Horizons: The Indian Ocean in the Age of Global Empire* (Cambridge: Harvard University Press, 2006), pp. 36–71.

into coercive relationships of patriarchal dependence.<sup>9</sup> The petitions preserved in the Bombay records testify to an even broader range of individuals who used of this form of appeal. The individuals who petitioned the Bombay Government often lacked elite status, or even the more subaltern ties possessed by lower-level Government employees. They instead resorted to petitioning explicitly because they lacked the financial or social capital to pursue other means of redress such as instigating a lawsuit. The fact that these individuals thought that officials might lend a sympathetic ear suggests that the British were able to raise hopes of patriarchal benevolence in a large range of their imperial subjects. These hopes, however slight, persisted even as the response to most petitions was a curt rejection.

One might therefore conclude that the British were able to discipline petitioning into a polite form of address that diffused dissent by holding out the possibility of receiving patriarchal mercy at the hands of a benevolent sovereign. Yet, as Raman also emphasizes, petitioning remained resistant to discipline. Supplicants failed to submit their petitions in the prescribed form and often bypassed local officials to address their grievances to the highest echelons of the imperial Government.<sup>10</sup> Rather than greeting petitions as a sign of the successful projection of their patriarchal benevolence, British officials often responded to petitioners with a mixture of disdain and discomfort. They mocked petitions for their mangled and anachronistic forms of address, which included awkward English translations of courtly expressions of loyalty rooted in Indo-Persian forms of address. A book titled *Baboo English*, which included samples of the “curiosities” of Indian-English prose, described officials’ mirth as they read such petitions: “Naturally in the process of translation the sentiments of the customer are curiously presented,

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<sup>9</sup> On petitions from railway employees, see Bear, *Lines of the Nation*. For examples of Indian convict petitions, see Clare Anderson, *Subaltern Lives Biographies of Colonialism in the Indian Ocean World, 1790-1920* (Cambridge: Cambridge University Press, 2012), pp. 190-192.

<sup>10</sup> Raman, *Document Raj*, 163, 191.

and as often as not the petition furnishes material for merriment in the family circle of its recipient.”<sup>11</sup> Yet mocking petitions and their authors often masked an underlying unease. This was the case with the Baghdad Resident who was worried that Mehdi Hussain’s petitions might actually sway the sympathies of his superiors. The Baghdad Resident’s concern about the impact of petitioning was not unique, although other observers were more worried about the effect petitioning was having on the Indian petitioners whose hopes were routinely dashed. A House of Commons committee issued a special report in 1904 in response to the large volume of Indian petitions it was receiving, most of which were deemed of insignificant importance to require Parliament’s attention. The report concluded: “Consequently, in the interest of the Petitioners themselves, and to save them unnecessary expenditure, as well as disappointment, when their Petitions bring them no redress, the Committee desire by means of this Report that Petitioners may be put upon their guard, and that the limited result of Petitioning may be better understood.”<sup>12</sup>

Persistent concerns about the impact of petitions on both their authors and recipients reflected their ongoing ability to invoke intimacies between ruler and subject that conveyed mutual expectations of support rather than one-way expressions of loyalty. In attempting to harness traditions of patriarchal governance, the British seemed to have gotten more than they bargained for. They were unable to fully untangle practices like petitioning from their association with ritualized forms of intimacy. Petitions as a result often troubled the division between ruler and subject on which late-colonial imperial ideologies rested. Echoing Cohn’s analysis, scholars have emphasized how during the course of the nineteenth century the British employed various

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<sup>11</sup> Arnold Wright, *Baboo English as 'Tis Writ: Being Curiosities of Indian Journalism* (London: T. Fisher Unwin, 1891), 80. Also cited in Raman, *Document Raj*, 162.

<sup>12</sup> “Special Report of the Special Committee on Public Petitions,” House of Commons Parliamentary Papers 1904 [234], p. 3.



forms of bureaucratic rationalization and codification to construct a barrier between the colonial state and Indian society. These forms of governance attempted to fix India as a stable object of governance that could be supervised by an impartial colonial bureaucracy that stood apart from and above it.<sup>13</sup> Petitions troubled this formulation by drawing unsettling connections between Indian society and the imperial state. Petitioners complained that officials had been bribed or manipulated by their opponents, suggesting illicit links between officials and imperial subjects. By complaining about the injustice they had received from one arm of the bureaucracy, petitioners raised concerns about how unfavorable public opinion might threaten the stability of the Raj. With the memory of 1857 still fresh, such expressions of dissent invoked uncomfortable reminders of how Indians remained capable of censoring their British rulers, including through violent dissent. Finally the many rejected and unanswered petitions provoked unease, as the Parliamentary report suggested. Petitioners expressed expectations of reciprocal loyalty in which their own allegiance would be rewarded with material support. The mounting piles of rejected petitions instead revealed the miserly limits of Britain's patriarchal benevolence.

### **Princely Petitions**

Many of these dynamics came together in the exchanges that unfolded between Mehdi Hussain and British officials in India and Iraq as he struggled to gain control over his mother-in-law's estate. Mehdi Hussain's petitions commenced after Taj Mahal died in Karbala in 1875. Taj Mahal's life, and later her inheritance, was deeply intertwined with the expanding frontiers of British imperial sovereignty. Her fortune was made when as a dancing girl, she caught the eye of

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<sup>13</sup> For different conceptualizations of this argument, see Jon E. Wilson, *The Domination of Strangers: Modern Governance in Eastern India, 1780-1835* (Basingstoke: Palgrave Macmillan, 2008); Rachel Sturman, *The Government of Social Life in Colonial India: Liberalism, Religious Law, and Women's Rights* (Cambridge: Cambridge University Press, 2012).

the Nawab of the princely state of Awadh.<sup>14</sup> After marrying Taj Mahal the Nawab included his beautiful young wife in the increasingly intricate, and precarious, political and financial ties linking the princely state to the expanding British Empire. In 1829 the Nawab named Taj Mahal a beneficiary of the Fifth Awadh Loan, a treaty by which the Nawab loaned the British over 6,200,000 rupees in exchange for annual interest payments of five percent, paid out as pensions to family members of the Nawab and their heirs.<sup>15</sup> Even after British annexed Awadh in 1856, the British continued to pay these pensions to members of the former Nawab's family. After Taj Mahal's death in 1875, her relatives struggled to gain control over her pension, instigating lawsuits in colonial and consular courts and petitioning officials in support of their claims.

During the decades preceding the annexation of Awadh, the Company intervened in dynastic politics in Awadh to increase its control over the state. Because of the loan and pension agreements between the Nawabs and the Company, many members of the Awadh family were essentially on the Company's payroll, while Britain also intervened in questions of royal succession. Taj Mahal herself petitioned the British government to navigate these shifting landscapes of imperial and family politics. After the death of her husband in 1837, Taj Mahal's fortune took a turn for the worse. She reportedly secretly remarried, and when she gave birth to a child, a scandal ensued. After the new Nawab sent guards to her house to prevent further impropriety, Taj Mahal appealed to the British to have them removed. After the Rebellion of 1857, in which several members of the former royal family joined the rebels, the Begam's loyalty was questioned. She was initially compelled to pay the British Rs. 12,000 as a punitive

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<sup>14</sup> K. S. Santha, *Begums of Awadh* (Varanasi: Bharati Prakashan, 1980), 283–85.

<sup>15</sup> C.U. Aitchinson, ed., *A Collection of Treaties, Engagements, and Sanads Relating to India and Neighbouring Countries*, vol. 2 (Calcutta: Office of the Superintendent of Government Printing, India, 1892), pp. 140–42.

war tax, but was later refunded the money after submitting petitions to the government insisting on her loyalty.<sup>16</sup>

Fleeing both her personal difficulties and the political turmoil in Awadh, Taj Mahal left Lucknow soon after for Ottoman Iraq, known at the time as Turkish Arabia. In Turkish Arabia Taj Mahal's remained within Britain's informal spheres of imperial influence. Like other British subjects, Indians in Turkish Arabia were subject to consular, rather than local courts, as part of the extraterritorial jurisdiction Britain exercised in Ottoman territories. These consular courts governed a sizeable community of Indians who lived in the vicinity of Shia shrines in Karbala and Najaf. The British also helped administer the large financial endowments that the Awadh royal family had contributed to local shrines and scholars, giving them considerable influence in local politics.<sup>17</sup>

When Taj Mahal died in July 1875, she left behind an estate consisting of her pension, jewelry and household goods in Baghdad, and additional property in India.<sup>18</sup> Reawaking the scandals that plagued her in Lucknow, Taj Mahal's relatives made competing claims to her pension and estate. The two most important claimants were her brother, Ramzan Ali, and the young girl Kulsumnissa, purportedly her granddaughter, although various parties challenged the legitimacy of her parentage. When the British Resident attempted to entrust the young girl to the care of a respected member of the Awadh royal family, he refused due to the rumors that Kulsumnissa's lineage was "spurious." Kulsumnissa registered her own protest against the

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<sup>16</sup> Sir William Henry Sleeman, *A Journey Through the Kingdom of Oude, in 1849-1850*, vol. 2 (London: Richard Bentley, 1858), pp. 148, 334; Santha, *Begums of Awadh*, p. 283-285.

<sup>17</sup> Meir Litvak, "Money, Religion, and Politics: The Oudh Bequest in Najaf and Karbala, 1850-1903," *International Journal of Middle East Studies* 33, no. 1 (2001): 1-21.

<sup>18</sup> Petition of Moulvie Syud Mehndee Hossein to the Governor-General of India, n.d., NAI/Foreign/General A/June 1877/Nos. 17-114, 4-5.

arrangement by bursting into tears.<sup>19</sup> Anxious to offload the tearful Kulsumnissa into someone else's care, the Resident handed her over to Ramzan Ali, although officials in India complained that as the rival claimant to the estate, he was "*the last man in the world* to put her with."<sup>20</sup> Mirroring the competition between her relatives for control over the estate, British officials in India and Turkish Arabia disagreed about whether her estate was subject to the jurisdiction of Indian or consular courts.

Amidst the ensuing confusion petitions started pouring in exhorting officials in Iraq and India to look to the safety of both the estate and the young girl. Mehdie Hussain complained that she "has unfortunately been placed under the care of a cruel and merciless claimant of heirship, from who she is in danger of losing her life." He urged the Resident that, "the sooner the measures out of kingly kindness and mercy be taken to adjust this matter, the better for Koolsoom Begam the minor, as she is in great distress at Baghdad."<sup>21</sup> Kulsumnissa, a girl of less than ten, also apparently telegraphed the Governor-General urging him to come to her aid. She complained that she preferred "being drowned at sea to being placed again under Ramzan Ali Khan." She begged for Mehdie Hussain to be appointed her guardian, or "else life [of] an orphan, subject of Her Majesty, will surely be lost in starvation."<sup>22</sup> The Resident, however, insisted that when he visited Kulsumnissa she knew nothing about this message of distress, raising the suspicion that Mehdie Hussain was the real author.<sup>23</sup>

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<sup>19</sup> J.P. Nixon to Chief Commissioner Oude, 14 August 1875, in "Regarding the Claim of Kulsooman Nisa Begam...", 1875-1883, Uttar Pradesh State Archives, Miscellaneous Papers, List No. 4, Sl. No. 1, Packet No. 1, Boxes Nos. 1-3, 30; J.P. Nixon to T.H. Thornton, Officiating Secretary to Government of India, Foreign Department, 14 August 1876, NAI/Foreign/General A/June 1877/Nos. 17-114, 13.

<sup>20</sup> K.W. No. 2, NAI/Foreign/General A/June 1877/Nos. 17-114, 11.

<sup>21</sup> Petition of Moulvie Syud Mehndee Hossein to the Governor-General of India, 5.

<sup>22</sup> Telegram of Koolsoom Begum to Governor General, 10 September 1876, NAI/Foreign/General A/June 1877/Nos. 17-114, 17.

<sup>23</sup> J.P. Nixon to T.H. Thornton, 20 May 1876, NAI/Foreign/General A/June 1877/Nos. 17-114, 6.

During the coming years Mehdie Hussain and Kulsumnissa, in name or in fact, sent dozens of petitions to British officials. Most of Mehdie Hussain's letters were written in English rather than an Indian courtly vernacular, with just a seal and signature in Urdu, indicating his mastery of colonial communication. Many of Kulsumnissa's communications were sent by telegram, and thus written in the truncated language necessitated by this distinctly modern form of communication. Yet while couched in these new forms, the letters conveyed a bond between ruler and subject that harkened back to the petition's historical role in communicating forms of hierarchical intimacy. The letters from the Awadh nobles read like correspondence in a family feud in which the British themselves were party to the disagreement. Written in vivid and emotive language, the petitions emphasized that what hung in balance was not just money, but also the honor of both the noble family and the British government. Mehdie Hussain cautioned that if the British did not intercede, Ramzan Ali would contract an undesirable marriage for Kulsumnissa and damage the family's reputation. Mehdie Hussain warned that "property and riches can be recovered, but life and honor when once gone cannot be re-secured."<sup>24</sup> On his own behalf Mehdie Hussain complained that he resented the rude treatment he had endured after arriving in Baghdad to press her case. He complained to the Chief Commissioner of Oude that, "The thing which touched me the most was the personal disgrace which I suffered here, i.e. not being allowed a seat – altho' entitled to a seat in Lieut. Governor & Chief Commissioner's Durbar."<sup>25</sup>

Mehdie Hussain and Kulsumnissa vacillated between shaming officials for their failure to live up to the terms of their treaty with the former Nawab and expressing faith that they would

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<sup>24</sup> Memorial of Moulvie Syud Mehndee Hossein to Viceroy, 4 June 1876, NAI/Foreign/General A/June 1877/Nos. 17-114, 7.

<sup>25</sup> Moulvee Mehdee Hoosin to Chief Commissioner Oude, 5 October 1876, "Regarding the Claim of Kulsooman Nisa Begam...", 234.

eventually do so. Kulsumnissa wrote to the Viceroy that her grandmother, “never expected that when Her Most Gracious Queen would be an Empress, she would be so unkind as to withdraw her protecting hands and leave the issues patronless.” She closed the letter by exhorting the Viceroy that she was “depending on you only as there is none in the world for me to look to as my (Hakim) patron.”<sup>26</sup> Both stepfather and stepdaughter also expressed their anxious desire to avoid offending their British patrons. In one petition Kulsumnissa worried that, “I now fancy that they are perhaps displeased with me for my not going to India...I would rather prefer to obey and carry out the desire of Government than to do anything else.”<sup>27</sup>

In one of the most striking petitions Mehdi Hussain wrote, he sought to remind the British that they were bound by treaty, as well as honor, to care for the family of the former Nawab. He wrote to the Baghdad Resident:

I have all along retained a firm conviction, notwithstanding appearances, that the Indian authorities do not wish any harm to me or to my step-daughter. She always wears around her neck enclosed in a little bag the copy of the Wasika Treaty which her grandmother had religiously kept during her life.

We have often read and talked together of Article 7, which says: “The said pensioners, and after them their issue, who on their decease may first succeed to their respective pensions, shall always experience the special favor and kindness of the British Government,” and we wonder at its meaning and interpretation as shown by the conduct of the Indian authorities during the last 18 months.

There are times, Sir, when we sit in sorrow and regret that the loan was ever made to the late Hon’ble East India Company, and we are forced to reflect that, perchance, if the money had been lent to a Bank or Indian Schroff, we should not have had so much difficulty in obtaining the interest necessary for subsistence. I must say, however, Sir, that these times are only occasional, and that hitherto I have retained a firm conviction, and have so persuaded our creditors, that the time will come when the minor’s claims will be acknowledged and justice done to her and to me by the Indian authorities.<sup>28</sup>

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<sup>26</sup> Memorial of Koolsoom Begum to the Viceroy, 28 May 1877, NAI/Foreign/General A/June 1877/Nos. 17-114, 69.

<sup>27</sup> Kulsum Shams-un-Nissa Begum to W. Tweedie, 1 August 1882, NAI/Foreign/A General G/Jan 1883/Nos. 1-11, 21.

<sup>28</sup> Syud Mehndee Hossein to J.P. Nixon, 3 December 1878, NAI/Foreign/General A/April 1879/Nos. 17-88, p. 32.

Mehdie Hussain's invocation of the treaty of 1829 unsettled the division between ruler and subject by reminding the British that Kulsumnissa's ancestors had once themselves been rulers. In fact, as he astutely pointed out, in the case of the pensions, the relationship between the British and the Awadh royal family was not one of ruler and subject, but of debtor and creditor. Yet by invoking the striking image of his stepdaughter wearing the treaty at her breast, he cast this relationship both as a contractual agreement, and as an intimate bond rooted in honor and trust. While all but accusing the British of having failed to keep their word, Mehdie Hussain nonetheless opened and closed his petition by asserting his loyalty to the British.<sup>29</sup> Emphasizing their enduring relationship despite a history of abuse, he beseeched officials to live up to the trust that he and his ancestors had placed in their Government.

While the Baghdad Resident mocked Mehdie Hussain's efforts to play on his emotions, the response to his petitions betrayed how Britain's supposedly rationalizing bureaucracy was itself subject to officials' own calculus of honor and sentiment. The Baghdad Resident was not alone in imagining himself in the role of the imperial knight rushing to rescue the young noblewoman. In a note on the case an official in the Government of India's Foreign Office wrote of the desirability of rescuing the girl from the "the clutches of the harpies and Jews at Baghdad."<sup>30</sup> (Her principal creditor was the Sassoons, a multi-national family of Jews originally from Iraq.) Yet while criticizing others for taking advantage of Kulsumnissa's vulnerability, officials acknowledge, with some discomfort, that the Government itself was largely responsible for her plight. In the years after Taj Mahal's death the Government refused to recognize Kulsumnissa as heir until special legislation was passed in 1881 that clarified the Indian court's jurisdiction over

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<sup>29</sup> Complaints about the British Government's failure to keep its promises were a common motif in late-colonial petitions. Siddiqi, *The British Historical Context*, p. 26.

<sup>30</sup> KW No. 1, NAI/Foreign/A General G/Nov 1882/Nos. 47-85, p. 5.

her case and indemnified the government from paying multiple claimants.<sup>31</sup> The dispute over the inheritance was not fully resolved until 1883, and in the intervening years Kulsumnissa was forced to borrow money at annual interest rates as high as twenty-four percent.<sup>32</sup> As one official admitted, the Government's had protected its own financial position at considerable expense to the young girl:

...she has been very hardly treated and deserves Government commiseration, *first* for being compelled for years to live from hand to mouth on borrowed money, and *secondly* for all the expense to which she has been put in the struggle to assert her rights. The refusal of the Government of India to recognise the award of the Court at Lucknow, the subsequent legislation, &c., &c., may all have been very necessary; no doubt they were, but still Kulsum-un-Nissa's case have been a very hard one, and she will I think have some right to complain of British Indian law.<sup>33</sup>

In indicating that Kulsumnissa might have a right to complain about British Indian law, this official suggested how petitions could draw their official readers into seeing the Government from the perspective of its subjects, a view which could have troubling implications.

Officials' mounting sympathy for Kulsumnissa's situation, along with a tacit acknowledgement of the Government's responsibility, resulted in growing concern that her case might provoke a public scandal. As one official noted: "The delay which has taken place in giving effect to the provisions of the special Act amounts to a scandal and affects the honor of the Government."<sup>34</sup> Officials' own sympathy for Kulsumnissa's case therefore translated into inferences about how the Indian public might view the case, further blurring the boundary between ruler and subject. Under this pressure officials became increasingly concerned with finding "some way of accelerating the settlement of a case which is fast becoming a source of

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<sup>31</sup> Taj Mahal's Pension Act, in *The Legislative Acts of the Governor General of India in Council* (Calcutta: Thacker, Spink and Co., 1882), pp. 1–6.

<sup>32</sup> Opinion, "Regarding the Claim of Kulsooman Nisa Begam...", p. 713.

<sup>33</sup> K.W. No. 1, NAI/Foreign/A General G/November 1882/Nos 47-85, p. 1

<sup>34</sup> KW No. 1, NAI/Foreign/A General G/Nov 1882/Nos 47-85, p. 9.



embarrassment to the Government.”<sup>35</sup> To this end officials worked through back channels to speed judicial proceedings, and at one point even considering replacing the judge in charge of Kulsumnissa’s case because he was taking too long to reach a decision.<sup>36</sup>

Commiseration with the plight of the young girl, and concern about the impact it might have on public opinion, however, only went so far. In discussing the extent of the Government’s obligation to the girl, one official clarified that any responsibility on the part of the Government was “rather a question of sentiment than of obligation.” He added that, “If there be any *obligation* in the matter, it seems to be rather *moral* than *legal*.”<sup>37</sup> Ultimately concerns for sentiment and morality did not extend to taking on any financial burden on Kulsumnissa’s behalf. While working to expedite a resolution of her case, the Government nonetheless refused to advance her any of Taj Mahal’s pension or to fund her travel to India to defend her claim. As long as any possibility remained that the courts would not declare her heir, the Government refused to become financially involved, fearing that “our obligation, to whatever it may amount, would become much more onerous and stringent if we had taken upon ourselves a kind of guardianship of her interests.”<sup>38</sup> Such statements laid bare the shallow nature of the Government’s patriarchal guardianship. While assuming the trappings of imperial chivalry, it often shirked its financial responsibilities to its colonial charges.

### **Paupers’ Petitions**

In pleading with British officials to intervene on their behalf, Mehdie Hussain and Kulsumnissa pointed to the special obligation that the British government had to the Awadh nobles. In

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<sup>35</sup> *Ibid.*, p. 7.

<sup>36</sup> K.W. No. 2 to NAI/Foreign/A General G/January 1883/Nos. 1-11, p. 3.

<sup>37</sup> *Ibid.*, p. 5.

<sup>38</sup> KW No. 1, NAI/Foreign/A General G/Nov 1882/Nos 47-85, p. 6

handling their case officials were acutely aware of the family's position, fearing that their suffering might provoke a scandal. Yet while the Awadh family's social status influenced the outcome of their petitions, their use of petitions as a medium for navigating the imperial bureaucracy was far from unusual. A substantial collection of petitions was preserved in the Judicial Department of the Government of Bombay. Most of the petitions were addressed to the Governor of Bombay, often with prayers and salutations for his wellbeing, echoing the petition's history as a form of intimate supplication to a superior. The petitions described a dizzying array of problems, ranging from a sailor who was departing for Australia and pleaded with the Governor to locate his missing wife, to the grandmother of a dancing girl who she claimed had been murdered while en tour in Britain.<sup>39</sup> Despite their disparate circumstances, the petitioners shared a common hope that the Government, personified in the figure of the Governor, would help them to manage family problems that required navigating varied and often unfamiliar landscapes.

Many petitioners simply hoped to get information from the Government, whether to locate missing relatives or for guidance in understanding complex legal regimes. For example a father wrote to the Bombay Government for legal advice after his son was killed while working on a railway line on the border between the princely state of Kurundwad and the Bombay Presidency. Although his son was killed on Kurundwad territory, the father wrote that, "it is rumored that the state gave up its Powers (judicial etc) to Govt. on the Ry. Line." The father therefore asked the Bombay Government to clarify whether he should sue for compensation for his son's death in the Bombay or Kuranwad courts. Unfortunately for the father, officials did not

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<sup>39</sup> The Humble Petition of Mahomed Jaffer bin Bulloo Tokum Mahomedan Inhabitant of Bombay to Governor of Bombay, 29 December 1883, MSA/Judicial 1884/ vol. 91/no. 119; The Humble Petition of Piaree Jehan the Grand Mother of one Begum Jehan Since Deceased and Vagir Jehan now in London of Bombay to Commissioner of Police, Bombay, 11 November 1895, MSA/Judicial 1897/no. 184.

want to get entangled in a potentially contested legal question and therefore declined to give him an answer but instead suggested that he retain legal counsel.<sup>40</sup>

Other petitioners wanted more sustained help, often when they had lost the support of their own family and looked to the Government as the patriarchal provider of last resort. The Bombay records include numerous petitioners from widows, children, and parents asking for pensions after the death of a male provider who had served in the army, police, or other branches of the imperial bureaucracy. A more unusual request for support involved an orphaned dwarf who had traveled from Peshawar in hope of receiving public aid in India. In a petition addressed to the Governor of Bombay, the man explained that, “he is not tall enough to do any work” and “has no relatives in the world.” If the Governor could not help him, the petitioner suggested as an alternative that he might “grant him a free pass from here to England where [he] will go and request the European gentlemen to be supplied with his request.” The man promised that, “Should I be so fortunate as to succeed in the matter I shall ever pray for your Excellency’s long life and prosperity.” The Government declined to either support the man, or to fund his onward travels.<sup>41</sup>

Such petitions were most likely to receive official consideration if they involved individuals who in some way could claim a special relationship with the Government. Some of these petitioners, like the Awadh nobles, fell into the category of native elites. One such case involved a dispute between two brothers over the headship of a Sufi shrine. A note on the file suggested that, “the Pir seems to be a person of consequence, perhaps his petition may be

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<sup>40</sup> From Adavya Vallad Beherya Mahar to Governor in Council, Railway Dept. Bombay, 12 October 1887, MSA/Judicial 1887/Vol. 103/no. 1337.

<sup>41</sup> From Ahmed Yar walad yar Mahomed Khan to Governor of Bombay, 10 August 1886, MSA/Judicial 1886/vol. 73/no. 1234.

received & forwarded.”<sup>42</sup> In addition to such elites, the dependents of government employees were also more likely to receive a positive response to their petitions. A note in the file of a woman petitioning for financial support after her husband was murdered by a fellow police officer described her situation as “a very sad case.” While officials ultimately rejected her request for a formal pension because her husband was not technically killed in the line of duty, they recommended that special efforts be made to find her son government employment.<sup>43</sup> Such responses indicate that individuals employed by the Government, like native elites, were considered important bastions of support. Their petitions were therefore more likely to receive a sympathetic reading from officials, who often used a range of discretionary powers to aid them.

Yet many of the people who petitioned the Government of Bombay did so explicitly because they lacked financial and social capital, and thus could not pursue other means of redress. As the sailor searching for his missing wife explained, “Your Petitioner being a poor helpless man cannot afford to make any solicitor or a Pleader.”<sup>44</sup> Other petitioners complained not of their inability to pursue legal redress, but rather their incapacity to marshal the financial resources to bribe lower-level officials. As one woman asking officials to enquire into her daughter’s death explained, “I am a poor widow & old woman none to take notice of my pitiable case having no money to bribe them.”<sup>45</sup> Such individuals hoped that their abject dependence would itself elicit the sympathy and support of the Government. One woman wrote the Government after her only son, who she described as her “protector in time of her old age,” had been kidnapped by a troupe of dramatic performers and taken across the border into the princely

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<sup>42</sup> Pir Alli Muzzfershah to the Governor of Bombay, 11 December 1896, MSA/Judicial 1896/vol. 169/no. 1979, p. 77.

<sup>43</sup> To the Governor of Bombay, 26 May 1883, MSA/Judicial 1884/vol. 114/No. 1063.

<sup>44</sup> The humble petition of Mahomed Jaffer bin Bulloo Tokum.

<sup>45</sup> The humble petition of Chandha Ayah to Governor of Bombay, 23 December 1895, MSA/Judicial 1896/vol. 161/no. 1104, p. 342

state of Baroda. She suspected that her husband's prostitute-mistress was behind the plot and was using her son to gain control of her husband's estate after his death. The woman lamented that she was "forlorn and disgusted...and unable to take any lawful steps to revenge the wrongs done to her in the eye of the law owing to her being penniless as well as supportless." She hoped that, "Your Excellency will after deliberate consideration over the matter be graciously pleased to pass some kind of order by which she may be able to bring to light those men who have taken the advantage of her poverty to gratify their own evil ends." In response the woman was informed that although the courts were open to her, the Government could not interfere.<sup>46</sup>

This was a typical response to such petitions, which were frequently answered with a curt rejection, often with a reference to a standard set of rules under which petitions could be summarily turned down for reasons ranging from failure to first pursue redress through local or judicial authorities to using language that was "unnecessarily prolix" or "couched in exaggerated or disrespectful terms."<sup>47</sup> With many petitions the record abruptly ends at this point, leaving few clues as to how petitioners responded to this rejection. Yet one woman replied with a telling rejoinder: "That your Excellency's humble petitioner now begs to state that she is quite ignorant of the Rule 5 of the Petition Rules, but she has every confidence that your Excellency has power over the proceedings of the Civil or Criminal Courts."<sup>48</sup> The woman apparently found it difficult to believe that the Governor, bearing the mantle of patriarchal sovereign, could not bend the rules to come to her aid.

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<sup>46</sup> The humble petition of Heerabai to Governor of Bombay, 21 January 1880, MSA/Judicial 1880/vol. 111/No. 375.

<sup>47</sup> Petition Rules, Financial Department, 27 January 1885, MSA/Judicial 1886/vol. 71/no. 346.

<sup>48</sup> The humble petition of Krishnabai widow of Balla Gopalla Scindhe of Nassik to the Acting Governor of Bombay, 29 August 1907, MSA/Judicial 1907/vol. 164/no. 1575.

## Seeing the State from the Petitioner's Perspective

While the woman's response was particularly evocative, her view of the Government was common among petitioners. Many petitioners described their suffering at the hands of corrupt or unkind officials wielding broad discretionary authority. The petitioners in turn hoped that if they could elicit the sympathy of more senior officials, they would deploy the same discretionary powers to right past wrongs. Many petitioners thus viewed the Government not as a rule-bound bureaucracy, but rather as an institution animated by officials' self-interest, sympathies, and prejudices. Their letters described officials as entangled in networks of connection that linked them to native society and influenced their actions. Many petitioners mentioned overt bribery while others described the workings of more subtle forms of influence. The woman whose son had been kidnapped by the dramatic troupe complained that her adversaries had "so arranged that the Police did not at all take any steps in the matter."<sup>49</sup> The children and widow of an Indian merchant who died in Aden were convinced that the Court Registrar was auctioning off the goods from their deceased father's shop at the instigation of "our enemy" who was also a "friend" of the Registrar.<sup>50</sup> Other petitioners were attuned to even more subtle forms of influence. A Jewish man who had traveled from Isfahan to Bombay "to repair his fortune," complained about the unfair treatment that he had received from the police because of his poor grasp of the English language. While the man was in the latrine, another resident of the same house had apparently stolen his life savings, eight gold guineas that he had set aside to pay for his return voyage. The petitioner explained that although he had reported the crime to the police, they had "referred him here & there" but afforded him "no redress." Meanwhile the man he had

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<sup>49</sup> The humble petition of Heerabai.

<sup>50</sup> From Rahimbai Zamalbhai, Hanabai Dadabhoy, and Abdul Aziz Dadabhoy to Governor of Bombay, 11 March 1906, MSA/Judicial 1906/vol. 158/no. 1026.

accused of stealing his money had come to the police “in good & dandy dress” and with an English-speaking interpreter. Having failed to marshal the correct social capital in the first instance, the petitioner clearly hoped that his petition would now elicit the sympathy necessary to sway officials in his favor. He urged that “being poor; and just petitioner states that if no redress have been afforded in matter he should die.” Unfortunately for the petitioner, on further enquiry, the Bombay Commissioner of Police continued to believe that he was making false accusations after having accidentally left his money in the latrine.<sup>51</sup>

Other petitioners hoped to elicit help from the Government by playing on officials’ own fears to associate the petitioner’s interests with those of the Government - a strategy that proved more effective than petitions that merely detailed their authors’ own suffering. For example two Pathan widows petitioned for redress from the abusive treatment of their brothers. They claimed that they had run away to Bombay to marry their secret lovers, but that their brothers had followed them to the city, murdering their new husbands and kidnapping the sisters and forcing them to return home. The sisters also included in their petition information that would be of particular interest to the Government, claiming that their brothers manufactured counterfeit rupee coins with which they paid “monthly wages to those who carry on Jihad.” Like the threat of public scandal that ultimately stirred officials to take action in Kulsumnissa’s case, the mention of violent Muslim revolutionaries provoked the desired result. Officials asked the Commissioner of Police in Bombay to make further enquiries, eliciting a more interventionist response than most petitions were afforded.<sup>52</sup>

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<sup>51</sup> The humble petition of Jerimaya Joseph Jew inhabitant of Esfan [sic] now residing in Bombay to the Governor of Bombay, 16 June 1873, MSA/Judicial 1873/vol. 97/no. 938.

<sup>52</sup> Translation of an undated petition in Hindustani, MSA/Judicial 1905/vol. 167/no. 2000.

Such petitions paint a very different picture of Britain's imperial government than the one that Cohn presents of the Imperial Assemblage. The Imperial Assemblage, in Cohn's description, attempted to project the British Government as a benevolent but distant patriarchal institution that stood outside and above the colonial societies over which it ruled. The petitions captured the instability of this idiom of governance and its openness to being reinterpreted by colonial subjects in ways that disturbed Britain's self-image. In contrast to the imagery of the Imperial Assemblage, petitioners portrayed the Government as entangled in the lives of its imperial subjects, subject to both the ennobling and corrupting influences of their efforts to secure its favor. This view of the Government was shaped by petitioners' interactions with lower levels of the imperial bureaucracy. Despite official efforts to impose greater oversight and standardization, at least for the petitioners, the reality of imperial governance was shaped by the discretionary authority of local officials. When petitioners projected this image upwards to higher-level officials, they were often met with curt rejections and references to procedural rules. Yet as the response to some petitions suggests, the upper echelons of the imperial bureaucracy were no more rule-bound than their lower-level subordinates. In cases involving individuals whose interests were entangled with the Government's own concerns, officials worked through back channels and pulled strings. Yet such efforts often stopped short when the Government was faced with assuming a financial burden, as Kulsumnissa's case made clear. Petitioning thus produced a disturbing inversion of the Government's own image of patriarchal imperialism. Rather than creating a respectful distance between imperial subjects and rulers, petitions revealed the Government's own entanglements in colonized societies. Meanwhile mounting piles of rejected or miserly answered petitions revealed that the Government's own self-interest, rather than its benevolent concern for its subjects' welfare, often determined outcomes.