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The District Officer in Bengal 1850 – 1905

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‘Our Rule in India rests wholly on ourselves’:
The District Officer in Bengal 1850 – 1905

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Submitted for the degree of Doctor of Philosophy in History, February 2017

Abstract

This thesis focuses on the role of district officers in the Indian Civil Service (ICS) in Bengal from 1850 to 1905. Existing historiography incorrectly portrays the ICS as a passive coherent institution. This has limited our understanding of the significant role of district administration in the governance of British India. This thesis demonstrates that an imagined and practised idealised district official influenced policy and was integral in the reciprocal production of the practices of colonial government. This thesis establishes that this model persona existed outside of the Punjab, and had a specific realisation in Bengal. This idealised district officer was envisioned as an autonomous man-on-the-spot who could act as a decision maker. However, this discretionary capacity conflicted with an increasingly codified, professional and bureaucratic ICS. These contradictions were not only between idea and reality but existed within the idealisation of the district officer. The tensions produced by the imagined and practised district officer shaped debates about governance, the rule of law, and bureaucracy. This thesis demonstrates that despite the expansion of bureaucratic control over the practices of local administration, the district officer continued to be an autonomous decision maker. Through examining key moments of construction and contestation this thesis charts the working life-cycle of the idealised district officer. Using a discursive methodology this thesis interrogates an underutilised source group, the ‘governing literature’ of British India. These manuals, guides and handbooks were instrumental in the crafting of an idealised role. This model district officer was integrated into the policies and practices of government. By following the idealised district officer as imagined in texts, as a candidate for the examinations, as a revenue official, as Magistrate and Judge, in his failures and in his final days, this thesis asserts that this model persona had a significant influence on the governance of Bengal.

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Acknowledgements

I would like to thank my supervisors, Dr Jon Wilson and Dr Simon Sleight. Dr Sleight's guidance and support in the final year of this project has been invaluable. My thanks also go to the assistance given by archivists and librarians at the various institutions where research for this project was undertaken, including the National Archives of India and the State Archives of West Bengal. In particular, I would like to thank the staff of the Asian and African Studies room at the British Library for their kindness and professionalism. I am additionally grateful to the King's Graduate School for the two Small Research Grants, and for the Royal Historical Society's History Workshop Journal travel grants, which helped fund my research trips to Delhi and Kolkata. My sincere thanks go to Professor Paul Readman, his considered advice has been a constant reassurance throughout the project. Paul encouraged me during the UNC Chapel Hill and KCL transatlantic workshops and introduced me to his Modern British History reading group.

I am exceptionally grateful to the members of the reading group, past and present, for their comments on this thesis, their friendship and their appreciation of good beer and fine whiskey. I would like to thank my parents, Mary and Nigel, for supporting me and helping me pursue my academic ambitions. Thank you to my sister Sophie for reminding me to laugh even when it felt difficult. Thanks also go to John Ingram, the Grant to my Sherman. I want to thank the women of the West Ealing WI for their friendship and cake, my thanks also go to Becca Lever for her confidence in me, to Lisa Plotkin for her sisterhood, to Bartley Rock for his perspective, to Cat Johnston for putting a roof over my head, to Pirate Becca for her encouragement, to Hannah Elias for her enthusiasm, to Maham Stanyon for listening to my worries, and to all my friends who have supported me. I am also grateful for the companionship of my canine friends, first to the foster dogs of Battersea who sat by my side during my corrections, but most of all to Turrón, she is a loyal friend and the best of dogs. Finally, thank you to Simon Johnson, my partner and best friend. Without Simon's unconditional love, kindness, generosity and humour I could not have completed this thesis, and so I dedicate it to him.

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Glossary

A note on spelling: Due to the significant variation in the spelling of place names this thesis adopts the most consistent British Indian usage during the period under consideration. Indian terms have been treated as English nouns, and original spelling has been preserved in all quotations.

Ameen / Amin – Indian court official employed to prosecute local enquiries

Amlah / Omlah - The head Indian official of a judicial or revenue court

Chaukidar – A village watchman

Cooley – A labourer

Cutcherry – A place of public business, an office or court

Dacoit – An armed robber

Jamma / juma - A statement / proposal of the public revenue, its amount, and how it has been assessed

Jammabandi - Settlement of the amount of revenue assessed upon an estate, a village, or district, a village or district rent-roll, a register of the village holdings

Khanapuri – The first stage of preparation of the draft record-of-right, a plot map

Khasra / khusra – A field book, an account of the measurement of the lands of a village

Khewats - A contribution sometimes levied on rent-free lands in order to compensate for any deficit in the revenue

Lathi – A stick or bludgeon

Mahalwar / Mauzawar – A division of villages for revenue assessment or demarcation, (mouza: village)

Mofussil – Country, rural stations

Mohurir – An Indian official responsible for stamps

Munsif / moonsif – An Indian civil judge of the lowest rank

Nabob – corrupt Nawab, a Mughal governor, applied to senior East India Company servants

Pattas - A deed of lease, a document given by the Collector to the Zamindar, or by the receiver of revenue to the cultivator

Patwari – A village accountant and land record officer

Punkah – A pulley operated fan made of cloth or matting

Thakbast / thakbust – The process of laying down boundaries in a survey or settlement

Qanungo / Kanungo – A Mughal revenue official, worked with patwari

Ryot / raiyat - A tenant of the soil, an individual occupying land as a cultivator

Serishtadar - The head ministerial officer of a Court organises cases and certifies paperwork

Sudder – Chief seat of Government, often referring to revenue courts or revenue court officials before 1858

Talukdar / talookdar – A landholder, often junior to the zemindar

Vakeel – A legal representative

Wallah - A person involved in some kind of activity, where they hail from or what they wear, e.g. Pankah Wallah

Zemindar / zamindar – A landholder, often hereditary, responsible for the collection of Government revenues

See, H.H. Wilson, *Glossary of Judicial and Revenue Terms and of Useful Words Occurring in Official Documents in Relating to the Administration of British India* (London, W.H. Allen and Co., 1855).

Conversion Rate

1 rupee (RS) = 16 annas = 64 pices (paise) = 192 pie¹

Table 1 – Conversion rate of Rupee to British Pence 1871-1893²

Year	Rupees per Pence
1871–1872	23 $\frac{1}{8}$
1875–1876	21 $\frac{5}{8}$
1879–1880	20
1883–1884	19 $\frac{1}{2}$
1887–1888	18 $\frac{7}{8}$
1890–1891	18 $\frac{1}{8}$
1891–1892	16 $\frac{3}{4}$
1892–1893	15

¹ Richard Saumarez Smith, *Rule by records: land registration and village custom in early British Panjab* (London, 1996), xiv.

² B.E. Dadachanji, *History of Indian Currency and Exchange* (Bombay, 1934), 15.

Introduction

So I was up in the saddle before sunrise and in the village, ten miles away, at early dawn, just in time to find the whole population turned out, with lathis already whistling ominously through the air, and two or three planters on horseback with a whole *posse comitatus* at their heels, spoiling for the fray. The moment I approached the contending forces collapsed, the lathis disappeared like magic, every sign of friction vanished, and the planters laughed and rode away. There was never any further trouble there.¹

In his memoir Henry Cotton used this event to represent himself as an idealised district officer. His mere presence was enough to disperse the crowd, he was the very persona of the Government, and he represented the rule of law. At the time of this incident, in 1869, Cotton was serving as Assistant-Magistrate, a junior civilian official, presiding over the subdivision of Chuadanga, in the district of Nuddea. He had discovered that a group of planters intended to forcibly sow indigo on village lands. As he anticipated conflict it was Cotton's duty as the man-on-the-spot to ride to the scene and prevent trouble.² Cotton was thoroughly aware of the role he had embraced. He recounted how on arrival in India he had been 'directly encouraged to assume an attitude of a patronising and superior character'.³ Cotton had a complicated relationship with the idealised persona of the district official, initially embracing it and later rejecting it, but yet in his memories of India he still frequently cast himself in the role of the benevolent, autonomous, and paternalistic ruler.

This thesis focuses on the role of district officers in the Indian Civil Service (ICS) in the province of Bengal from 1850 to 1905. The district official, imagined and practised, is followed through his working life-cycle from recruitment to retirement. It was a role imagined and constructed by individuals like Cotton, but it was also developed and endorsed by the ICS and the British Government in India. In the 1909, edition of *The Imperial Gazetteer* the authors described the role of the head of the district: 'he is the representative of the Government in the large area under his charge; in the eyes of the people he embodies the

¹ Sir Henry Cotton, *Indian & home memories* (London, 1910), 95.

² The image of the district official quelling the riot with a glare has become a cultural trope. Several interviewees referred to the influence of Sanders of the River, in Ronald Hunt and John Harrison, *The District Officer in India 1930 – 1947* (London, 1980), 2-25. Also see, Clive Dewey, *Anglo-Indian attitudes: the mind of the Indian Civil Service* (London, 1993), 5; and J. Bristow, *Empire Boys: Adventures in a Man's World* (London, 1991).

³ Cotton, *Indian & home memories*, 66.

power of the state or “Sarkar”, and it is to him that they primarily look to redress their grievances and to promote their welfare’.⁴ Personally embodying rule and acting as the point of contact between the subjects and the colonial government were the fundamental functions of the district officer. Throughout the mid to late nineteenth century the district officer continued to be imagined as an idealised governor, knowledgeable, independent, moral, and benevolent. This idealisation of the role influenced the official mind and the policies of the Bengal government. However, as a practical role it could only ever be fraught with contradictions. These contradictions emerged from the conflict between the imagined district officer and the reality of government. More importantly, they existed within the very idea of the district officer.

The idealised figure of the man-on-the-spot was frequently juxtaposed against the machine of government. In 1891, one satirical novel described the bureaucratic defeat of a young civil servant: ‘week follows week, year follows year, and at last the griffin awakes and faces the truth. The hollow mockery of his beloved office; the grinning sarcasm of red tape’.⁵ By the late nineteenth century the ICS had developed into a ‘scientific administration’.⁶ Land revenue, police, jails, public works, schools, forestry, irrigation, settlements and surveys were all gradually devolved from the personal workload of the district officer into distinct departments under specially trained officials.⁷ Yet as Henry George Keene explained, the district officer was still frequently imagined as an independent governor and was ‘expected to exert an intelligent control over many elements of local administration’.⁸

While not eradicating the autonomous district officer, the creeping impact of bureaucratisation did cause tensions and contradictions in the processes and practice of government.⁹ Conflict between the capacity and autonomy of the district officer influenced policy reforms regarding settlements and surveys, judicial independence, and official conduct. However, the district officer continued to be imagined as a decision maker. Maintaining and

⁴ William Stevenson Meyer, Richard Burn, James Sutherland Cotton, and Herbert Hope Risley, (eds.) *The Imperial Gazetteer of India* (Oxford, 1909), v1, 49.

⁵ Anon, *Adventures of Thomas Brown, a Griffin* (Bombay, 1891), 129.

⁶ Henry George Keene, *A Servant of ‘John Company’ being the recollections of an Indian Official* (London, 1897), 179.

⁷ B.B. Misra, *District Administration and Rural Development in India: Policy Objectives and Administrative Change in Historical Perspective* (New Delhi, 1983), 50-63.

⁸ Kenne, *A Servant of ‘John Company’*, 232.

⁹ This argument was referenced by Jon Wilson, in Wilson, ‘The Silence of Empire: Imperialism and India’, in D. Craig, & J. Thompson, (eds.), *Languages of Politics in Nineteenth-Century Britain* (Basingstoke, 2013), 219-20.

For a discussion of the role of the district officer in local governance see, Jan-Georg Deutsch, ‘Celebrating Power in Everyday Life: The Administration of Law and the Public Sphere in Colonial Tanzania, 1890-1914’, *Journal of African Cultural Studies*, 15, 1, Michael Thomason, ‘Little Tin Gods: The District Officer in British East Africa’, *Albion*, 7, 2 (Summer, 1975), 145-160. Everyday Life in Colonial Africa (Jun., 2002), 93-103.

even codifying this autonomy remained central to these policy debates. Therefore, this idealised role acted as a framework or foundation for the development of strategies of rule even within a more regulated conceptualisation of government.

Rather than diminishing in importance the idealised benevolent and paternalistic district official remained significant throughout the challenging and more accountable atmosphere of the late nineteenth and early twentieth-century. Through examining key moments of construction and contestation, this thesis will argue that a deeply contradictory idealised representation did not only influence several policies, but that this role was reciprocally shaped by governing practices.

The period between 1850 and 1905 were the formative years of the ICS. It was during this time that the idealised district officer was developed and contested. This thesis takes the 1850s as a starting point. It was a decade of change for the British Government in India, a collection of defining moments rather than a radical break. There is an enduring narrative surrounding ICS. It states that by the 1860s a rigid, organised and hierarchical bureaucracy emerged out of the mercantilist self-interested East India Company (EIC).¹⁰ This account still dominates histories of India, and, as Nicholas Dirks explains, its repetition enforces the belief that ‘nabobs were replaced by bureaucrats who were earnest, mostly middle class, and increasingly professional’.¹¹ Central to this allegedly smooth and seamless transition was the advent of the competitive examination system in 1854.

The competition system has been considered the driving force of the professionalization of the civil service in India. Transitioning from patronage to examinations did radically transform the method of selection, but as will be demonstrated in Chapter Two, it did not necessarily change the ethos of the service. The move to competitive examinations was one of several moments which enabled the emergence of an idealised district official. This thesis will argue that the competitive system did not only strengthen the autonomous model of the district official but contributed significantly to this idealised persona.

Traditionally, the Indian Rebellion, and the subsequent transfer to Crown rule, has been credited with causing a break in the style of Government and changing the nature of the ICS.¹²

¹⁰ Accounts of liberal modernity in Britain and Empire still overwhelmingly rely on this image of the ICS, see Simon Gunn and James Vernon, (eds.), *The peculiarities of liberal modernity in imperial Britain* (Berkeley, 2011).

¹¹ Nicholas B. Dirks, *The Scandal of Empire: India and the Creation of Imperial Britain* (London, 2006), 23. For a discussion of the Nabob see Tillman W. Netchman, *Nabobs: empire and identity in eighteenth century Britain* (Cambridge, Cambridge University Press, 2010).

¹² See, Thomas Metcalf, *The aftermath of revolt: India, 1857-1870* (Princeton, 1964); and Francis G. Hutchins, *The Illusion of permanence: British imperialism in India* (Princeton, 1967).

Yet, there was evidently significant continuity between the service of the Company and the ICS under Crown rule. As Lewis Wurgaft has argued, ‘the reformist impulse of the 1830s and 1840s was too overlaid with paternalistic and authoritarian assumptions to warrant such a simple division’.¹³ The Rebellion acted more as a catalyst than an intervention. By confirming existing anxieties it merely advanced concerns and enabled the implementation of long awaited reforms.¹⁴ These continuities are more evident in the province of Bengal, where the conditions already existed for the realisation of the district officer. While both the advent of the competition system and the Indian Rebellion had significant transformative effects neither should be overstated.

This thesis utilises the 1905 partition of Bengal as an endpoint. The creation of Eastern Bengal and Assam was represented as a solution to an overstretched administration.¹⁵ Population growth and the subsequent demands on the Bengal Government necessitated a division of the region. Curzon argued that it would afford “the opportunity for increased contact between the administration and the people by easing the former’s burden”.¹⁶ However, the partition was also motivated by a desire to curtail the political influence of Calcutta elites over the Bengali community. In 1904, H.H. Risley, Home Secretary to the Government of India, explained “one of our main objects is to split up, and thereby weaken a solid body of opponents to our rule”.¹⁷ The partition was made along physical, linguistic, and ethnological lines. The British created a majority Muslim province, consolidated control over the tea industry in the region, and attempted to establish a new centre of political opinion at Dacca. The partition resulted in significant changes in the organisation of the ICS. After 1905, the districts of Eastern Bengal, with which this thesis is primarily concerned, were administered according to the non-regulation province system, with Deputy Commissioners replacing Collector-Magistrates as heads of the districts. This transition was not the end of the idealised district officer, but the role once again shifted to cope with the reforms of the new century. This shift is outside the scope of this discussion, but is worth noting nonetheless.

¹³ Lewis D. Wurgaft, *The imperial imagination: magic and myth in Kipling's India* (Middletown, 1986), 19. Also see E.M Collingham who argues that the Rebellion confirmed existing narratives and acted as a catalyst rather than a radical transition, E.M. Collingham, *Imperial bodies: the physical experience of the Raj 1800-1947* (Cambridge, 2001), 113.

Alternatively, Christopher Herbert convincingly demonstrates that the real impact of the Mutiny was felt at home, Christopher Herbert, *War of No Pity: The Indian Mutiny and Victorian Trauma* (Princeton, 2007).

¹⁴ Macaulay’s long awaited codification was only taken up post Rebellion.

¹⁵ See discussion in B.B Misra, *The Administrative History of India*, (Bombay, 1970), 277-285.

¹⁶ *Ibid.*, 277.

¹⁷ *Ibid.*, 281.

By concentrating particularly on Bengal, this thesis offers an alternative focus to the dominant narratives surrounding the ICS, and re-orientates the discussion of the district official away from the highly militarised regions such as the Punjab. The Punjab and North Western Provinces have incorrectly acted as a blueprint for histories of the ICS. By focusing on the legacy of the Lawrences, these accounts frequently fail to acknowledge that the governing practices of the Punjab School were rooted in a particular ideology of rule.¹⁸ As Kathryn Tidrick argues: ‘it is in the 1840s, in the Punjab, the last remaining corner of India to be brought under British control, that we find the first signs of a distinctive governing ethos which was to capture the imagination of the public and the imperial civil service alike’.¹⁹ The ‘Soldier Sahibs’ of the Punjab were undeniably influential, and certainly had popular appeal, but they must be properly understood in the militarised context of the non-regulation environment.²⁰

During the annexation of the region, the Governor General, Viscount Hardinge, insisted ‘British administration in the Punjab should be undertaken on a direct yet paternalistic basis’.²¹ This style of rule was primarily limited to the period during, and immediately after, annexation. Yet, the Government remained highly militarised throughout the nineteenth century.²² Despite attempts to bolster civilian Government, civil service reforms allowed military personnel to continue to dominate the administration.²³ It was a source of tension in the ICS as army officers were often promoted over covenanted civil servants in non-

¹⁸ The Punjab school was popularised by Kaye, see, John William Kaye, *Lives of Indian officers* (London, 1889).

For a more nuanced discussion and assessment of the Punjab school see, P.H.M. Van Den Dungen, *The Punjab tradition: influence and authority in nineteenth-century India* (London, 1972).

For the pervasive myth of the Punjab School in British culture see, Wurgaft, *The imperial imagination*; and Graham Dawson, *Soldier heroes: British adventure, empire, and the imagining of masculinities* (London, 1994). For focused examinations of the relationship between personnel, governance and policy see, Christian Tripodi, *Edge of empire: the British political officer and tribal administration on the North-West frontier, 1877-1947* (Farnham, 2011); and Patrick O’Leary, *Servants of the empire: the Irish in Punjab, 1881-1921* (Manchester, 2011).

Also for the Punjab School see, Bernard Cohn, ‘Recruitment and training of British Civil Servants in India 1600 – 1860’, and, Hugh Tinker ‘Structure of the British Imperial Heritage’, in, Ralph Braibanti (ed.), *Asian Bureaucratic systems emergent from the British Imperial Tradition* (Durham, 1966).

¹⁹ Kathryn Tidrick, *Empire and the English character* (London, 1990), 3.

²⁰ ‘Soldier Sahibs’ is borrowed from Christian Tripodi, see Tripodi, *Edge of empire*, 5.

²¹ Cited in, Mark Brown, *Penal power and colonial rule*, (New York, 2014), 83.

²² A resolution insisted on 1/3 civil officials and 2/3 military officials in the Punjab administration. Resolution Govt of India, No 953-957 1st June 1867, E.C Bayley Sect to Govt of India home department To Sect to Govt of Bengal, Sect to Govt of North West Provinces, Sect to Govt of Punjab, Chief Commissioner of Oudh and Chief Commissioner of Central provinces, No 4901 – 4905 Simla 25th October 1870, in, House of Commons Sessions [hereafter, HoC], Memorials of Members of H.M. Indian Civil Service, with Replies, 31-32; 1875 (139) LIV.453.

²³ Military recruitment was supposed to stop in 1876, B.B. Misra, *The Bureaucracy in India* (Delhi, 1977), 83 & 107-139.

See, Malti Sharma, *Indianization of the civil services in British India, 1858-1935* (New Delhi, 2001), 79–82.

regulation provinces like the Punjab.²⁴ Therefore the governance of the Punjab was shaped by the specificity of its staff and the environment.

It is necessary to unpack the cultural legacy of the Punjab School and particularly its role in British imperial literature. As Catherine Coombs explains the Punjab was frequently imagined ‘as the setting which represented the best and most authentic image of British-Indian life’.²⁵ As chapter one will discuss, the cult of Victorian heroism and imperial masculinity indisputably drew on the legacies of the Lawrences.²⁶ However, the focus on the Soldier Sahibs has neglected the contradictory and anxious atmosphere district officers functioned within. By concentrating on Bengal, this thesis will demonstrate that the idealised district officer existed outside of the Punjab environment.

This thesis argues that despite the very different governing practises of the ICS in the Punjab and Bengal, the idealised district officer in Bengal shared many of the characteristics of the Soldier Sahib.²⁷ Autonomous masculinity, paternalism and an outdoor lifestyle were salient features of both model personas. As the place seen as being governed by the most bureaucratic form of rule, Bengal provides a more useful site for charting and analysing the idealised district officer. Dewey described Bengal as ‘the night watchman state’,²⁸ and argued that district administration in Bengal was reduced to the status of caretaker, mechanically carrying out long established procedures. This view of the Bengal ICS has dominated our understanding and has influenced historical accounts of governing practices.²⁹ However, this thesis argues that the model district official was not eclipsed by the rise of bureaucracy but

²⁴ Covenanted were members of the ICS who had signed the covenant, after 1853 this term denoted the senior ranks of the ICS, selected through competition. The Uncovenanted civil servants were usually Indian, and selected for junior official roles, they had not signed a covenant and for the majority of the period were not selected through competitive entry. After 1892, the Covenanted service was known as the Imperial ICS and the Uncovenanted became the Provincial ICS, see Misra, *The Bureaucracy in India*, 93-147.

British Library, London [hereafter BL], India Office Records [hereafter IOR], IOR/L/PJ/6/270, File 288 18th Feb 1890, General Sir D Stewart’s comments on promotion in the ICS, and An OutCast, *The Bengal Civil Service: a chapter of Indian Experience* (London, 1875), 11.

Alternatively, Andrew Fraser positively represented the Military Deputy Commissioners as most suited to the North Western Provinces, Punjab and Central Provinces, in, Sir Andrew H.L. Fraser, *Among the Rajahs and Ryots: a civil servant’s recollections and impressions of thirty seven years of work and sport in the central provinces and Bengal* (London, 1912), 21-22.

²⁵ Catherine Eleanor Brown Coombs, ‘State Change in the Punjab: Professional and Personal Experiences of British Civil Servants over India’s independence and beyond’ (University of Leeds, PhD thesis, 2011), 15.

²⁶ Daniel Bivona, *British Imperial Literature, 1870 – 1940: Writing and the Administration of Empire* (Cambridge, 1998); Dawson, *Soldier heroes*; and J. Bristow, *Empire Boys: Adventures in a Man’s World* (London, 1991).

²⁷ For a discussion of the varied governing styles in British India see, Tripodi, *Edge of empire*; O’Leary, *Servants of the empire*;

²⁸ Dewey, *Anglo-Indian attitudes*, 201.

²⁹ See Robb, *Ancient Rights and Future Comforts*, Bhavani Raman, *Document Raj: writing and scribes in early colonial south India* (Chicago, 2012); Eugene F. Irschick, *Dialogue and history: constructing South India, 1795-1895* (Berkeley, 1994); and Richard Saumarez Smith, *Rule by records: land registration and village custom in early British Panjab* (Delhi, 1996).

remained an influential persona, and was informed by and contributed to the development of bureaucratic government. While this thesis does not seek to make a comparison between Bengal and Punjab, it is the key contribution of this thesis that an idealised district officer developed in Bengal and yet shared common features with a ruling style more typical of the non-regulation provinces. Therefore, the crucial contradiction between heroic autonomy and bureaucratic regulation was more apparent in Bengal than the Punjab.

Building on Jon Wilson's work, this thesis argues that the idealised district officer developed alongside bureaucracy and codification.³⁰ Wilson offers an account of colonial state formation based on an often anxious process of human interaction, revealing the complex personal motivations occurring in the decision-making process. By tracing the development of abstract principles and categories for governance, Wilson reflects on the disjuncture between policy and practice. The 'strangers' of Wilson's account refashioned themselves into an idealised role, a prefabricated character which they could inhabit in order to make sense of the world and their place in it. The investment in an idealised district officer was motivated by the belief that the man-on-the-spot understood the locality and was better placed than arbitrary rules and inflexible policy.

However, Peter Robb argues that in the later nineteenth century 'the generalist government officer became unable to cope with the weight and complexity of business and information; there could no longer be the one fount of all state power and actions'.³¹ Robb argues that the gradual expansion of the colonial state necessitated the ordering of knowledge, codification and the creation of bureaucratic structures.³² It is undeniable that the structure of the administration of the Raj developed greater scope and complexity, but it is the dislocation between discretion, procedure, and practice which requires our attention. David Ludden states that by the late nineteenth century the character of the ICS was that of a professional regime:

to qualify as an officer of the state would no longer demand detailed personal expertise in local administrative discourse and intricate political reality. Quite the contrary. Careers would henceforth be made by imbibing the ethos and discipline of an Anglo-Indian imperial bureaucracy.³³

³⁰ Jon E Wilson, *The Domination of Strangers: modern governance in Eastern India, 1780-1835* (Basingstoke, 2008).

³¹ Peter Robb, *Ancient rights and future comfort: Bihar, the Bengal Tenancy Act of 1885, and British rule in India* (Surrey, 1997), 64.

³² *Ibid.*, 58.

³³ David Ludden, 'Anglo-Indian Empire', Burton Stein, (ed.), *The Making of Agrarian Policy in British India 1770 – 1900* (Oxford, 1992), 174.

This impression of an impersonal bureaucracy, as expressed by Ludden and Robb, reflects the detailed and comprehensive histories of the ICS by B.B Misra.³⁴ Misra insists that the ICS was the realisation of a Weberian rational bureaucracy. This argument credits the British Government in India with not only a coherent, but a teleological agenda. This historiographical ‘illusion of permanence’ has discouraged investigations into the complexities of the ICS.³⁵ Such homogenizing tendencies are often based on the conclusions made in intellectual histories of India.³⁶ In these accounts, the coherent and passive ICS acts as a medium for grand schemes of Government and political ideas. When the ICS is viewed through the lens of the Mills, Macaulay and Stephens, the significance of the district officer is obscured by the focus on intellectual agendas.³⁷ Influenced by the work of the Cambridge school, this thesis seeks to challenge this vision of British Indian Government.³⁸ John Gallagher argued that colonial power ‘was hobbled at every turn. It depended on local allies and local conditions that might buckle its policies. Often it did not know what it was doing.’³⁹ Acknowledging that the ICS existed in an insecure and unclear environment, amongst collaboration and resistance, enables us to better understand the importance attributed to the experience of the district officer. Therefore, by relying on metropolitan and high political discussions intellectual historians have neglected the fundamental influence of Indian experience on the ICS. This thesis challenges Eric Stokes claim that ‘the transformation of the “Englishman” from nabob to Sahib was also fundamentally an English and not an Indian transformation’.⁴⁰ As this thesis will demonstrate, the idealised district officer was imagined and practised in Britain and India.

³⁴ Misra, *The Bureaucracy in India*, Misra, *Administrative History of India*, and Misra, *District administration and rural development in India*.

³⁵ Hutchins, *The Illusion of permanence*.

³⁶ Metcalf argues that governance in British India shifted from one intellectual scheme to another, with a conservative agenda dominating post Rebellion, Thomas R. Metcalf, *Ideologies of the Raj* (Cambridge, 1994); Eric Stokes, *The English Utilitarians and India* (Oxford, 1982); and Uday Singh Mehta, *Liberalism and empire: a study in nineteenth-century British liberal thought* (Chicago, 1999).

For a more developed but still problematic account of British intellectual and political influence on official mentalities see, Christopher Bayly, *Imperial Meridian: The British Empire and the World 1780 – 1830* (New York, 1989).

³⁷ Margot Finn explains that accounts of British Indian law have been obscured by treating Maine as descriptive, Margot C. Finn, *Law, Debt and Empire in Calcutta* (Austin, 2000).

For a discussion of the limited impact of utilitarianism see J. Majeed ‘James Mill's 'The History of British India' and Utilitarianism as a Rhetoric of Reform’, *Modern Asian Studies*, 24, 2 (May, 1990), 209-224.

Also see Balachandra Rajan, *Under Western Eyes: India from Milton to Macaulay* (London, 1999).

³⁸ John Gallagher, Gordon Johnson and Anil Seal, (eds.), *Locality, province and nation: Essays on Indian politics, 1870 to 1940* (Cambridge, 1973),

³⁹ *Ibid.*, 1.

⁴⁰ Stokes, *The English utilitarians and India*, xiii.

While this thesis does not intend to trace the impact of utilitarianism, liberalism or conservatism on district officers, it does recognise the influence of various political and intellectual trends on the official mind.⁴¹ The idealised district officer with his paternalistic tendencies was utilised by utilitarians, liberals and conservatives alike. Indeed, the persona of the district official could embody the prestige and pageantry of Conservative tradition and the moral civilising impulse of Liberalism.⁴² This persona was pragmatic, fluid and continuously contested and reconstructed. It is the continuing commitment to the idealised district officer, and the complexities and anxieties that it produced, which this thesis will explore. Ultimately, the official mind continued to imagine and represent ‘a semi-mythical tradition of horse-back rule’, despite the impracticality of this role in a more bureaucratic British India.⁴³

This thesis explores the idealised district officer, imagined and practised, through his working life cycle. Using a discursive methodology this model persona is charted from representations in administrative texts, to the ICS examinations, and then explored in problematic governing practices. In order to examine this idealised district official, this thesis interrogates an underutilised source group, the ‘governing literature’ of British India.⁴⁴ These manuals, guides and handbooks were instrumental in the crafting of an idealised role. Governing literature reciprocally influenced the district officer. It provided a platform for this persona, offered information and guidance to officials, and in return these texts were shaped by the experiences and governing practices of district administrators. These books collated and curated the persona of the idealised district officer. It is through them, that this thesis explores the defining characteristics, contradictions and anxieties which shaped the district officer and his governing experience.

The idealised district official is traced through reforms, policies and debates, including the advent of the competition system, the role of the revenue official in settlements and surveys, and the judicial autonomy of the district officer in corporal punishment. In addition to governing literature, this thesis examines a range of Government and public sources,

⁴¹ Maria Misra, ‘Colonial officers and gentlemen: the British Empire and the globalization of ‘tradition’’, *Journal of Global History*, 3, 2, (July 2008), 139 & 150.

See also, Anand A. Yang, *The limited Raj: agrarian relations in colonial India, Saran District, 1793-1920* (Berkeley, 1989).

⁴² See Wilson’s discussion of British politics and India, Wilson, ‘The Silence of Empire’, 218-241; Peter Robb, *The evolution of British policy towards Indian politics, 1880- 1920 : essays on colonial attitudes, imperial strategies, and Bihar* (New Delhi, 1992); and Peter Robb, *Liberalism, Modernity, and the Nation* (New Delhi, 2007).

⁴³ Robb, *Ancient rights and future comfort*, 63.

⁴⁴ For a discursive approach to Empire see Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (London, 2013), 9-17; Deutsch, ‘Celebrating Power in Everyday Life’, 93-103

including official documents, legislation, and published texts. Multiple sources regarding the governing practices of district administration have been analysed, including documents from the National Archives of India at New Delhi and the State Archives of West Bengal in Kolkata. However, the primary focus of this thesis is the idealised district officer as imagined and constructed by the official mind. Therefore, the discussion of the model persona in practise is limited to policy debates and discussions. It is outside the scope of this thesis to examine the everyday processes of government at the district level. While governing practices and bureaucratic systems are discussed, this thesis is interested in the influence and role of the idealised district officer according to the British Government in Bengal. By exploring the model persona of the district officer, this thesis offers a nuanced perspective on the British Indian official mind and the ICS. This introduction will now consider the historiography regarding the ICS and the Government of India, then will follow a discussion of the theoretical influences on this thesis, next the role of the district officer in the Province of Bengal is briefly described, and finally an outline of the chapters is provided.

‘A historiography which neglects the ruling race’: The historiography of the ICS

This thesis offers a new account of the district officer, and subsequently explores the significance of this idealised persona in the governance of Bengal.⁴⁵ The history of the ICS has been confined principally to detailed accounts of the structure of the administration, biographical studies, and anecdotal narratives from former civil servants.⁴⁶ This thesis seeks to move beyond these personal accounts and political administrative histories. As Bradford Spangenberg notes, the historiography of the ICS is often ‘permeated by an aura of romantic mythology’.⁴⁷ While the district officer features prominently in this literature, he is frequently portrayed as a semi-mythical benevolent figure.⁴⁸ According to H.M.L. Alexander, this

⁴⁵ Dewey, *Anglo-Indian attitudes*, 8.

⁴⁶ L. S. S. O'Malley, *The Indian Civil Service, 1601-1930* (London, 1931); Edward Blunt, *The I.C.S.: The Indian Civil Service* (London, 1937); Hunt and Harrison, *The District Officer in India 1930 – 1947*; David C. Potter, *India's political administrators, from ICS to IAS* (Oxford, 1996); Chandras Singh, *The civil service in India, 1858-1947: a historical study* (Delhi, 1989); Misra, *The Administrative History of India*; B.B Misra, *The Bureaucracy in India*; Alan Diamond, *The Victorian achievement of Sir Henry Maine: a centennial reappraisal* (Cambridge, 1991); Jack Harrington, *Sir John Malcolm and the creation of British India* (New York, 2010); and K.J.M. Smith, *James Fitzjames Stephen: Portrait of a Victorian Rationalist* (Cambridge, 1988).

⁴⁷ Bradford Spangenberg, *British Bureaucracy in India: Status, Policy and the I.C.S in the late nineteenth-century* (Columbia, 1976), vii.

⁴⁸ Philip Mason, *The Men Who Ruled India* (London, 1985).

For a more recent popular account of the ICS see, David Gilmour, *The Ruling Caste: Imperial lives in the Victorian Raj* (London, 2005).

historiography tried to ‘capture and recreate was the spirit of the ICS’.⁴⁹ These histories provided crucial perspectives on the official mind at the end of Empire but they also established a series of unhelpful tropes.

In the 1970s and 80s there was an effort to recover the ICS from the image of a romanticised and altruistic service.⁵⁰ By focusing on the problems with recruitment and the disillusion of the competition wallah generation in the late nineteenth century, Bradford Spangenberg successfully dismissed the myths of the ICS popularised by other histories.⁵¹ The historiographical challenge to Raj nostalgia built upon Spangenberg’s work.⁵² These histories discuss the interwar period, specifically focusing on the recruitment issues and the path to decolonisation. In these revisionist discussions the image of the district officer was overhauled, and recast as the bench-mark of decline, and the indicator of impending crisis.

As Simon Epstein argues, the diminishing powers and abilities of the district officer in the face of nationalism and war revealed his fundamental, and fragile, role as ‘the physical embodiment of Government’.⁵³ Epstein et al. successfully argue that the idealised district officer was dismantled by the political pressures of the twentieth-century, rather than merely being eclipsed by the growth in government. Indeed, the endurance of the idealised district officer demonstrates the continued commitment of the Raj to this contradictory and problematic role. It was his inability to remain an autonomous arbiter which proved the undoing of the model district official, as the horseback paternalist proved to be incompatible with representative government. While these histories confirm that an idealised district official continued to exist in the official mind even in the interwar period, they do not explain the origins of this significant persona. This thesis addresses this absence in the historiography

⁴⁹ H.M.L. Alexander, ‘Discarding the “Steel Frame” changing images among Indian civil servants in the early twentieth century’, *Journal of South Asian Studies*, 5, 2 (1982), 4.

⁵⁰ It is worth noting that the majority of the historiography from the 70s and 80s built upon the detailed and comprehensive studies of J M Compton and R J Moore. Their work on the competition system, and especially the use of statistical and political analysis, has also proved invaluable to this thesis. See, R.J Moore, ‘The abolition of Patronage in the ICS and the Closure of Haileybury College’, *Historical Journal*, 2, 7 (1964), 246–57; J.M Compton, ‘Open Competition and the Indian Civil Service 1854 – 1876’, *English Historical Review*, 85, (1968), 265–284; and J. M. Compton, ‘Indians and the Indian Civil Service, 1853-1879: A Study in National Agitation and Imperial Embarrassment’, *The Journal of the Royal Asiatic Society of Great Britain and Ireland*, No. 3/4 (Oct, 1967), 99-113.

⁵¹ Spangenberg, *British Bureaucracy in India*.

⁵² T.H. Beaglehole, ‘From Rulers to Servants: The I.C.S. and the British Demission of Power in India’, *Modern Asian Studies*, 11, 2 (1977), 237-255; Simon Epstein, ‘District Officers in Decline: The Erosion of British Authority in the Bombay Countryside, 1919 to 1947’, *Modern Asian Studies*, 16, 3 (1982), 493-518; and David C. Potter, ‘Manpower Shortage and the End of Colonialism: The Case of the Indian Civil Service’, *Modern Asian Studies*, 7, 1 (1973), 47-73.

⁵³ Epstein, ‘District Officers in Decline’, 494.

of the ICS. It examines the characteristics and influence of the imagined district officer on the practices and policies in Bengal.

There is a similar historiographical trajectory in accounts of African district administration. The administrative services of the African Empire provide the closest comparison to the district officer in India.⁵⁴ Crucially Anthony Kirk-Green demonstrates that the district officer of the Colonial Administrative Services (CAS) was often based on the idea and practices of the ICS.⁵⁵ The district officer in Africa ‘constituted an across-the-board and immediate identity, neither rank-specific nor territory-specific, simply the symbol of authority’.⁵⁶ Recruitment focused on character, initiative and leadership, and as a result the African Empire was supposed to be staffed by a more practical rendering of the idealised district officer. Kirk-Greene’s nostalgic narrative focuses primarily on the men who ‘rejected the bustling vulgarity of bureaucratic administration and increasing political nationalism and saw themselves being nearer to the people and in the “real Africa” when they were out in the bush’.⁵⁷ Christopher Prior’s account of imperial administration in Africa unpacks this image of the CAS as a monolithic body inspired by altruistic duty.⁵⁸ Prior insists on a historiography which challenges existing tropes and assumptions: ‘to suggest that officials were merely latent vehicles for a particular policy, conception of Empire or pattern of behaviour, shaped by either the metropole or the region in which they worked, has effectively denied them agency’.⁵⁹ It is perhaps a step too far to claim those at the centre of the colonial government have been denied agency, but Prior is correct to draw attention to the homogenizing tendencies in existing historiography. It is not that civil servants of Empire have been denied agency, it is that their agency has been rendered to the passive adoption and facilitation of policy and ideology. This thesis similarly seeks to return the district officer to the centre of these discussions, and demonstrate that the ICS was not a vehicle for metropolitan ideologies, instead the idealised district officer often influenced policy.

Analyses of the impact of representations of the ICS have been primarily limited to the twentieth-century and post-Independence discussion of Empire. H.M.L Alexander argued that the image of the ICS was influenced and affected by the public representation of its work, and

⁵⁴ Thomason, ‘Little Tin Gods’, 145-160; and Deutsch, ‘Celebrating Power in Everyday Life’, 93-103.

⁵⁵ Anthony Kirk-Greene, *Symbol of Authority: The British District Officer in Africa* (London, 2006). This is developed further in Kirk-Greene, *Britain's imperial administrators*.

⁵⁶ *Ibid.*, xviii.

⁵⁷ *Ibid.*, 141.

⁵⁸ Christopher Prior, *Exporting empire: Africa, colonial officials and the construction of the British imperial state, c.1900-39* (Manchester, 2011).

⁵⁹ *Ibid.*, 171.

the preconceived notions of its abilities. He explained ‘civilians identified with this received image while at the same time contributing to its elaboration. Their self-image was thus a mixed collection of inherited and assimilated beliefs, and was also the result of a continuing process of image-building’.⁶⁰ Alexander believes the civilian officials were mostly unaware of the process of image building, a claim that this thesis disputes.

The experience of Independence produced a quantity of memoirs and oral interviews which reflected on experiences in the ICS.⁶¹ As Catherine Coombs explains, these documents and accounts offered an opportunity for retired district officials to ‘re-constitute a sense of the value of the role they had played as an administrative corps, and to reinforce their belief in the need of Indian people for paternalistic government’.⁶² Coombs successfully demonstrates that there was a conscious self-fashioning in the post-1947 account of the administration. Therefore, to argue that district officials were unaware of the process of image building is certainly not true for the men of the decolonisation decades. Furthermore, as Clive Dewey argues, these representations drew on the imagined ICS of the nineteenth century.

The conscious and active process of building the image of a district officer in the ICS is discussed in Dewey’s *Anglo Indian Attitudes*. Dewey’s work is an intensely researched biographic study of two interwar civilians, Malcolm Darling and Frank Brayne. Central to Dewey’s narrative is the belief that the men of the ICS were cognisant of the image of the service and could fashion alternative or complementary ideal roles within existing parameters. While, this is a thorough account of the working lives of two civil servants, it does not satisfactorily demonstrate beyond two specific case studies that the men of the ICS ‘were the prisoners of the values they absorbed in their youth’.⁶³ This thesis seeks to develop this discussion, not through detailed biographical study, but through an exploration of the persona of idealised district official, his realisation in governing literature and his influence on policy and practise. In order to understand this influential role it is essential to situate it in the contradictory bureaucratic atmosphere of the British Raj. The idealised district officer was defined by the tensions between the imagined role and the practical work of government. It is these tensions, the policies and debates that they produced which this thesis will explore.

⁶⁰ Alexander, ‘Discarding the “Steel Frame”’, 1.

⁶¹ See Hunt and Harrison, *The District Officer in India*. Anthony Kirk-Greene provides a comparative study in the African context, in, A.H.M. Kirk-Greene, *Symbol of authority: the British district officer in Africa* (London, 2006).

⁶² Coombs, ‘State Change in the Punjab’, 32.

⁶³ Dewey, *Anglo-Indian attitudes*, i.

‘The whole machine of government’: Bureaucracy, governance and the ICS

Despite the bureaucratic realities of the working life of the district officer *The Imperial Gazetteer* continued to confidently represent the district officer as a benevolent, paternalistic and autonomous official:

A Collector of strong and sympathetic character with the gift of insight may gain the strongest hold over the affections and imagination of the peasantry and tales of his sagacity and good deeds will be told in remote villages many years after his name has ceased to be borne on the civil list of his Province.⁶⁴

This thesis argues that the Government of India remained committed to the autonomous district official, and that this idealised persona developed in conjunction with the expanding bureaucracy.⁶⁵ However, this continued investment in an idealised personal and discretionary style of rule did result in conflicts and tensions within the government and policy decisions. These issues were negotiated through ideas of professionalism and expertise. Bernard Silberman argues that decision makers could ‘create structures for the perpetuation of decision making roles’.⁶⁶ This was achieved in the ICS by forming a distinctive code of behaviour centred on the objective and expert knowledge of the idealised district officer. Hierarchy, discretion and rule-bound information management all combined to preserve the district officer as a decision maker and refashion him as a professional.

The role of information management has been explored by Bernard Cohn. Cohn argued that through the process of information categorisation ‘the British overtly designed their own role as a contradictory ideal which they struggled to adhere to. They set themselves an ideal type against which they were never going to successfully measure.’⁶⁷ For Cohn, this ideal type was conversely constructed in opposition to the definitions imposed on the colonised. Reducing the district officer to a persona merely constructed in contrast to the colonial subject neglects the tensions and anxieties within the British official mind.

⁶⁴ Meyer, Burn, Cotton, and Risley, (eds.), *The Imperial Gazetteer*, vol. 1, 52.

George Campbell, *Modern India: A sketch of the system of civil government to which is prefixed some account of the natives and native institutions* (London, 1852), 238.

⁶⁵ It is outside the scope of this thesis, but there is a comparison to be made with late nineteenth-century Russia. Russian provincial governors faced a similar conflict between autonomy and bureaucracy. As Bartley Rock explains, a ‘tension between arbitrariness (proizvol) and legality (zakonnost) that created a flawed and fragmented structure also provided for the flexibility that offered a partial solution’, in Bartley Rock, ‘A province in crisis: the Russian famine of 1891-92 in Tambov province’ (University College London, PhD thesis, 2015), 3.

⁶⁶ Bernard S. Silberman, *Cages of Reason: The rise of the Rational State France, Japan, the United States and Great Britain* (London, 1993), 35.

⁶⁷ Bernard S. Cohn, *Colonialism and its forms of knowledge: the British in India* (Oxford, 2002), 162.

Furthermore, Cohn's account of the projects of knowledge production often ignored the anxieties and conflicts between these grander schemes of governance, and the daily practices of the district officer. It is these tensions which this thesis seeks to explore by examining an idealised governing role.

This idealised governing role, the district officer, was shaped by mundane acts and techniques of governance. Therefore, we must understand how government was also influenced by this imagined and practised persona. It is the relationship between the acts of governing and the idealised governor which this thesis takes as a theoretical framework. As Foucault asserted, 'a person who wishes to govern the state well must first learn how to govern himself'.⁶⁸ There has been insufficient attention on the acts of Governmentality which aimed to regulate the officials of the State. Furthermore, discussions of Governmentality have frequently been limited to Europe, with the exception of Joyce's discussion of India, and have therefore neglected the impact of Governmentality on the officials of the Empire.⁶⁹

Patrick Joyce, building on the work of Nikolas Rose, has drawn our attention to what he has termed 'technologies' of the State. Joyce has thus interpreted Foucault's Governmentality as a scheme or apparatus of government action which achieves political authority through strategies, techniques and procedures.⁷⁰ For Foucault and Rose, Governmentality can be defined as the 'conduct of conduct'.⁷¹ Essentially, for Joyce, Governmentality is the production of the self-regulating subject who facilitates the power of the State.

It is Joyce's discussion of liberal Governmentality which has the most relevance for this thesis. Joyce is particularly concerned 'with how the governors sought to work upon themselves, as well upon others, in the elaboration of an ethics of governance'.⁷² For Joyce liberal Governmentality was defined by the separation of the administrative from the political via technical expertise, ethical personae and codes of behaviour. He invites us to consider the 'techniques and technologies operating not only upon the governed but upon the bureaucratic

⁶⁸ Graham Burchell, Colin Gordon, and Peter Miller, eds., *The Foucault Effect: Studies in Governmentality, with two lectures and an interview with Michel Foucault* (London, 1991), 91.

⁶⁹ Tony Bennett and Patrick Joyce, (eds.), *Material powers: cultural studies, history and the material turn* (London, 2010), 193.

For a discussion of Governmentality in Britain and India see Edward Barratt, 'Governing public servants', *Management and Organisational history*, 4,1 (2009), 67–84.

For discussions of Governmentality in Empire see, Nicholas Dirks, *The Scandal of Empire: India and the Creation of Imperial Britain*, (London, 2006), 212; David Scott, 'Colonial Governmentality', *Social Text*, 43, (Autumn 1995), 191-220; Brown, *Penal power and colonial rule*; and Deutsch, 'Celebrating Power in Everyday Life', 93-103.

⁷⁰ Patrick Joyce, 'History and Governmentality', *Análise Social*, 49, 212 (2014), 753.

⁷¹ Colin Gordon, 'Introduction', in, Graham Burchell, Colin Gordon, and Peter Miller, (eds.), *The Foucault Effect: Studies in Governmentality, with two lectures and an interview with Michel Foucault* (London, 1991). 2

⁷² Joyce, *The rule of freedom*, 14.

self'.⁷³ Rose in particular calls for attention 'to the mundane, little government techniques and tools, such as interviews, case records, diaries, brochures and manuals'.⁷⁴ By examining mundane textual technologies, as well as practice and policy, this thesis interrogates the governance of British India through an imagined idealised district official.

Regrettably, in his occasionally totalising account, the anxieties, tensions and local level issues are absent from Joyce's work. Moments of contestation and failure frequently provide useful reflections on governing ethos and mundane practices. By utilising moments of construction and contestation this thesis explores the reciprocal impact of the idealised district officer on the governance of India. While Joyce acknowledges the 'localist tendencies' in British India, he concludes that a rational bureaucracy, a paper empire was able to know and capture action on the ground.⁷⁵ Although Joyce's arguments about the reiterative power of bureaucratic writing are useful, by viewing governance 'at a distance', through the lens of the paper machine of the India Office, Joyce naturally decides that records and writing dominated government practice. This leads him to the conclusion that 'bureaucracy depends on the extinction of the individual personality of the bureaucrat and its replacement by what is designed to be regarded as the neutral personhood of the bureaucrat'.⁷⁶ This was not the case for the district officer. The faceless bureaucrat, in the guise of the competition wallah, was a spectre in the official mind, as will be explored further. In fact, the British Government in India consistently rejected the neutral and mechanical bureaucrat and valued what Peter Cain has described as 'a degree of flexibility in colonial management'.⁷⁷ The idealised district official was a model official persona defined by character, human relationships, experience and personally cultivated knowledge. By using the mundane technologies of governance to explore the construction and contestation of the idealised district official this thesis offers a new intervention in histories of governance.

⁷³ Bennett and Joyce, (eds.), *Material powers*, 193.

⁷⁴ Nikolas Rose, Pat O'Malley and Mariana Valverde, 'Governmentality', *Annual Review Law and Social Science*, 2 (2006), 89

⁷⁵ Joyce, *State of Freedom*, 144–187.

⁷⁶ *Ibid.*, 161.

⁷⁷ Peter J. Cain, 'Character, 'Ordered Liberty', and the Mission to Civilise: British Moral Justification of Empire, 1870–1914', *The Journal of Imperial and Commonwealth History*, 40, 4 (2012), 561. L.S.S. O'Malley discusses the importance of flexible governance, O'Malley, *The Indian Civil Service*, 171-2.

‘He belongs all the time to that little Island’: The district officer as coloniser

In order to achieve this wider examination of the idealised district officer this thesis utilises an analytical framework which draws on New Imperial histories.⁷⁸ This thesis situates itself within the New Imperial School as it seeks to recognise and problematize a persona informed by colonial, gendered and racial discourse.⁷⁹ As Homi Bhabha explains, colonial discourse is a ‘form of knowledge and identification that vacillates between what is always “in place,” already known, and something that must be anxiously repeated’.⁸⁰ While not entirely absent from New Imperial histories, the figure of the district officer has often remained in the background. This omission demonstrates how naturalised this persona has become, the district officer is uniquely emblematic of the British Empire, yet this idealised role has not been considered a useful site of analysis. However, as this thesis demonstrates, this complex figure was constantly re-negotiated and re-asserted in the official mind and in the policies of British Indian Government. The idealised district officer epitomises that which was always known but anxiously repeated.

New Imperial histories have been criticised for failing to move beyond the imagery of discourse. Wilson explains that ‘what is missing is an interpretation of the historical process by which a particular form of discourse comes into being and then has an effect on the world around it’.⁸¹ By interrogating the discursive construction and contestation of an idealised persona this thesis seeks to move beyond the representation of an imagined idealised district officer. The analytical tools of the New Imperial scholars have been utilised to offer an alternative socio-cultural history of colonial government. This thesis considers the impact of categories of difference on the persona of the district official, and then examines the subsequent influence of this role on British governance in Bengal.

Drawing on the work of Catherine Hall this thesis examines how a specific governmental role was shaped by the experiences of Empire and Home.⁸² According to Hall,

⁷⁸ Fraser, *Among the Rajahs and Ryots*, 367.

Kathleen Wilson, (ed.), *A new imperial history: culture, identity, and modernity in Britain and the empire, 1660-1840* (Cambridge, 2004).

⁷⁹ Antoinette Burton, ‘Introduction: On the Inadequacy and the Indispensability of the Nation’, in, Antoinette Burton, (ed.), *After the Imperial Turn: Thinking with and through the Nation* (Durham, 2003), 1-23. Also see McClintock, *Imperial Leather*.

⁸⁰ Homi Bhabha, ‘The Other Question . . . Homi K. Bhabha Reconsiders the Stereotype and Colonial Discourse’, *Screen*, 24, 6 (1983), 18.

⁸¹ Wilson, *The Domination of Strangers*, 6.

⁸² In particular this thesis is influenced by the ‘Using Theory’ section in, Catherine Hall, *Cultures of Empire: Colonizers in Britain and the Empire in the Nineteenth and Twentieth Centuries: A Reader* (Manchester, 2000); Catherine Hall, *White, Male and Middle-Class: explorations in feminism and history* (Cambridge, 1992); Catherine Hall, *Civilising Subjects: Metropole and Colony in the English Imagination 1830 – 1867* (Cambridge,

Empire was continually feeding into British society and culture, and colonial difference ‘intersected with, and helped to reformulate, British domestic discourses of class, ethnic and gender difference’.⁸³ The idealised district officer was a product of these discourses, as Hall explains ‘Englishmen were able to use the power of the colonial stage to disrupt the traditional class relations of their own country, and enjoy new forms of direct power over “subject peoples”’.⁸⁴ As discussed in Chapter Two, the character of the idealised district officer was informed by debates regarding class, Britishness and masculinity. However, tension existed between the imagined ideal of an autonomous benevolent and masculine figure and the realities of bureaucratic labour. These contradictions informed the debate regarding the competition system. By examining the idealised district official this thesis demonstrates the impact and function of gendered and racial discourses in the realm of governance

The significance of these discourses in British India has been discussed by Mrinalini Sinha and E.M. Collingham, and this thesis builds on their conclusions.⁸⁵ Sinha considers the centrality of ideas of masculinity to the project of rule. By using gender as a lens through which to observe British governance in India, Sinha reveals the significant role of racial, bodily and gendered discourses on the practices and policies of the Raj. The claims regarding legitimate rule frequently drew on a specific male British identity which Sinha calls the ‘manly Englishman’. Indian and alternative white masculinities threatened the stability of these legitimising discourses. Therefore the ‘manly Englishman’, and his style of government, was increasingly defined in opposition to the Bengali elites. The idealised district officer, an expression of the ‘manly Englishman’ was similarly constructed through reciprocal contestations. Crucially, the idealised district officer adjusted according to the material conditions of Empire. This model persona evolved to reflect the racial, bodily and gendered discourses of the nineteenth century.

However, as Collingham argues, this was an anxious and contradictory process. Collingham charts the bodily transformation of the:

2002); and Antoinette M. Burton, *Burdens of history : British feminists, Indian women, and imperial culture, 1865-1915* (Chapel Hill, 1994).

⁸³ Catherine Hall and Sonya O. Rose, (eds.), *At home with empire: Metropolitan culture and the imperial world*, (Cambridge, 2006), 9.

⁸⁴ Hall, *Civilising Subjects*, 65.

⁸⁵ Mrinalini Sinha, *Colonial masculinity: the ‘manly Englishman’ and the effeminate Bengali in the late nineteenth century* (Manchester, 1995); and Collingham, *Imperial bodies*.

nabob from the flamboyant, effeminate and wealthy East India Company servant, open to Indian influence and into whose self-identity India was incorporated, to the sahib, a sober, bureaucratic representative of the Crown.⁸⁶

This was a symbolic and physical journey during which the body of the sahib became an instrument of rule. It was a role defined not only by physical experience and representation but also by the acts of governance. Maintaining the symbolic power of the ruling body was crucial to the continuing stability of British rule. Collingham argues that bureaucratisation disciplined the colonising body, and reduced it to an impersonal administrator. However, as discussed in Chapter One, the idealised district officer continued to be characterised by outdoor paternalism. The body of the Competition Wallah, the disciplined bureaucrat, was considered inadequate for the task of governing. This thesis argues that the continuing commitment to the symbolic masculinity of the idealised district officer in governing literature was a deliberate articulation of imperial power.

As Elizabeth Buettner has demonstrated, racial identity and Britishness, like masculinity, were defined not just through discursive constructs, but by the active maintenance of ‘whiteness’.⁸⁷ Permanent impermanence was vital in the forging of the specifically British Indian racial identity and it also enabled family continuity in the staffing of the Raj.⁸⁸ Buettner argues that acts of transience were part of ‘the integral role of family practices in the reproduction of imperial rule’.⁸⁹ This thesis seeks to build on Buettner’s work by examining the cultural and social practices which crafted the persona of the idealised district officer. The investment in the model persona of a district official was incentivised by the inherent contradictions presented by the civilising and benevolent project of colonial rule in British India. By insisting upon the necessity and importance of a white, British, paternalistic official persona, the Government attempted to circumvent promises of tutelage and self-governance.⁹⁰ Even into the twentieth-century district officials could ‘simply step into an established role, supported by the props of their official position, white skins; a

⁸⁶ Collingham, *Imperial bodies*, 1.

For representations of the Nabob see Máire ní Fhlathúin, *British India and Victorian Literary Culture* (Edinburgh, 2015), 55-91.

⁸⁷ Elizabeth Buettner, *Empire families: Britons and late imperial India* (Oxford, 2004).

⁸⁸ Elizabeth Buettner, ‘Problematic Spaces, Problematic Races: Defining “Europeans” in Late Colonial India’, *Women’s History Review* 9, no. 2 (2000), 277-97.

⁸⁹ Buettner, *Empire families*, 2.

⁹⁰ BL, IOR/L/PJ/6/288, File 1841 Public Service Commission, 1-2.

Strachey also hinted at the possibility for another Rebellion if district officer positions were held by Indians, Sir John, Strachey, 21st October 1872, National Archives of India, henceforward (NAI), Home, Public, January 1886, No. 305-306. Also see, Dalhousie 26th April 1864, William Muir 9th August 1867, Lyall 6th October 1874, Ibid.

supposedly manly Anglo-Saxon physique'.⁹¹ This was the sahib's mask of Orwell's epiphany, and this thesis will explore its construction, contestation and influence in British Indian governance. In order to fully appreciate the influence of the idealised district officer in mid to late nineteenth-century British India, this thesis first examines the origins of the role. The model persona was a product of the policies, practices and environment of the Bengal Government.

'People accustomed to a despotic authority should look to one master': The history of the district officer

The details of the working life of the district officer in the nineteenth century have not received recent historiographical attention.⁹² Accounts of district administration have frequently focused on the expanding machine of Government.⁹³ Increases in subordinate staff, departmentalisation and codification have all been credited with suppressing the role and power of the district officer. Instead, the increased size of the administration caused tensions and anxieties about the position of the autonomous decision-making district officer. However, the official mind continued to prioritise this idealised persona in policy and practice. Before tracing the life-cycle of the imagined and practised model district officer, this thesis will outline the history of his working role, and the context of Bengal district administration.

This thesis is primarily concerned with the Lower Provinces of Bengal, the territory established as the Presidency of Bengal under the Government of Bengal in 1854.⁹⁴ In 1867, the province of Bengal was 246,785 square miles with a population of 42,505,222. By 1905, after the partitioning and separation of Assam and Eastern Bengal, the province measured

⁹¹ Collingham, *Imperial bodies*, 142.

⁹² Bengal (India), *Report of the Salaries Commission appointed by the government of Bengal to revise the salaries of ministerial officers, and to reorganise the system of business in executive offices, 1885-86* (Calcutta, 1886), 12.

James Lees, 'A 'Tranquil Spectator': The District Official and the Practice of Local Government in Late Eighteenth-Century Bengal', *The Journal of Imperial and Commonwealth History*, 38, 1 (2010), 1-19; and Gilmour, *The Ruling Caste*, 89-104.

For discussion of the district officer in the twentieth century see Hunt and Harrison, *The District Officer in India* and Akhileshwar Prasad Singh, 'The changing role of Collector and District Magistrate', *The Indian Journal of Political Science*, 55, 2 (April - June 1994), 166-172.

⁹³ Misra, *District Administration and Rural development*, 35-63.

⁹⁴ The Parliamentary Act of 1833 created the Presidency of Fort William in Bengal, or the Lower Provinces, and the Presidency of Agra in Bengal, or the Upper Provinces. In 1836 the Upper Provinces were established under a Lieutenant Governor and designated the North West Provinces. The Lieutenant Governor of Bengal and the Bengal Government was established in 1854, see Misra, *The Administrative History of India*, 252-267.

151,185 square miles with a population of 74,744,866.⁹⁵ In 1905 Bengal had 48 districts and 134 subdivisions, the average area of a district was 3,300 square miles, and the average population was 1.5 million.⁹⁶ On average there were 216 members of the ICS stationed in Bengal, 35 were Judges, 52 were executive district officers, and 106 were junior civilians.⁹⁷

Henry Beveridge explained that the districts were mostly the result of artificial divisions by the British, but the district officials were ‘apt to forget this, and that they endeavour to account for certain phenomena in a district as if it was an entity which had been separated off for as long a time as an English shire or parish’.⁹⁸ Districts were often compared to British counties or regions in order to express the comparative size of the administrative area, Wales and Yorkshire were considered standard measurements.⁹⁹ Each district was organised into one of nine divisions, these divisions were the responsibility of a Commissioner, (see figure 1 and table 2 below).¹⁰⁰

⁹⁵ These figures are taken from East India (Statistical Abstracts), *Statistical abstract relating to British India from 1840 to 1865*, [First number] (London, 1867); and East India (Statistical Abstracts), *Statistical abstract relating to British India from 1894-95 to 1903-04*, [Thirty-ninth number] (London, 1905). The 1867 statistical abstract was one of the first comprehensive collections of population and other statistical information.

⁹⁶ The average Bengal subdivision covered an area of 1,777 sq miles and with a population of 559,000. The smallest administrative unit was the Thana or police division, there were 569 in total, or 12 per district. On average measuring 277 sq miles and with a population of 130,000 people, *Imperial Gazetteer*, 287.

⁹⁷ Gilmour, *The Ruling Caste*, 90.

⁹⁸ Henry Beveridge, *The District of Bakarganj: its history and statistics* (London, 1876), 248.

⁹⁹ The Imperial Gazetteer considered the average district as three quarters the size of Yorkshire, (48), and claimed Hazaribagh and Ranchi as the two largest Bengal districts were each roughly half a Wales (287). Henry Beveridge believed Backergunge was roughly half a Wales, Beveridge, *The District of Bakarganj* (viii). Robert Carstairs described Midnapore as the size of Yorkshire (187), compared Howrah to Warwickshire (200), and considered Tipperah the equivalent of Norfolk and Suffolk (7), R. Carstairs, *The Little World of an Indian District Officer* (London, 1912).

¹⁰⁰ Table 2, this lists 46 districts, the number of Bengal districts fluctuated between 46 and 49 during the period under discussion, taken from, Bengal (India), *Report of the Salaries Commission*, 11.

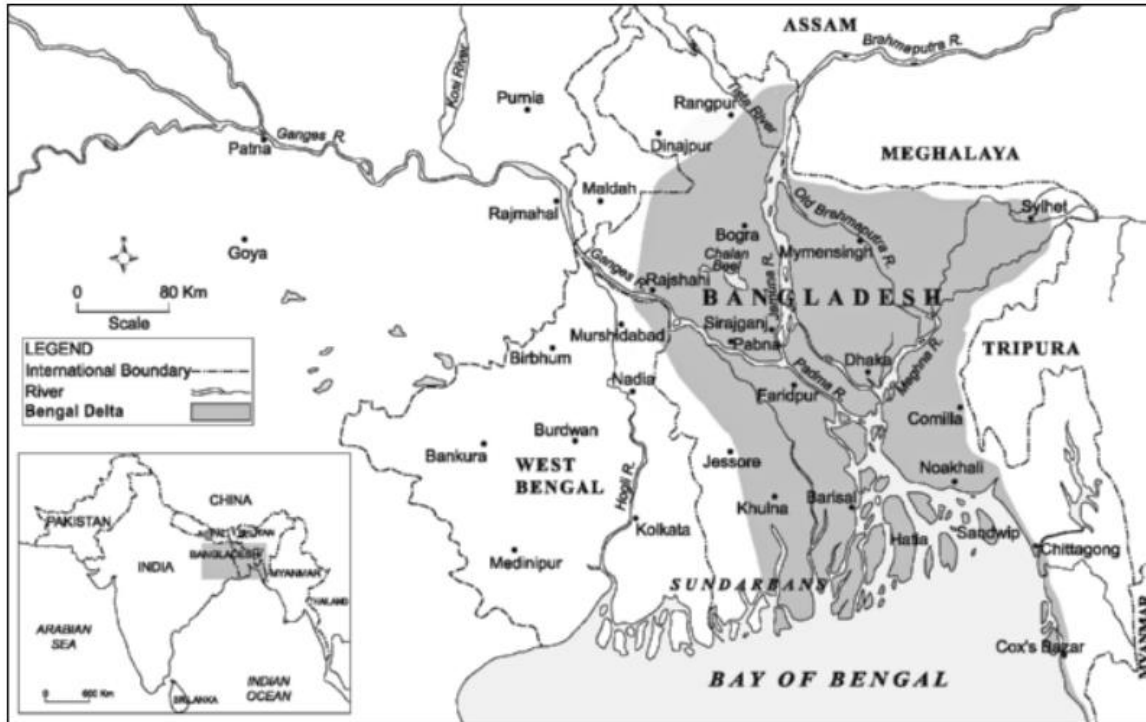


Figure 1 – Map of the districts of West Bengal and Bangladesh¹⁰¹

¹⁰¹ Figure 1.1, in Iftekhar Iqbal, *The Bengal Delta: Ecology, State and Social change, 1840 – 1943* (Basingstoke, 2010), 2.

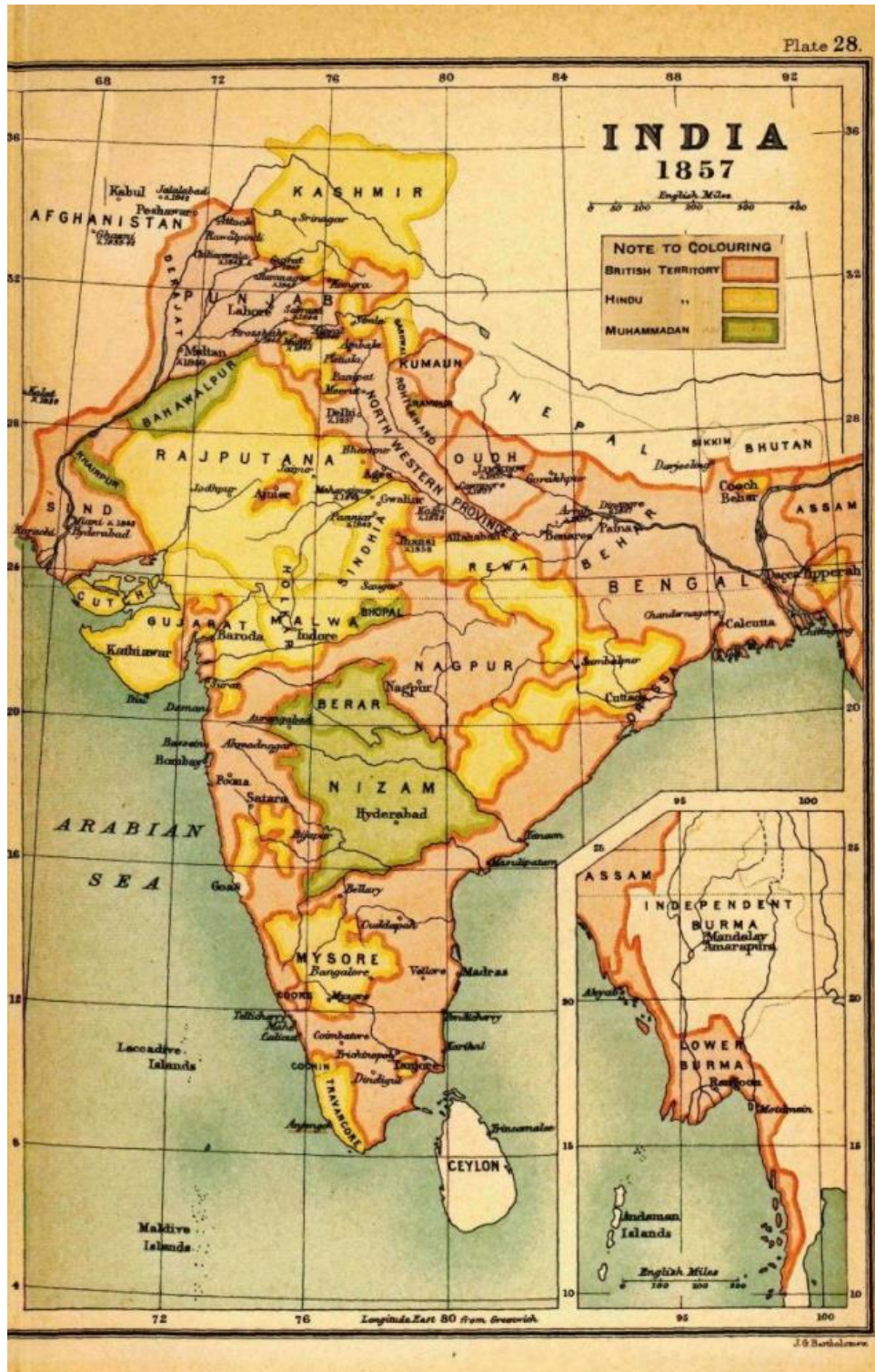


Figure 2 – Map of India 1857¹⁰²

¹⁰² J. G. Bartholomew and Sons, *Imperial Gazetteer of India*, volume 26, Atlas (Edinburgh, 1908), 28.

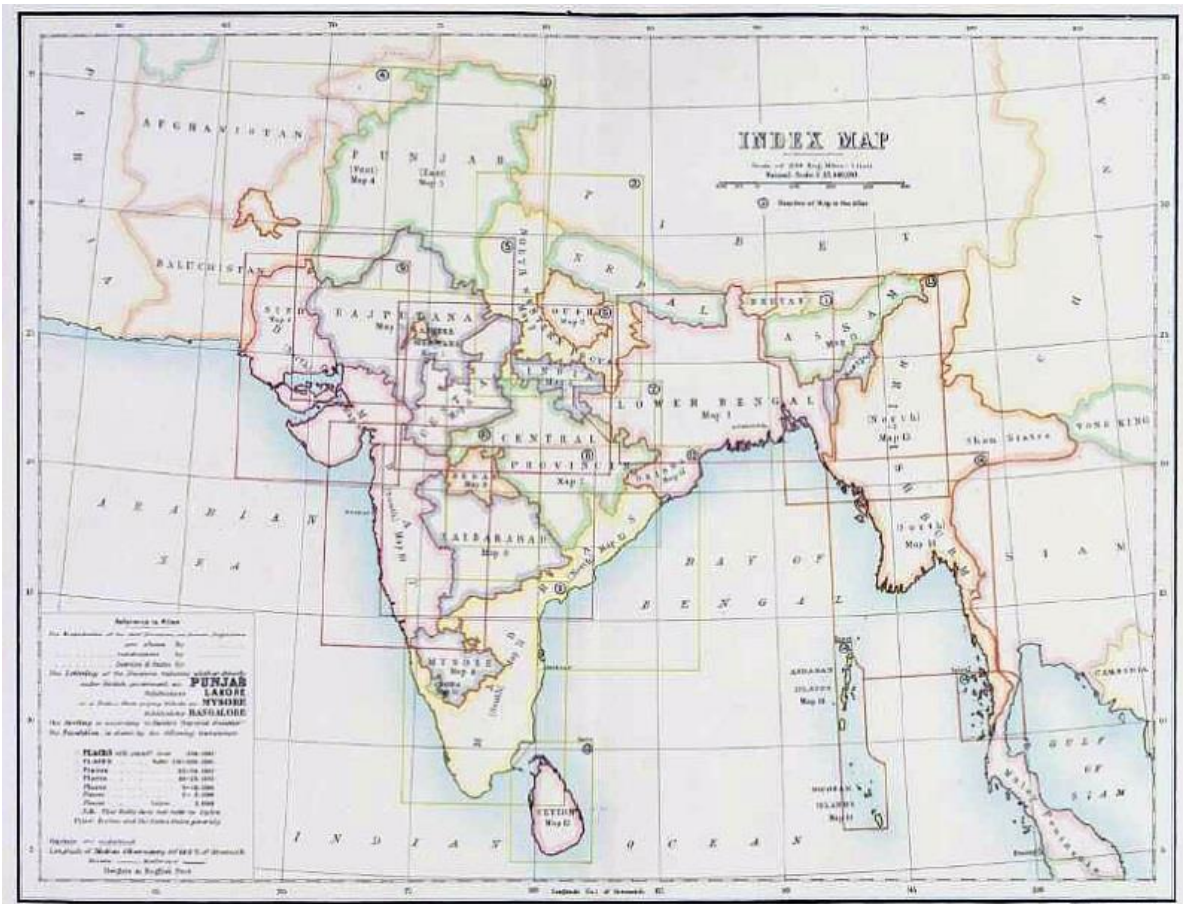


Figure 3 – Map of India 1894¹⁰³

¹⁰³ W. and A.K Johnston, *Atlas of India: containing sixteen maps & complete index with an introduction by Sir W.W. Hunter* (London, 1894), i.

Table 2 – Districts of Bengal 1886¹⁰⁴

Name	Districts	Sub-divisions
Burdwan	6	17
Presidency	6	23
Rajshahye	7	14
Dacca	4	16
Chittagong	4	9
Patna	7	23
Bhagulpore	5	17
Orissa	3	7
Chota Nagpur	4	6
<u>Total</u>	46	132

¹⁰⁴ Bengal (India), *Report of the Salaries Commission*, 11.

The head of each district was the Collector-Magistrate. This role underwent a complex development from the Early Company period. Thirty-six Collectorships were established in 1786, along with the Board of Revenue to act as supervisor. The judicial powers of the Collector were withdrawn by Regulation II of 1793.¹⁰⁵ This resulted in the development of the judicial branch of the service which will be discussed further below. During the early nineteenth century the junior and subordinate establishment of the Collector was gradually enlarged.¹⁰⁶ Commissioners of Revenue and Circuit were established in 1829 and were designed to be accessible to the people, expected to frequently visit their districts and supervise the work of the Collector-Magistrates. The creation of Deputy-Magistrates (Act XV of 1843) and Subdivisions (1845) reflected the increasing workload of the district Government.¹⁰⁷ By the mid-nineteenth century local district administration was already characterised by increased complexity and rational organisation. This culminated in the reunification of the roles of Collector and Magistrate in 1859. The gradual progression of legislation demonstrates that the model of an idealised district official could only have emerged towards the end of the mid-nineteenth century in Bengal, and therefore, tracing its origins to the Punjab is fundamentally misleading.

The consolidation of district administration in the role of the Collector-Magistrate was further achieved by the shift to codification in the 1860s.¹⁰⁸ The Criminal Procedure Code defined the criminal judicial work of the Magistracy. The Magistracy was divided into three classes with the first class being the most senior.¹⁰⁹ The Judge of the Court of Sessions was the senior judicial officer at the district level, empowered to try criminal cases and award the death penalty, subject to confirmation by the High Court. Criminal justice was conducted in the Courts of the District Magistrate, aided by Assistant and Deputy-Magistrates. Civil justice was tried in the subordinate district courts and the court of the district munsifs. Therefore, while the judiciary was accountable to the High Court at Calcutta, the Magistracy remained

¹⁰⁵ Bengal (India), *Report of the Salaries Commission*, 9.

¹⁰⁶ Regulation VI of 1821 permitted the delegation of work to subordinates and Regulation IX of 1833 formalised the role of Uncovenanted Deputy Collector.

¹⁰⁷ Misra, *The Bureaucracy in India*, 83-92.

¹⁰⁸ The Code of Civil Procedure and The Law of Limitation (1859), The Penal Code (1860) and The Code of Criminal Procedure (1861). The organisation of the Police was also consolidated by the Police Act (1861).

¹⁰⁹ Magistrate First class: imprisonment (rigorous or simple) up to two years, including solitary confinement, fines up to 1,000 RS, imprisonment and fine combined, or whipping as a separate or additional punishment. Magistrate Second class: imprisonment for 6 months, fines up to 200 RS (or both) and whipping if specially empowered

Magistrate Third class: one month imprisonment and or fines up to 50 RS.

Subordinate Magistrates, including Deputy Magistrates and munsifs were uncovenanted (later Provincial) positions staffed by Indian officials, *Imperial Gazetteer*, vol. 1, 54, and vol. 7, 294-5.

entwined with the executive district administration. The separation of the executive and the judicial services remained problematic throughout the period under consideration.

In 1873, George Campbell, Lieutenant Governor of Bengal, proposed a new system of parallel promotion. The scheme aimed to secure parallel but separated career paths for the judicial and executive branches. Historically, district officers had frequently switched between executive and judicial roles. As Henry Cotton explained, the purpose of Campbell's scheme was 'to secure more permanent, more efficient, and more experienced officers for the charge of districts and other important executive duties.'¹¹⁰ In 1875 the parallel promotion system was confirmed, civil servants had to choose whether to pursue the executive or judicial branch between the tenth and twelfth year of service. Once the decision was made the district officer could not revert to either branch without the express permission of the Government.¹¹¹

In 1881 the decision deadline was reduced to the ninth year of service. Members of the High Court Judiciary argued 'the work of the Courts has become so specialised that it can only be mastered by an officer who is able to devote himself to it from an early period of his service to the exclusion of all other studies'.¹¹² The role of the judge was suited to early specialisation due to the technical and detailed study required. However, there were considerable difficulties attracting civilians to the judicial branch as promotion was slow and infrequent.¹¹³ Furthermore, it was argued that by fixing the decision so early in the career of a civil servant, the judiciary would be increasingly staffed by men without sufficient experience of executive or revenue business.¹¹⁴

Therefore the separation of judicial and executive district administration was revisited again in the 1890s. Charles Elliot, Lieutenant Governor of Bengal, believed the judiciary viewed the executive with increasing suspicion and hostility.

¹¹⁰ No 2328A, From H.J.S Cotton Chief Secretary to the Government of Bengal To Secretary of Govt of India, home department, Calcutta, 31st March 1894, IOR/L/PJ/6/418, File 6601 April 1896, Time at which Bengal Civilians between the Executive and Judicial branches of the administration in Bengal, p. 1

¹¹¹ Home Department, No 1752, 11th December 1875, IOR/L/PJ/6/418, File 6601, April 1896, Time at which Bengal Civilians between the Executive and Judicial branches of the administration in Bengal, p. 3.

¹¹² J.P. Hewett Sect to Govt to India to Registrar of High Court of Judicature, Home Department Judicial No 465 Calcutta 27th March 1896, Ibid., 1.

¹¹³ BL, IOR/L/PJ/6/418, File 660, Time at which Bengal Civilians between the Executive and Judicial branches of the administration in Bengal, April 1896, H.J.S Cotton Chief Secretary to the Govt of Bengal Sect to Govt of India No 871A Darjeeling 4th October 1895, 2.

¹¹⁴ "But it cannot be denied that, taken altogether a Judge's work affords more leisure for literary and other recreation than a Collector's, that it is more independent, and that, on average, it is better paid for", H. J. S Cotton Chief Secretary to the Govt of Bengal Sect to Govt of India No 871A Darjeeling 4th October 1895, IOR/L/PJ/6/418, File 6601, April 1896, Time at which Bengal Civilians between the Executive and Judicial branches of the administration in Bengal, p. 2.

The same man acts a Judge in the hot weather, hearing appeals from a Magistrate who is his senior, but in the cold weather he loses his acting appointment, and becomes a Joint-Magistrate serving under the orders of the very Magistrate whom he may have censured or instructed in his official position. This cannot be good for the temper and discipline of the officers concerned.¹¹⁵

It was eventually decided that civil servants would make the decision after they had served as a third class district magistrate. This was considered an appropriate level of experience as the judicial officer would have sufficient exposure to executive and revenue administration before pursuing the bench. However, Elliot's concerns about overlapping roles continued to be problematic, especially with the increasing Indianisation of the service in the later nineteenth century.

During the period considered by this thesis Indian covenanted civil servants were a minority and even fewer achieved and held senior district official positions.¹¹⁶ Uncovenanted and subordinate services were almost entirely staffed by Indians. As this thesis discusses, district officers overwhelmingly relied on the Deputy Collectors and Indian Magistrates. Indeed, the uncovenanted and subordinate officials bore the majority of the workload of district government. Despite recruitment challenges, there was considerable reluctance to involve Indians in the administration of Government. By 1870 only five Indians had been admitted into the covenanted service. Between 1861 and 1905, 356 Indian candidates sat the examination, and only 68 were successful.¹¹⁷

The Indianisation of the civil service has been excellently and comprehensively examined by Sukanya Banerjee and Malti Sharma.¹¹⁸ However, as this thesis focuses on the idealised district officer it is not within the scope of the study to consider the role and impact of Indian officials, except when they interacted with the imagined and practised district official. The persona of the district officer was imagined and usually practised by white British men. Therefore, the decision to examine the governance of India from the perspective of the British official mind has resulted in a restricted discussion of the significant

¹¹⁵ No 2328A, From H.J.S Cotton Chief Secretary to the Government of Bengal To Secretary of Govt of India, home department, Calcutta, 31st March 1894, IOR/L/PJ/6/418, File 6601 April 1896, Time at which Bengal Civilians between the Executive and Judicial branches of the administration in Bengal, p. 4.

¹¹⁶ Romesh Chunder Dutt was the first Indian to achieve executive rank in 1883, J.N. Gupta, *The life of R. C. Dutt* (1911).

¹¹⁷ Between 1861 and 1891 there were 1296 appointments offered, only 24 of these went to Indians, or 1.9%. BL, IOR/L/PJ/6/1053, File 4647 19th December 1910 - 6th January 1911, Successful Indian Candidates 1886 – 1910 and BL, IOR/L/PJ/6/315, File 293 11th February 1892, Native Candidates.

¹¹⁸ Sharma, *Indianization of the civil services in British India*; and Sukanya Banerjee, *Becoming imperial citizens: Indians in the late-Victorian Empire*, (Durham, 2010). Also see, Compton, 'Indians and the Indian Civil Service', 99-113.

contributions of Indian civil servants, subordinate officials and district collaborators. This is not a deliberate exclusion, or in any sense a denial of the presence and fundamental role of the Indian Government officials, but merely the product of the perspectives examined and the policies and practices discussed.

This thesis recognises that the governing work of British India was frequently achieved through the labour of Indians.¹¹⁹ In the 1870s the Government of India made a commitment to reduce recruitment to the covenanted services and expand the subordinate Indian administration. In 1858 executive district staff in Bengal totalled 113 covenanted and 100 uncovenanted, (see table 3).¹²⁰ By 1886 the covenanted staff had slightly increased to 198 while the uncovenanted had reached 738, (see table 4). This expansion of the subordinate services was primarily in response to the departmentalisation of local government.

¹¹⁹ Misra has explored how the subordinate civil service relied on Indian collaboration, with recruitment organised through nomination and reserved posts, Misra, *The Bureaucracy in India*, 94-97.

¹²⁰ Bengal (India), *Report of the Salaries Commission*, 14-15.

Table 3 – Bengal ICS 1858¹²¹

Covenanted	1858
Bengal Secretariat	2
Members and Secretaries of the Board of Revenue	5
Commissioners	8
Collectors	28
Magistrates	26
Joint-Magistrates	19
Assistant-Magistrates	25
<u>Covenanted Total</u>	113
Uncovenanted	100
Deputy Collectors and Magistrates	100
<u>Grand Total</u>	213

¹²¹ Bengal (India), *Report of the Salaries Commission*, 14-15.

Table 4 – Bengal ICS 1886¹²²

Covenanted	1886
Bengal Secretariat	11
Member and Secretaries of the Board of Revenue	4
Commissioners	9
Collector-Magistrates	39
Deputy Commissioners	8
Joint-Magistrates	33
Assistant Magistrates	87
Director of Agriculture	1
Commissioner of Police Calcutta	1
Inspector General of Police	1
Inspector General of Registration	1
Inspector General of Jails	1
Deputy Inspectors General of Police	2
<u>Covenanted Total</u>	198
Uncovenanted	
Deputy Magistrates and Collectors	294
Assistant Commissioners	6
Sub-Deputy Collectors	84
<u>Uncovenanted Total</u>	384
Registration Department	34
Inspectors	2
Registrar, Calcutta	1
Special Sub-Registrars	31
Jails	12
Superintendent of Jails	9
Assistant of Jails	3
Police	110
District Superintendents	50
Assistant Superintendents	60
<u>Total Uncovenanted, registration, jails and police</u>	738

¹²² Ibid.

From the mid-nineteenth century the ICS was characterised by bureaucratic expansion. Departmentalisation resulted in the creation of separate administrative units for public works, medicine, education, forestry and many other spheres of government action. These new departments were staffed by specialists, and were usually independent from the civil service and district officers.¹²³ Misra called this transition ‘bureaucracy despotism’. He argued that the British Government in India developed a bureaucratic regime

which at every level of the hierarchy tightened the chain of subordination from local officers through Provincial Governments to the Government of India. Administratively, the objection of rationalization was to promote speed and efficiency by means of proper selection, grading and job specifications.¹²⁴

This image of a rigid bureaucracy, a steel frame, has informed the historical impression of the ICS and eclipsed the influential role of the idealised district official. Robb supports Misra’s conclusions and argues that “the district officer’s actual tasks were increasingly hemmed in by the jobs performed by other agencies”.¹²⁵ However, as this thesis will demonstrate, despite the bureaucratic realities of the administration, the official mind remained committed to an idealised district officer characterised by autonomy and personal rule. As Curzon warned in 1899, ‘the real tyranny that is to be feared in India is not the tyranny of executive authority, but that of the pen’.¹²⁶ The commitment to the idealised persona of the district official, and the dislike of the machine of government, was reflected in the civil service reforms of the later nineteenth century.

In 1870, Mayo, Governor General of India, argued that local governments should have more power over these administrative departments, including jails, police, education, medical services, printing, roads, public improvements and civil buildings. Although the local government did not have power of appointment or control over finances, the administrative responsibility was returned to ‘local interest, supervision and care’.¹²⁷ However, with this greater responsibility came expenditure which could not always be met by local government budgets. Therefore, in 1882, the income from excise, licenses, income tax, stamps and registration were divided between local and central government.¹²⁸ However, contrary to

¹²³ See Misra, *District Administration and Rural development*, 50-63.

¹²⁴ Misra, *The Bureaucracy in India*, 91.

¹²⁵ Robb, *Ancient Rights and Future Comforts*, 64.

¹²⁶ Banerjee, *Studies in Administrative History of Bengal*, 177.

¹²⁷ *Ibid.*, 39.

¹²⁸ *Ibid.*, 41

Misra and Robb's claims, this did not simplify or reduce the workload of the district officer. In 1886, the Report of the Salaries Commission concluded that 'no Commissioner of a Division and no Collector of a heavy district in Bengal is at present able to devote any one of the larger questions connected with his charge the care and attention which it deserves'.¹²⁹ Rather than being diminished by the expansion of the bureaucracy, district officers were reimagined as an elite atop a larger district government, and this was reflected by the reform of the ICS after the Aitchison Commission.

The Public Service Commission chaired by Aitchison in 1886 was concerned with a range of key issues affecting the civil services in India, including Indianisation, age of candidates for the competition system and the Statutory Service. In 1879, Lytton had established the Statutory Service, it endeavoured to open up a reserved portion of covenanted civil service positions to Indians by directly recruiting from the uncovenanted civilians.¹³⁰ However, it was considered a failure as few Indians could take advantage of the scheme and the recruits were treated with hostility by covenanted and uncovenanted services. The Aitchison commission concluded that the solution was to divide the ICS into three services, and this was enacted in 1892.¹³¹

First was the Imperial service, this was the covenanted ICS, entry by competition and mainly staffed by white British men. As well as access through the competition system, Indian candidates could be selected to fill a series of reserved posts in the Imperial service. A third of all district, civil and sessions judgeships and a sixth of all Magistrates and Collectors were promoted from the Provincial services. Secondly, the Provincial service, or Bengal Civil Service, was primarily composed of the uncovenanted roles of responsibility, including Deputy Collector and Deputy Magistrate. The Bengal Civil Service, unlike other Provincial services in India, was recruited through competition. Finally, the Subordinate service, this was directly appointed and included the Sub-Deputy Collectors, Sub-Deputy Magistrates, and other village level officials. This division of labour reflected the commitment to a small imperial elite. As this thesis demonstrates, the official mind preferred to continue to imagine the idealised district officer as an autonomous responsible decision maker.

By 1905, the Collector-Magistrate was the head of a complex local machine of Government. In the later nineteenth century, the idealised model of the district officer was informed by the contradictions of bureaucratic work, and refashioned into an executive

¹²⁹ *Report of the Salaries Commission*, 1.

¹³⁰ Sharma, *Indianization of the civil services in British India*, 42-87.

¹³¹ Banerjee, *Studies in Administrative History of Bengal*, 207-216.

authority. However, the idealised district officer was consistently represented as a district officer with knowledge of the people and locality. It was a persona simultaneously shaped by anxiety and confidence in the imperial project. The district officer was the personal representative of a modern civilised government. Yet, the role, and its idealisation, rested on the belief that India required a specific kind of rule, a form of Oriental despotism, which the people were accustomed too. This was reiterated by Sir George Campbell during his term as Lieutenant-Governor, “the natives”, he remarked, “cannot understand the existence of a “hakim” without authority. “Hakim ka hukm” is the keystone of their political life”.¹³² The idealised district officer epitomised the confidence of the British in the legitimacy of their rule, but his absence could undermine the stability of the Raj. This model persona managed to embrace multiple agendas and it was utilised to represent a plethora of ideologies, but its enduring characteristics were autonomy, knowledge and experience. By following the idealised district officer as imagined in texts, as a candidate for the examinations, as the revenue official, as Magistrate and Judge, in his failures and in his final days this thesis asserts that this model persona had a significant influence on the governance of Bengal.

Chapter Outline

Chapter One commences the life-cycle of the district officer by exploring the most formative texts in the construction, contestation and reimagining of this role. This chapter uses an underutilised source group which this thesis has designated governing literature. These texts varied from manuals, handbooks, guides, legal compendiums, textbooks, novels and biographies. This chapter introduces the genre and charts the dominant characters and tropes in the representation. Despite varying in content, style and authorship they were united by the shared purpose of informing and instructing the official in India. These books claimed to make the system of government intelligible. Manuals, handbooks and guides simultaneously critiqued as they represented. They drew upon an established set of anxieties, tensions and codes of conduct. These texts reveal the consistent centrality of the British civilian to discussions of British India and the complex role the district officer occupied in the British Imperial imagination.

The various roles of the District Official are discussed through the medium of these texts and they form the structure of the thesis chapters. Governing literature aided candidates

¹³² Hakim translates as Judge or Governor, and the phrase essentially translates as ‘Master’s order or wish’, in, Bengal (India), *Report of the Salaries Commission*, 17

through the examinations. Private and Government texts were constantly supplied to the civil servant with instructions regarding policy, procedure and regulations. Ultimately it was in retirement that the district official did his duty and contributed his experience to the field. These sources enable us to begin unpacking the representation of the district official in order to explore the discursive function of such a representation in the practices of governance.

Chapter Two focuses on the advent of the competition system in the early 1850s. The debates surrounding the competitive examinations provide a lens through which to explore the importance of the idealised district official to competing visions of British rule in India. The competitive examination system was constantly revisited and redesigned. The concerns over how to select, train and produce an ideal civil servant engaged political and public discourse throughout the period. The contested figure of the district official emerges prominently in the reactions to the system and the exams themselves. This chapter enables us to observe how this imagined model of a civil servant was impressed upon the young men entering the service. By charting their selection, examination and training, this thesis demonstrates how candidates internalised the contradictory qualities later expressed in policy and procedure at the district level.

Chapter Three discusses the role of district officer as a revenue official in the capacity as Collector. The enduring figure of the Collector during the nineteenth century and the romance surrounding his work was tangible in the practices and procedures of the revenue branch of the service. Through an examination of the settlement and survey processes this chapter examines how the Collector emerged as a local expert and transitioned from initially crucial, to unskilled and unprofessional and back to a fundamental cog in the machine of revenue Governance. Through an examination of the manuals and legislation surrounding the work of the survey and settlement function in Bengal it is clear that the Collector frequently occupied a problematic position relative to the allegedly scientific department. This was especially evident in the process of boundary marking and field mapping. Debates over the practice of survey and settlement throughout the period revealed the awkward and significant impact of the district official in the revenue business of Empire.

Chapter Four explores the judicial branch of the ICS at the district level through the roles of Judge and Magistrate. The place of the local officer in the rule and codification of law has received scant attention. This chapter reveals that the Magistrate endured as a figure of discretion in the day to day Government of British India. Contradictory to the codifying impulses of the Raj, this chapter reveals the dominance of the district judicial officials in shaping policy. The debates and controversies surrounding the Whipping Act throughout the

nineteenth century illustrated how tensions around codification, autonomy, and discretion intersected with debates about crime, law and punishment. The Whipping Act was upheld and extended based on the commitment to the voice of local experience forwarded by the district administration. The Whipping Act facilitated the rule of law through colonial violence and located its action in the persona of the district official.

Chapter Five examines the men who did not live up to the idealised role ascribed to them. Using the legislation surrounding misconduct this chapter demonstrates how the spectre of the incompetent, corrupt or indebted civil servant plagued the official mind. The limited and discreet consequences for these civil servants often illustrated lapses in confidence and faltering commitment to the imagined model of government. These moments of crisis explained and justified the increasing resort to rigorously codifying and observing the activity at the district level. Yet, despite these tensions and anxieties, the district officer as man-on-the-spot remained central to the schema of bureaucratic regulation. Furthermore, by examining those who contradicted the representation of a model district official this thesis reflects on the function of the persona in modes of governance.

This thesis concludes with the finale of the life-cycle of the district officer in British India. By summarising the process of retirement it brings new reflections on the district official and his role in strategies of government. The insistence on quiet unostentatious retreats from Empire, awkwardly but tellingly conclude the tense and contradictory role of the district official and his persona. The pensioners of the ICS were the most prolific writers of governing literature. This returns us to the beginning of the thesis and confirms that the district official was a re-negotiated and re-imagined figure.

Chapter One ‘A character to support – a name to gain’: Governing Literature and the District Officer

In the preface of H.A.D. Phillips’ *Manual of Revenue and Collectorate Law* he urged:

It is the object of this manual to oil the wheels of the official machine, and thereby, to lighten such burden. At the same time the compiler hopes and desires, that the use of the Manual will improve the administration by the substitution of certainty for uncertainty, of definite data for haphazard decision, by rendering smoother the thorny paths of law and practice and generally by posting up the sign boards of applicable case law, so that “he that runs may read”.¹

A prolific writer of administrative texts, H.A.D. Phillips published several editions of his manuals and authored a range of books about the governance of India.² The *Manual of Revenue and Collectorate Law* was advertised as containing ‘important rulings and annotations’, and included in the 1888 India Office Library catalogue.³ Phillips served as an Assistant-Collector and Magistrate in Bengal from 1874 to 1886, and eventually became Under-Secretary to the Bengal Government. As an author Phillips was evidently inspired and informed by his own experiences of district administration. His opening image presents us with a Collector simultaneously desirous of independence and guidance. Phillips and his manuals were exemplary of a particular genre of governing literature. For Phillips governing literature was an aid in the process of negotiating the increasing complexities of law, practice and procedure.

Governing literature claimed to provide definitive advice on conduct, law and policy for the aspiring or serving Indian Civil Servant. These books often marked the beginning of the ICS life-cycle by shaping expectations during the examinations, probation and journey to India. Guides, manuals and handbooks also offered existing district officers information about new legislation. Governing literature assisted district officials at each stage of their career, guiding them through unfamiliar procedures or practices, and reinforcing the

¹ Captain Henry Kerr, *A few words of advice to Cadets and other young persons proceeding to India* (London, 1839), 1.

H.A.D. Phillips, *Manual of Revenue and Collectorate Law with annotations* (Calcutta, 1884), iii.

² H.A.D Phillips published two editions of his *Manual on Criminal Law*, and *Our Administration of India, being a complete account of the Revenue and Collectorate Administration, etc* (London, 1886).

³ The *Manual of Revenue and Collectorate Law* was Phillips’ third published work and second manual, it cost eight rupees, in, F.R. Stanley Collier, *The Bengal local self-government handbook* (Calcutta, 1893), adverts, 34. Reinhold Rost and James Fuller Blumhardt, *Catalogue of the Library of the India Office* (London, 1888), 63.

idealisation of their role. These works purported to make the system of government intelligible. Governing literature was constantly present and ready to offer guidance throughout the working life of a district official. However, governing literature did not merely act as a set of knowledge, or the means of creating and producing knowledge.⁴

These underutilised texts contained a pervasive representation of an idealised district official. This model persona was influential both in the official imagination and in the practice of policy. Governing literature described and supported a style of government which ruled through the decisions of the individual district officer. The juxtaposition faced by the district officer between autonomy and bureaucracy constantly reoccurred in these texts. It is a tension which has remained unexplored in histories of British Indian Government. By tracing this model district official in administrative guides, manuals and novels, this chapter demonstrates the influence and importance of this idealised persona. Therefore, it is important to understand and value these publications not only for the representations that they contained but also the function they performed. First this chapter will explore the existing historiography surrounding literature and writing in British India. This will be followed by an examination of governing literature and its market. Then this chapter will explore the characteristics of the idealised district officer as presented in these texts and the limits placed on this persona by bureaucratic systems.

‘The myth of the heroic individual’: Historiography

Governing literature has been neglected in existing discussions of literary history in British India. Historiography regarding writing on British India has been primarily concerned with fiction, biography and travel guides.⁵ Considered as purely administrative or legislative texts, governing literature has been excluded from wider discussions of representation in British India. While travel writing, literature, biographies and histories shared similar styles, content

⁴ Cohn, *Colonialism and its forms of knowledge*, 4.

⁵ Bivona, *British Imperial Literature*, 9.

Allen J. Greenberger, *The British Image of India: A study in the literature of imperialism 1880–1960* (New York, 1969); Gauri Viswanathan, *Masks of conquest: literary studies and British rule in India* (London, 1990); David Spurr, *The rhetoric of empire: colonial discourse in journalism, travel writing, and imperial administration*, (Durham, 1993); Gautam Chakravarty, *The Indian mutiny and the British imagination* (Cambridge, 2004); Bradley Deane, *Masculinity and the new imperialism: rewriting manhood in British popular literature, 1870-1914* (York, 2014); and Fhlathúin, *British India and Victorian Literary Culture*. For biographical studies see, Diamond, (ed.), *The Victorian achievement of Sir Henry Maine*; Smith, *James Fitzjames Stephen*; and Harrington, *Sir John Malcolm and the Creation of British India*. Feminist historiography has contributed significantly to the field of British Indian literary history, see, Indira Ghose, *Women travellers in colonial India: the power of the female gaze* (New York, 1988); Indira Ghose, *Memsahibs Abroad: Writings by Women Travellers in Nineteenth Century India* (Delhi, 1998); and Burton, *Burdens of history*.

and audiences they did not explicitly target the ICS or intend to influence the practice of government. In order to fully assess the significance of governing literature it should be examined in the literary context of nineteenth-century British India.

Anglo-Indian fiction was popular in Britain and India. Allen Greenberger argues that the literature of the Raj shaped perceptions of India and the British experience, 'it was these images, that people coming out to India held, which influenced the way in which they saw India'.⁶ British Indian literature significantly influenced the development of heroic male imperial figures.⁷ The imperial heroes of Anglo-Indian fiction have been credited with informing the development of the idealised district officer.⁸ However, these representations were grounded on a sample of exceptional experiences, and were essentially aspirational.

Fictional tales of imperial heroes frequently drew on the existing biographies and accounts of British Indian military and political figures. Histories and biographies were significant for the benchmark representations of British Indian heroes and statesmen they contained. The Lawrences, Thomas Munro and John Malcolm all became the subjects of numerous biographies, and J.W. Kaye's books typified the hagiographic treatment of these imperial administrators.⁹ These books were undoubtedly included in many of the personal libraries of aspiring and serving Indian Civil Servants, and often appeared on exam recommended reading lists.¹⁰ However, as these books did not explicitly craft or explore a governing role they cannot be considered governing literature.

The heroics of the Lawrences, Malcolm and Munro were worked into ideological models of British governance in India which, in the words of Sir John Marsham, were systems of 'administration the like of which has never been seen in India, and which looks more like a picture of imagination than a tangible reality'.¹¹ Therefore, these representations

⁶ Greenberger, *The British Image of India*, 2.

Ghose discusses the 'female gaze' in women's writing, Ghose, *Women travellers in colonial India*.

⁷ Greenberger, *The British Image of India*, Wurgaft, *The imperial imagination* and Tidrick, *Empire and the English character*.

⁸ Bivona, *British Imperial Literature*; and Viswanathan, *Masks of conquest*.

Deane offers an alternative account of a more complex imperial masculinity, Deane, *Masculinity and the new imperialism*. Also see Bristow, *Empire boys*; Tidrick, *Empire and the English character*; and Dawson, *Soldier heroes*.

⁹ John William Kaye, *Lives of Indian Officers, illustrative of the history of the civil and military services of India* (London, 1867); John William Kaye, *The Life and Correspondence of Charles, Lord Metcalfe ... from unpublished Letters and journals* (London, 1858); John William Kaye, *History of the Sepoy war* (London, 1864); and John William Kaye, *The administration of the East India Company: a history of Indian progress* (London, 1853).

¹⁰ Edward Eastwick, *A handbook for India; being an account of the three presidencies and of the Overland route, intended as a guide for travellers, officers and civilians, with vocabularies and dialogues of the spoken languages of India With travelling map and plans of towns* (London, 1859), xxi – xxiii.

¹¹ Y.B Mathur, *British Administration of the Punjab (1849 - 75)* (Nai Sarak, 1973), 167.

drew upon styles of governance which were admitted at the time to be unique, specific and idealised. Although the lives of the Lawrences, Munro and Malcolm were praised, these were examples quite far removed from the working life of a Bengal Collector in the 1870s. This thesis seeks to challenge the existing narrative which locates the idealised district officer in the Punjab, and demonstrate that while this model persona shares common features with the soldier sahibs he was also a product of Bengal government.

The Indian Rebellion also played a significant role in the mythologised narratives of imperial heroism. Personal accounts of the Rebellion and ‘Mutiny literature’ were very popular amongst the Victorian reading public.¹² Many of the guides and memoirs written during or after the Rebellion featured either direct personal accounts or collated stories from the locality. As Gautam Chakravarty has argued, ‘Mutiny literature’ fused historiography and fiction to establish a cultural narrative which endured in British consciousness into the twentieth-century.¹³ Indeed, tales of heroic district officers defending their homes would have contributed to the idealisation of the role. As Chakravarty further suggests, the cultural response to the Rebellion worked in tandem with the administration to resurrect British India from the moment of crisis. The literary representations of heroic imperialism certainly shared many of the characteristics of the idealised district officer and undeniably contributed to the male imperial imagination, but they were often limited to the realm of fantasy.

While it should be considered a distinct genre, governing literature did borrow stylistically from biographies, histories and travel guides. Introductions and prefaces were often used for informative scene setting. Descriptions of the local area, people and customs helped position the author as a knowledgeable and experienced commentator. These travel guide imitations were even satirised, Prichard comforted his audience: ‘you need not be afraid, reader, of my taking up your time with a long disquisition upon the ancient history of this part of India’.¹⁴ As consumers of travel writing members of the ICS would be familiar with this style of introduction, and as Mary Louise Pratt has explained travel writing enabled the coloniser to represent his or her authority over landscape and people.¹⁵ The role of authoritative commentator was enthusiastically embraced by district officials.¹⁶ Governing

¹² Fhlathúin, *British India and Victorian Literary Culture*, 154-184.

¹³ Gautam Chakravarty, *The Indian mutiny and the British imagination* (Cambridge, 2004).

¹⁴ Thomas Iltudus Prichard, *The Chronicles of Budgepore, or Sketches of Life in Upper India*, vol. 1 (London, 1893), 176.

¹⁵ David Spurr has endeavoured to expand upon the usage of these rhetorics in twentieth century journalism, Spurr, *The rhetoric of empire*.

¹⁶ Malcolm positioned himself as an authoritative commentator, Harrington, *Sir John Malcolm and the Creation of British India*, 191.

literature was intrinsically critical and provided a platform from which district officials could project and shape their own idealised persona. However, while governing literature shared many of the characteristics of the travel writing genre, these texts explicitly crafted a colonising and governing role. The reader of governing literature was being invited to control and rule, not merely consume the landscape.

The role of authoritative commentator assumed by authors of governing literature establishes these texts as part of the culture of self-writing of the Victorian period.¹⁷ Joyce argues ‘technologies of the self in the nineteenth century involved “making self visible to the self”’.¹⁸ Governing literature was a technology of governance and helped make the idealised district officer visible. As Michael Mascuch explains, autobiography and life-writing are a means through which individuals can engage with and reproduce shared socio-cultural experiences. Mascuch argues that autobiography is a cultural practice, ‘a performance, a public display of self-identity, even when composed secretly for an audience of one’.¹⁹ Furthermore, the reading of biographical narratives allowed a person perspective on lives normally inaccessible. Through reading life-writing individuals can experience the contingency of their own self-identity.²⁰

This study includes memoirs and life writing, but wishes to expand Mascuch’s analysis to the administrative texts and manuals of nineteenth-century British India. Governing literature encouraged readers to engage with an idealised role, practice it, and reflect on the experiences through their own contributions to the genre. The memoirs discussed in this thesis were specifically crafted as instructional or exemplary of the idealised district official life. Rather than simply reflecting or remembering they were part of the construction, contestation and management of the idealised persona. This thesis does not engage with biographical studies or try to recreate the daily lives of district officers, instead it examines those works which endeavoured to guide, instruct and inform. Governing literature must be treated as distinct within the wider literary history of British India. Rather than merely celebrating, describing or representing British Indian life, these books actively critiqued and reciprocally constructed a governing persona. Furthermore, these texts existed

¹⁷ Roy Porter, (ed.), *Rewriting the self: histories from the Renaissance to the present* (London, 1997); Dror Wahrman, *The making of the modern self: identity and culture in eighteenth-century England* (New Haven, 2004); Patrick Joyce, *Democratic subjects: the self and the social in nineteenth century* (Cambridge, 1994); and Regenia Gagnier, *Subjectivities: a history of self-representation in Britain 1832 - 1920* (New York, 1991).

¹⁸ Joyce, *Democratic subjects*, 19.

¹⁹ Michael Mascuch, *Origins of the individualist self: autobiography and self-identity in England, 1591-1791* (Cambridge, 1997), 9.

²⁰ Mascuch, *Origins of the individualist self*, 100; and Gagnier, *Subjectivities*, 4–6.

within a specific market. It is by exploring the production and nature of governing literature, that this chapter reveals the unique role they played in the governance of Bengal.

‘Small compass or accessible form’: The market

The belief that manuals, guides, handbooks and even novels were appropriate tools for managing and instructing officials in the conduct of government was established from the 1840s.²¹ In the mid-nineteenth century, there was a shift in attitudes towards the role and work of the civilian official in British India.²² At this time there was a consolidation of the various duties and responsibilities of the district officer.²³ District administration was also shaped by the introduction of the competitive examinations system in 1853, explored fully in Chapter Two. The metropolitan debates produced by the advent of the competition system demanded a renewed focus on the type of man who should rule India, and it further encouraged a reassessment of the working life of the district official. Governing literature was a response to this moment, and thus a new textual genre emerged in Britain and India.²⁴

This chapter draws upon a range of 60 texts written between 1839 and 1912. Although this thesis focuses on the Bengal Presidency it has also considered governing literature aimed at other regions and British India more generally.²⁵ This decision to include texts written about British India and other provinces rather than blurring differences demonstrates the common features of the idealised district officer. While this role had a specific realisation in Bengal, it is important to recognise that it drew on other styles of governance. Furthermore, the presence of the idealised district officer in texts about the government of British India demonstrates the influence of this imagined role on the official mind.

The British and Indian book market was saturated with works directed at the serving and experienced civilian official.²⁶ These books promised to formulate and guide the district official through changes in practice and procedure. Relying on the familiar tropes of the district officer, good character, moral conduct, innate governing ability, and experience of the locality, these texts provided a framework for understanding new projects of rule. The books

²¹ Campbell, *Modern India*, v.

Eastwick, *A Handbook for India*, i.

²² Misra, *The Bureaucracy in India*, 75–80.

²³ Bengal (India), *Report of the Salaries Commission*, 11-13.

²⁴ This moment has been recognised but not fully explored by Joyce, in, *State of Freedom*, 197.

O'Malley describes the literary achievements of the ICS, O'Malley, *The Indian Civil Service*, 286-300.

²⁵ Memoirs and guides are discussed which were authored in the Bengal Upper Provinces, later NWP, as well as texts discussing the Punjab.

²⁶ For a description of the British Indian literary market place see, Fhlathúin, *British India and Victorian Literary Culture*, 9-23.

under discussion include guides, manuals, service rules, handbooks, legal compendiums, memoirs and novels. These works specifically targeted a civilian official readership. While some governing literature also anticipated an audience including the Indian Army or non-official persons, the texts discussed here predominantly focused on the civil servant. By reconstructing the market for these texts this chapter reveals a specific and conscious genre which aimed itself at a distinct buyer. The consumer of these texts was not the aspirational man casting himself as an imaginary hero of Empire, but a working official requiring information on how to best act in his role as district officer.

Governing literature relied on unofficial privately written texts until the later nineteenth century.²⁷ This genre developed out of the existing market for private guidebooks and travel manuals. Many travel books were primarily aimed at the Indian Civil Servant and were often advertised alongside other more administrative and official texts. Travel and lifestyle guides were designed to give the aspiring civilian advice on how to prepare for an Indian vocation both logistically, mentally and morally. The most popular official travel guides were Bradshaw's and Murray's.²⁸ *The Times* recommended Eastwick's 'The Handbook of India not only to those who may visit the country as travellers but to the members of the Indian services'.²⁹ These handbooks and guides specialised in practical and logistical information, for example Eastwick costed out a civilian's outfit at £54.7.3.³⁰ These texts asserted their authority over which provisions, modes of travel and routes were the best, cheapest or most appropriate. J.H Stocqueler mocked what he considered unnecessary recommendations 'some guide-books recommend that water, soda-water, brandy, Lucifer matches, raspberry vinegar jam, and a score of similar superfluities be carried'.³¹ The most salient information contained in this group of books, after suggesting routes and outfits, was the setting up of a household. While the majority of domestic manuals were aimed at women, it was considered necessary in governing literature to advise the young men of the ICS how to establish and maintain a home.³² The conduct of the home was considered a reflection of

²⁷ Anonymous, *Adventures of Thomas Brown, a Griffin* (Bombay, 1891), i.

²⁸ Eastwick, *A handbook for India*. Eastwick's book later became Murray's guide to India, *A handbook for travellers in India and Ceylon : including the Provinces of Bengal, Bombay and Madras (The Panjab North-West Provinces Rajputana, Central Provinces Mysore etc) the native states of Assam*, (London, 1892). George Bradshaw, *Bradshaw's Hand-Book to the Bengal Presidency, and Western Provinces of India*, (London, 1864).

²⁹ *The Times*, Issue 23217, Monday, Jan 31, 1859; 12.

³⁰ Eastwick, *A Handbook for India*, xix.

³¹ J.H Stocqueler, *The Hand-Book of British India: A Guide to The Stranger, the Traveller, the Resident, And all who may have business with or appertaining to India* (London, 1854), 160.

³² The majority of domestic manuals were aimed at women.

how a civilian official would conduct the district, further discussed in Chapter Five. The domestic and personal lives of the ICS were also frequently represented and critiqued in Anglo-Indian fiction.

There was a specific genre of governing literature novels within the broader Anglo-Indian fiction of the period on British India, (see figure 6). The novels were usually brief, and were often a series of short stories or vignettes rather than a full narrative. Authors often used prefaces to hint that the content came from experience, or that the story was even autobiographical.³³ This style emphasised the instructional and allegedly realistic tone of the fiction. These stories were usually overtly positive about the British administration and presented the reader with a pantheon of British heroes doing their duty. There were also several satirical novels which were well received, and evidently considered entertaining, *Adventures of Thomas Brown, a Griffin* (1891) was praised thus; ‘to those whose appetite for fun needs no coaxing, we can recommend the above unpretentious little volume’.³⁴ The commentators frequently focused on the charming and diverting nature of governing literature fiction.³⁵ By playing out repeated scenarios, with familiar characters, these novels asserted their instructional value and realistic representations. Governing literature novels functioned as a critical standard and solidified the characteristics, qualities and duties outlined in the manuals and guides into imagined individuals. These books further endorsed the literary freedom confidently and critically exercised in British India.³⁶

This literary freedom empowered privately authored manuals and guides to offer advice over and above which bungalow, suit or train to choose. These texts became vital instruments in the process of governance, because they detailed and maintained the rules, regulations and instructions necessary for the activities of colonial rule. The majority of these works focused on the necessity of regulating, guiding and instructing the civilian who might otherwise fall foul of misinformation and thereby expose himself or jeopardise his authority.

A Lady Resident [Maud Divers], *The Englishwoman in India: containing information for the use of Ladies proceeding to, or residing in, the East Indies, on the subject of their outfit, furniture* (London, 1864).

Flora Annie Steel and Grace Gardiner, *The complete Indian housekeeper and cook: giving the duties of mistress and servants, the general management of the house and practical recipes for cooking in all its branches* (Edinburgh, 1890).

See Ghose, *Memsahibs Abroad*.

³³ J.E Mayer complained about the repetitive nature of Anglo-Indian fiction, J. E Mayer, (ed.), *The humour and pathos of Anglo-Indian life: Extracts from his brothers' Note-Book, made by Dr Ticklemore* (London, 1895), 46.

³⁴ Anonymous, *Adventures of Thomas Brown*, review in, *Calcutta Review*, vol. 9, xiv

³⁵ Advertisement in Henry Cunningham, *The Cœruleans: a vacation idyll* (London, 1887).

³⁶ Fhlathúin, *British India and Victorian Literary Culture*, 9-23.

As Edmund Hull claimed, the authority of these texts extended beyond the details of everyday life. Hull's guide (1871) promised not only accurate but necessary information and he explicitly demarcated his work from the aesthetic guides of the period:

'there are numberless details in matters of everyday life, with regard to which judicious advice, explanation or warning, would impart to him confidence and protection . . . while the ordinary handbooks, though interesting as guides to places, and diffuse in descriptions of locality do not pretend to take the place with regard to everyday life, which is the object of the present work'.³⁷

This emphasis on accurate information reflected a tone found generally in governing literature. Authors used the preface or introduction of the text to set out their opinions and expectations, (see figure 7). The presence of 'facts', reports or official information was often cited as evidence for the validity of the claims in the text.³⁸ Personal experience was also used to justify and legitimise the books.³⁹ Despite the saturation of the market, authors insisted that they offered something unique or more useful than existing manuals.⁴⁰ The female author of *Indian Outfit and Establishments* (1882) admits to the saturation yet enduring popularity of the market 'though there are books already published on the subject of housekeeping in India, still, as numerous questions are constantly appearing in various papers asking for information respecting Indian life'.⁴¹ Different authors offered a variety of allegedly unique solutions in order to provide accuracy and utility.

A portable text that could be kept on the person and consulted during the decision-making process was a common solution. Excluding the legal compendiums, governing literature was often intended to be consulted on the spot. Captain Henry Kerr's *A Few words of advice to Cadets* (1839) was praised by the *Asiatic Journal* as a 'little volume, which will scarcely encumber the pocket'.⁴² J.H Stocqueler's *The Handbook of British India* (1854) was

³⁷ Edmund C.P Hull, *The European in India; or Anglo-Indian's Vade Mecum. A handbook of useful and practical information ... To which is added a Medical Guide for Anglo-Indians ...* By R. S. Mair (London, 1871), viii.

³⁸ M.G Ranade, *A Revenue Manual of the British Empire in India being an abstract of the evidence received by the East India Finance Committee on the various items of British India Revenue supplemented by information contained in the latest Administration Reports* (Poona, 1877), ii; W.H Morely, *The Administration of Justice in British India: its past history and present state* (London, 1858), v; and Bowmanjee Cursetjee Cowasjee, *On British Administration in India* (Bombay, 1876), i.

Cohn, *Colonialism and its forms of knowledge*, 4.

³⁹ Campbell, *Modern India*, v.

⁴⁰ Johnson, *Stranger in India*, iii and Eastwick, *A Handbook for India*, iii.

⁴¹ An Anglo-Indian (female), *Indian Outfit and Establishments: a practical guide for persons about to reside in India* (London, 1882), i.

⁴² Kerr, *A few words of advice to Cadets*, advertised in, *The Asiatic Journal*, volume 38, 1842, 184.

similarly praised, ‘this publication embraces, in a condensed form, complete and accurate information’.⁴³ Baden-Powell complained that manuals were frequently either too narrative in approach or consisted of nothing but unfathomable rules and codes. He argued therefore they were ‘not sufficient for the purpose; the latter are costly and more or less inaccessible’.⁴⁴ In Baden-Powell’s opinion there was a balance to be struck between guiding the official and providing details on legislation.

The concept of accessibility referred not only to the size of the books, but also to the role of the text as practical decision assisting tool. Legal manuals were often cumbersome, impractical and expensive.⁴⁵ This legal literature principally offered an accurate copy of legislation, but it was not unknown for authors to offer commentaries on practice and procedure. They were usually more static texts, residing in court rooms for consultation on points of law, rather than portable handbooks which offered guidance as well as regulations. There was a consistent demand for governing literature, and with each shift in practice and policy a new guide or handbook was required to assist the district officer. Therefore it was not only a popular but a profitable genre.

The cost of governing literature varied usually Government or official texts were cheaper as they were issued directly to district libraries.⁴⁶ The exception appears to have been texts like *The Civil Auditor's Manual for the Madras Presidency* (1857), which was an extortionate thirty shillings.⁴⁷ Governing literature was advertised and reviewed in British and Indian newspapers and magazines.⁴⁸ Adverts for guides, handbooks and manuals were often located alongside advice on which portmanteaux to purchase, how many bottles of

‘All the particulars given for the benefit of travellers in the Government Route Books are here condensed into a small pocket volume’, George Bradshaw, *Bradshaw's Hand-Book to the Bengal Presidency, and Western Provinces of India* (London, 1864), ix.

⁴³ *Allen's Indian Mail*, 1850, vol. 8, 30.

⁴⁴ B.H. Baden-Powell, *A Manual of the Land Revenue Systems and Land Tenures of British India* (Calcutta, 1882), ix–x.

⁴⁵ James Henry Young’s *Revenue Handbook* was 31 shillings so this appears to have been the higher end of the market, found in, *Trübner's American and Oriental Literary Record*, Issues 1-24 (1865).

⁴⁶ 1 rupee, BL, IOR/V/27/311/92, Board of Revenue, Lower Provinces, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers, administrative, executive and ministerial* (Calcutta, 1888). 8 annas, BL, IOR/V/27/311/118 Board of Revenue, Bengal Lower Provinces, *The Settlement Manual* (Calcutta, 1888).

2.4 RS, 3s d4, BL, IOR/V/27/242/42, Bengal. General Department, *The district officers' handy reference book, being a general index to acts and regulations and to important rules, notifications and orders in force in Bengal with a list of useful books of reference (corrected up to June 1901)* (Calcutta, 1901).

⁴⁷ James Lyons, *The Civil Auditor's Manual for the Madras Presidency, prepared under the superintendence of the Civil Auditor and published with the permission of Government ... Brought up [in a Supplement] to the 15th May, 1857* (Madras, 1857).

⁴⁸ *Indian Outfit and Establishments*, reviewed in, *The Ladies Treasury for 1882: A household guide*, 337 Morely’s, *The Administration of Justice in British India*, was praised in *The Westminster Review*, July and October 1858, New series XIV (London). 248.

Schweppes soda water were required for the sea voyage, or where to obtain brandy in Calcutta.⁴⁹ These adverts were commonly an opportunity for publishers to encourage the purchase of similar volumes.

Several publishers specialised in governing literature. W.H. Allen & Co claimed to be the booksellers of the East India Company, and three of the texts discussed in this thesis were published by W.H. Allen. Other large publishers of the period also supplied governing literature, including John Murray, Kegan & Paul, Clarendon, Seely and Macmillan. The confidence of larger publishing houses in the viability of these books attests to their popularity and established place in the British Indian book market. Thirty-three of the texts were published in India, with seven being printed on Government presses. Government presses do not appear to have been in operation until the 1880s. Instead Calcutta publishers like Thacker & Spink facilitated the production of governing literature.⁵⁰ Governing literature was aimed at newly qualified and serving civil servants. The texts produced in India would be used by existing district officers in order to clarify new legislation or explain a new role.

Calcutta had a flourishing book culture as well as many journals and magazines.⁵¹ *The Calcutta Review* frequently contained detailed commentaries on newly published works. George Campbell's *Modern India* (1852) was subjected to a lengthy article in which the editors of *The Calcutta Review* stated:

When an Indian professional author challenges attention, by voluminous work on India, we naturally inquire what are his credentials Where did he gain his information in what departments has he served is he one of the “crack collectors” and “capital district officers”, or has he delighted to pore over old Sanscrit inscriptions and Persian parchments.⁵²

As demonstrated by the editors of *The Calcutta Review*, authorship and perceived expertise did impact reception. The majority of the authors in this study were connected to the British Government in India. Several of the authors detailed their current roles on title pages or in signatures at the end of introductions and prefaces, see figures 4, 5 and 6.⁵³ These statements

⁴⁹ Eastwick, *A handbook for India*, xxi–xxiii.

⁵⁰ 31 books were published in Calcutta, by 7 different publishers. Thacker and Co published 7 of the texts.

⁵¹ Fhlathúin, *British India and Victorian Literary Culture*, 9-23.

⁵² *The Calcutta Review*, vol 17, 1852, Article VIII, 452.

⁵³ ‘Deputy Magistrate and Deputy Collector’, Denman Hume, *Magistrate and Collector’s Manual A complete revenue and judicial guide and a perfect textbook to the examinations* (Calcutta, 1863); ‘Bombay Civil Servant & Senior Assistant Judge’, Andrew Lyon, *The Law of India* (Calcutta, 1873); ‘Mr I. C. Bose MA Assistant Accountant-General, Bengal, and Mr G D Pudumjee B.A Assitant Accountant General, Bombay’, I. C. Bose, and G. D. Pudumjee, *A Compilation of Orders of the Government of India on the subject of the personal*

of professional qualifications were a mechanism used to demonstrate knowledge and expertise.

The most prominent civilian officials in the sample include George Campbell, former Lieutenant-Governor of Bengal, Sir Henry Stuart Cunningham, Judge of the High Court at Calcutta, Whitley Stokes member of the Indian Legislative Council and Baden Henry Baden-Powell, conservator of forests in Lahore and half-brother to the hero of Mafeking.⁵⁴ Other authors had notable Oriental careers, like Edward Eastwick who served in the East India Company army at Bombay, was an MP and a Haileybury professor. Some were critics of Empire like Robert Montgomery Martin who founded the East India Association and spoke out against sati and slavery. Five authors were of Indian extraction, four identified themselves as uncovenanted civilians, including Mahadev Govind Ranade, the nationalist and founding member of the Congress. The contributions of Montgomery Martin and Ranade demonstrate that this was not a genre limited to the praise of Empire. Governing literature was inherently critical, even those authors who supported the Raj offered opinions on how best to govern India. The writers of governing literature confidently acted in a position of critical authority. These texts embodied the autonomous and experienced attitude of the idealised district officer.

However, this critical capacity was not limited to those who had experienced the ICS or even lived in India. Some were merely armchair scholars like Edward Rupert Humphreys, Headmaster at Cheltenham Grammar and prolific writer of schoolbook histories and political commentaries. Many authors remained anonymous, but they frequently used revealing pseudonyms like 'An Anglo Indian', 'A Civilian' or 'A Servant'. Only one of the authors is probably a woman.⁵⁵ The authorship of these texts provides crucial perspective on the attitudes towards governance expressed in the manuals, guides and handbooks. Yet despite the varied backgrounds of the authors they consistently relied on the idealised district officer as a medium through which to communicate different political perspectives and alternative administrative agendas. By the late nineteenth century, the prevalence of these books, and the idealised district officer they contained, compelled the British Indian government to author official governing literature.

conduct of public officers in their relations to Government, to their subordinates and others, Fifth edition (Calcutta, 1900); and 'Additional District Magistrate, Backergunge', H.F. Howard, *Magistrates Hand Book of Criminal Procedure* (Calcutta, 1909).

⁵⁴ See C.E. Buckland, *Dictionary of Indian Biography* (London, 1906).

⁵⁵ During domestic advice she claims to speak from female experience and in particular possesses knowledge regarding undergarments unlikely to be found in a male author of the period, An Anglo-Indian, *Indian Outfit and Establishments*.

*Submitted for
Sept. 1862*

*F. W. Leg.
Survey*

A
M A N U A L

OF

SURVEYING FOR INDIA,

DETAILING THE MODE OF OPERATIONS

ON THE

REVENUE SURVEYS

In Bengal and the North-Western Provinces.

PREPARED FOR THE USE

OF THE

SURVEY DEPARTMENT

AND

PUBLISHED BY THE AUTHORITY OF THE GOVERNMENT OF INDIA.

COMPILED BY

al bin
CAPTAINS R. SMYTH AND H. L. THULLIER,
enrolled
1862
Bengal Artillery.

CALCUTTA :

W. THACKER AND CO., ST. ANDREW'S LIBRARY

AND

87, NEWGATE STREET, LONDON.

1851.

Figure 4 – Title page, Captains R. Smyth and H.L. Thuillier, *A MANUAL OF SURVEYING for India detailing the mode of operations on the Revenue Surveys in Bengal and the North-Western Provinces*, (Calcutta, 1851).

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H.13

THE
HAND-BOOK
OF
BRITISH INDIA:

A GUIDE TO

The Stranger, the Traveller, the Resident,
AND ALL WHO MAY HAVE BUSINESS WITH OR APPERTAINING
TO INDIA.

BY

J. H. STOCQUELER,

AUTHOR OF

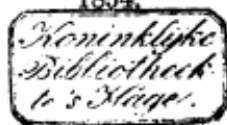
"THE LIFE OF THE DUKE OF WELLINGTON," "THE MILITARY ENCYCLOPEDIA,"
"THE MEMOIRS OF SIR WILLIAM NOTT," ETC. ETC.

Third Edition,

WITH NUMEROUS ALTERATIONS AND ADDITIONS.

LONDON:
WM. H. ALLEN AND CO.,
7, LEADENHALL STREET.

1854.



Digitized by Google

Figure 5 – Title page, J.H. Stocqueler, *The Hand-Book of British India : A Guide to The Stranger, the Traveller, the Resident, And all who may have business with or appertaining to India* (London, 1854).

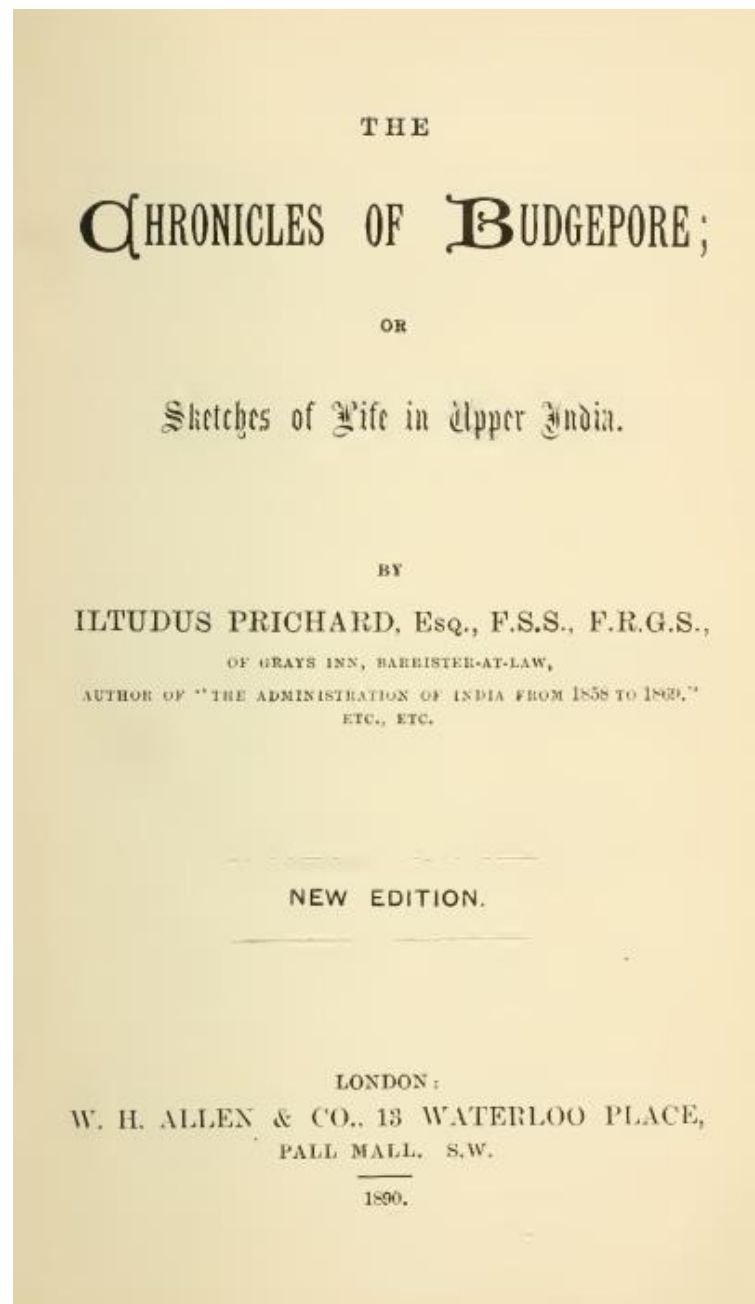


Figure 6 – Title page, Thomas Iltudus Prichard, *The Chronicles of Budgepore, or Sketches of Life in Upper India*, vol. 1 (London, 1893).

PREFACE.

IN launching this little book into the World, I beg to say that I claim for it no place on the shelves of a Law Library. It professes to be simply what it is called, a Hand-Book for beginners; and if it be found of use to some of those who are now required to pass a strict examination in such matters, my object will have been abundantly gained.

J. H. YOUNG.

Figure 7 – Preface, James Henry Young, *The Revenue Handbook Containing a short sketch of the laws and regulations in force connected with the collection of the government revenues in Bengal & North West Provinces*, (Calcutta 1855), i.

‘A handbook of India has become an especial want’: The Genre as an instrument of government

The increasing adaptation and utilisation of administrative texts by the British Government in India demonstrated the significant role they played in the governing process. Until the 1880s the private and unofficial market dominated the production of Indian Civil Service rules, legal manuals, and revenue handbooks. The Government of British India was content to sanction unofficial or privately authored texts. This approval was initially facilitated by providing access to governing literature through Government and official libraries in Britain and India.⁵⁶ The India Office libraries held collections considered relevant to civil servants and the administration generally, and could be consulted by staff of the India Office, trainee and existing members of the ICS.

In 1878 the British Indian Government formalised rules for the approval of privately authored manuals or guides: ‘officers in the service of Government, who may desire to solicit Government patronage, other than that of the Local Government, for literary or other works, shall apply to the Government of India’.⁵⁷ This recognised the existing practice of private books being used by the ICS. Throughout the period authors frequently stated that the British Government had approved, used or endorsed their texts.⁵⁸ H.A.D. Phillips confidently declared:

many Magistrates and Judges congratulated the compiler on the arrangement and completeness of the annotations, two secretaries to Government endorsed the

⁵⁶ Library of the Home Department, Government of India, *Catalogue of Books belonging to the Library of the Government of India* (Calcutta, 1861), pt. 2, 220; and India Office Library, *Catalogue of duplicates, &c. of the India Office Library* (London, 1862), Division 1 – Haileybury Library.

An Ex-Civilian [George Graham], *Life in the Mofussil, or the Civilian in Lower Bengal* (London, 1878); 46, Baden-Powell *Land Revenue and Tenure in British India* (Calcutta, 1882); 54, Cowasjee, *On British Administration in India*, 56; R. Carstairs, *British Work in India* (London, 1891), 56, Hume, *Magistrate and Collector’s Manual*, 58; H.A.D Phillips, *Our Administration in India* (London, 1886), 63; C.H. Sampson, *A Manual of Rules and Regulations Applicable to Members of the Indian Civil Service*, 1st edition (Calcutta, 1885), 63; *The Settlement Manual 1888* (Calcutta, 1892), 70, found in, Rost, Reinhold, Blumhardt, and James Fuller, *Catalogue of the Library of the India Office* (India Office Library, 1888).

George Johnson recommended the Calcutta public library, claiming that it held 130,000 volumes which were available at a very reasonable subscription of 6 rupees, George W Johnson, *The Stranger in India: three years in Calcutta (volume 1)* (London, 1843), 59–60.

⁵⁷ G.I.F.D No 855, 13th February 1878, Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 15–16.

⁵⁸ Bose and Pudumjee began the second edition of their conduct manual by informing the reader that the work had been issued by the Punjab government, Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, i; Hume, *Magistrate and Collector’s Manual*, 1; and Carstairs, *The Little World of an Indian District Officer*, 380 – 81.

book with their imprimatur of approval, and the Civil Service Commissioners in London have adopted it for the use of selected candidates.⁵⁹

By 1883, a remuneration procedure was established for officers who had provided books for public or official use.⁶⁰ This process reveals that the British Government in India adopted and endorsed private books alongside their own internally produced governing literature. Private and unofficial governing literature continued to have a role in the Government of British India.

However, by the late nineteenth century there was an increasing demand for a concise, coherent and definitive official governing literature. In the early 1870s, as part of his call for unified and simplified codification, James Fitzjames Stephen raised the issue of the cumbersome expensive law libraries maintained by district officers. Stephen drew attention to the confusion created by conflicting or absent governing literature: ‘No one understood the Regulations; they were practically known either by rule of thumb, or by compendiums and digests, which were published from time to time under the authority of Government’.⁶¹ This was reaffirmed by the Report of the Salaries Commission, 1886, which strongly recommended a digest of important Government orders: ‘a digest of this kind promotes the despatch of business, prevents orders being forgotten, maintains proper continuity of procedure in the Government Secretariat offices’.⁶² While private books could supplement general and specific information regarding policy and procedure, the absence of a consistent and comprehensive official text was problematic.

The Government of Bengal had already acknowledged this issue and attempted to address it by providing a Government rulebook. In 1866, the Bengal Government had distributed the *Rules for the Guidance of Officers engaged in the Administration of the Revenue Department in the Lower Provinces of Bengal* to all of the district officers. R.B. Chapman, Secretary to the Board, stated ‘the advantage of collecting into one well arranged Manual all the orders issued by the highest Revenue authority on one subject is obvious’.⁶³ The district officers were instructed not only to study the manual carefully but make notes and corrections in it when new regulations or orders were passed. This text endeavoured to

⁵⁹ Phillips, *Manual of Revenue and Collectorate Law*, iii.

⁶⁰ Government of India in the Financial Department No 2808 29th August 1883, Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 16.

⁶¹ P/W 534, J.F. Stephen, *A Narrative of Indian Legislation Under the Earl of Mayo* (London, 187-), 41.

⁶² Bengal (India), *Report of the Salaries Commission*, 156.

⁶³ R.B. Chapman, secretary, Fort William 1st July 1866, Board of Revenue, *Bengal Rules for the Guidance of Officers engaged in the Administration of the Revenue Department in the Lower Provinces of Bengal* (Calcutta, 1866), vi.

facilitate uniformity in Government by distilling the most important information into a coherent book. The revenue rule book of 1866 was a significant step towards the homogeneity of local Bengal administration. It also aided in the construction of the imagined and practised idealised district officer.

The Government manuals of the nineteenth century had a clear purpose, they regulated through enforcing adherence to procedure. The *Rules for the Guidance of Officers engaged in the Administration of the Revenue* of 1866 asserted:

Experience will only show, practically, whether the arrangements of the book is as convenient as the Board has endeavoured to make it. If it prove to be so a Revenue Officer showing ignorance of any important order in the Revenue Department, will henceforth, be without excuse.⁶⁴

However, this regulating culture of the Government manual took twenty years to be fully established. In 1888 the Board of Revenue issued *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*.⁶⁵ This manual established the official practices involved in maintaining governing literature. As the standardised collection of policy and procedure, the manual had to reflect each new rule. C.E. Buckland, officiating secretary to the Board, ordered it was ‘to be distinctly understood that this Manual is issued under the authority of the Board, and that it is incumbent on all Revenue officers to be guided by the rules contained in it. Errors and omissions should be brought to the notice of the Board’.⁶⁶ The 1888 manual included procedures for inspecting the manual itself, including checking that the correction slips and new orders had been pasted in appropriately.⁶⁷ Therefore, not only did district officers have to engage with this manual as a compendium of rules, they were also accountable for the accuracy of its contents. District officers were simultaneously curators of Government texts and subject to the guidance contained within.

The end of the nineteenth century saw an outpouring of Government issued manuals as well as procedures for inspecting, storing and correcting them.⁶⁸ The first edition of A

⁶⁴ Board of Revenue, *Rules for the Guidance of Officers engaged in the Administration of the Revenue*, vii.

⁶⁵ BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*.

⁶⁶ C. E. Buckland Offg Secretary, Board of Revenue LP 15th March 1888, *Ibid.*, i.

⁶⁷ 14. “He should ascertain that the slips furnished by the Board are regularly and intelligently inserted in this Volume and Manuals.”, *Ibid.*, 15.

Edward Blunt claimed to know a head clerk who hid all the correction slips on the top of a cupboard, Blunt, *The I.C.S.*, 116.

⁶⁸ 8. “Whenever any of the Board’s Manuals is revised and reprinted the Librarian is to take orders for the disposal of spare copies of obsolete Manuals, always keeping two complete sets for official use”, Board of

manual of rules and regulations applicable to members of the covenanted civil service of India was issued in 1885.⁶⁹ This text was an explicit collected codification of the rules governing the work of the district officer. It consolidated the boundaries and limitations of the district official. Therefore, these books acted as a promise of accountability and efficient accurate work. In 1901, the Bengal Government compiled *The district officers' handy reference book*. This text was a Government issued index of all approved governing literature. According to F.A. Slacke, the book was a response to: ‘the great difficulty experienced by District Officers in readily obtaining a clue to the previous orders on any subject ... The necessity has long been felt of a handy work of reference where such orders could easily be traced’.⁷⁰ In addition to various texts on specific districts, history, politics, language and law the reference book listed 55 authorised Government manuals and handbooks. Government manuals were often short technical volumes covering mundane regulations and everyday administration.⁷¹ The necessity of an official reference book reflected the fundamental role played by governing literature in the everyday practices of government. Indeed, governing literature had the capacity not only to document but to enforce adherence to administrative systems.

A new genre of governing literature emerged out of the official rulebooks and revenue guides. Government inspection manuals tested the newly codified bureaucratic practices and demanded careful observation of rules and procedures. However, these inspection manuals were soon accused of being unfit for purpose. Criticising the Board issued manual of 1880 the Commission stated ‘the use of this manual was never insisted on, and the book itself was so defective that in many districts it has never been introduced at all’.⁷² They further condemned the inspection manual for being too prescriptive and failing to ask the important and relevant questions, prioritising much ‘tithing of mint, anise, and cummin, and neglecting the weightier matters of the law’.⁷³ Instead of testing the validity of decisions and the

Revenue, *The Board's Office Manual containing rules of business observed in the office of the Board of Revenue L.P* (Calcutta, 1900), 37.

19. “Are additions and alterations made in the Board’s Rules, Board’s circular orders, and Civil Service Regulations, as printed slips are received from the Board, Government, & etc?”, Board of Revenue Bengal, *A Manual for the Guidance of Officers in the Inspection of the Several Departments of a Collector's Office, etc* (Calcutta, 1891), 15.

⁶⁹ BL, IOR/V/27/212/1:1885, Home Department, *A manual of rules and regulations applicable to members of the covenanted civil service of India with correction slips* (Calcutta, 1885).

⁷⁰ BL, IOR/V/27/242/42, Bengal General Department, *The district officers' handy reference book*, i.

⁷¹ For example, embankments, fingerprints, forests, irrigation, asylums, opium, salt, stamps, and waste land

⁷² Bengal (India), *Report of the Salaries Commission*, 36–37.

⁷³ *Ibid.*, 37.

efficiency of the department, these inspections were obsessed with the routines of office life.⁷⁴

Yet, the inspection manuals endured and several were published from the 1880s.⁷⁵ Taking the form of lists of questions for each department the inspection manuals remained unwieldy and overly rigorous. The rules focused on the bureaucratic minutiae; for example, the keeping of paperwork: ‘2. Are the registers clean and neat, or dirty and blotted? Is the writing in them fairly good? Are there many alterations and erasures, and when there are any, are they neatly made or smudged, and is each initialled by a superior officer?’⁷⁶ The ideal autonomous decision-making Collector was strikingly absent from these texts. These inspection manuals appeared to reduce the work of district Government to bureaucratic procedures and practices.

However, despite being highly prescriptive about routine matters, the preface of the 1891 manual declared somewhat incongruously:

the object of an Inspection Manual is to test the work in all branches of a Collectorate. It is meant to assist officers in inspection, but not to prescribe a definite number of questions to be asked or to prevent more minute inquiry whenever necessary.⁷⁷

Even the most bureaucratic of governing technologies left the smallest space for the judgement of the Collector and Commissioner. As will be discussed in Chapter Five, the style of official management did leave the senior district official scope for personal influence in the workings of his office and the supervision of his subordinates. The British Government in India continued to issue conduct rules, revenue guides and judicial texts which imitated the style of private books. Yet, the inspection manual endured as a rigorous means of holding district officers accountable to their decisions. This highly bureaucratised form of governing

⁷⁴ For a discussion of office practices in nineteenth century Britain see Joyce, *The State of Freedom*, 144-187.

⁷⁵ Board of Revenue, *A Manual for the Guidance of Officers in the Inspection of the Several Departments of a Collector's Office*, 1.

BL, IOR/V/27/140/15B, *Manual for the Inspection of Departments under Magistrates*, (Calcutta, 1895). Bengal Board of Revenue, *A Manual of Rules and Questions for the Inspection of Revenue Offices in the Districts, etc.* (Calcutta, 1919).

⁷⁶ Board of Revenue, *A Manual for the Guidance of Officers in the Inspection of the Several Departments of a Collector's Office, etc.*, 4.

A further set of rules existed as to how to “prevent carelessness and untidiness in the office in dealing with bundles, resulting in the papers getting torn, crumpled and dirty, and the bundles presenting a discreditable appearance”, Board of Revenue, *The Board's Office Manual containing rules of business observed in the office of the Board of Revenue*. 65.

⁷⁷ Board of Revenue, *A Manual for the Guidance of Officers in the Inspection of the Several Departments of a Collector's Office*, 1.

literature was a method of codifying and containing the work of the district. This was the contradiction of the idealised district officer, imagined and practised. He was envisioned as an autonomous man-on-the-spot ready to ride to the scene of the crime, but later he would be quizzed about the cleanliness of his notebooks.

Governing literature was an instrument of Government primarily because it documented legislation, process and procedure. Yet this regulatory framework existed around a specific focal point. These texts regulated as they represented. Whether instructing, criticising or praising the Raj these texts relied on an idealised version of the district official through which they could articulate competing ideas of power and schemes of government. In order to chart and explore the symbolic power and characteristics of the district officer as represented in these texts, this chapter first interrogates and reflects on George Campbell's *Modern India*.

'A kind of king': The Idealised District Officer

The *Calcutta Review* concluded that Campbell's *Modern India* was written by a man "who has conversed with Panches, instructed village accountants, watched the progress of agriculture, and even attempted it as an amateur, adjusted boundary disputes".⁷⁸ It was a book authored by an experienced district officer, a student of the Punjab School, and it advocated the importance of executive power of the Collector-Magistrate.

The collector is not merely to be the agent of Government, to reconcile boundary disputes, to warn dilatory cultivators that their shares will be taken from them, and given to men who can and will work, but he is to stand over his village with watchful eye and in threatening attitude, to drive away all intruders from the hallowed ground.⁷⁹

While Campbell's idealised district official drew on his Punjab experience, it was a model he thought was appropriate for all of British India. As early as 1852, Campbell believed the government exerted too much control over the executive district officers.⁸⁰ *Modern India* gives an account of independent men being frustrated by a demanding bureaucracy: 'the executive officers have no power to expand the smallest sum on their own authority, all

⁷⁸ *Calcutta Review*, Article VIII, vol 17, 1852, 462.

⁷⁹ *Ibid.*, 472.

⁸⁰ The book was inspired by evidence Campbell gave to the East India Company regarding charter renewal, Campbell, *Modern India*, 213, 215, 238, 243-3, & 254.

charges must be explained and sanctioned”.⁸¹ Campbell argued that this over centralisation of decisions was the result of frequent changes in the district civil service, and the ICS had resorted to depending on an administrative systems rather than local experience.⁸² According to Campbell, this restrictive style of government obstructed the benevolent impact of British rule.⁸³

During his term as Lieutenant-Governor of Bengal (1871-1874), Campbell attempted to implement this vision of an idealised district officer.⁸⁴ Campbell was committed to the idea of an autonomous, empowered, and experienced executive district official. On commencing his new role, Campbell concluded that in Bengal the Collector-Magistrate had become “more of a drudge and less of a master than is desirable in a country where personal authority must always go for much”.⁸⁵ By giving local government more financial control and reducing the routine workload of the district official, Campbell attempted to scale down the Bengal bureaucracy. Campbell confidently asserted that the idealised district officer was suitable for Bengal and not just the Punjab, and his reforms reinvigorated the governing commitment to this model persona.

Modern India has now been recognised as an early expression of Campbell’s significant political views on British India. Yet, at the time it was authored by a relatively unknown civil servant. This text echoed the typical rhetoric of the guides, manuals and novels examined in this study. These volumes were ideologically invested in the British civilian officials, and the representations they contained encouraged a symbolic role for the aspiring and serving civilian official in British India. This thesis argues that there was a tension in the portrayals of an idealised district officer between the dependency on the Britishness of the civilian official and the limits the administrative machine could place on this essential character. The contradictions and tropes emergent in these texts frequently found a focal figure in the role of the Collector-Magistrate. The contradiction of the idealised district officer was rooted in the relationship between his imagined and practised autonomy.⁸⁶ This thesis will now explore this tension by outlining the characteristics of the idealised district officer and the limits placed on his paternal benevolence by the bureaucratic system.

⁸¹ Ibid., 255.

⁸² Ibid., 281.

⁸³ Ibid., 259.

⁸⁴ Sir George Campbell, *Memoirs of My Indian Career* (London, 1893), 198.

⁸⁵ Ibid., 230.

⁸⁶ For a discussion of symbolic power and governance in Africa see Deutsch, ‘Celebrating Power in Everyday Life’, 93-103.

The Collector-Magistrate was frequently envisioned as the perfect colonial official, and portrayed as the lynchpin of the Empire.⁸⁷ In these representations the Collector cultivated the relationship between ruler and ruled by acting as an individual representative of Britain. This relied on a specific British character, a framework of conduct defined by innate governing abilities, racial superiority, and agency based on affirmative action. In his practical and critical account of British India, Montgomery Martin argued: ‘individual character has a powerful influence in India, for good or for evil; since the ordinary class of natives naturally judge the British Government by the Conduct of the Englishman who is their immediate ruler.’⁸⁸ Martin was not alone in imagining a distinctly English idealised district official. A specific form of imperial Britishness, or indeed Englishness, was defined in these textual representations, and it depended on moral standards, rationality and the innate skills of governance.⁸⁹ As Antoinette Burton suggests, ‘a sense of national and racial superiority based on Britain’s imperial status was an organising principle of Victorian culture’.⁹⁰

A discourse of racialised dominance informed the paternalistic role of the idealised district officer.⁹¹ The persona of the idealised district official was the imagined and practised, realisation of the governing superiority of white male Britishness.⁹² British superiority, and its role in the work of district officials, was emphasised throughout the genre:

he will find the average native predisposed to respect him. His colour and nationality alike create this predisposition, and prestige of belonging to the dominant race, at once gives him a position which he may pardonably regard as flattering, but which he should be careful to take advantage of in an intelligent and kindly spirit; and which he should remember, lends a responsibility to his conduct and behaviour.⁹³

⁸⁷ Bristow, *Empire Boys: Adventures in a Man’s World*.

⁸⁸ Montgomery Martin, *The Progress and Present State of British India: A Manual for General Use* (London, 1862), 188–187.

⁸⁹ Anonymous, *Adventures of Thomas Brown*, 183.

For the debate on Imperial Britishness see Linda Colley, ‘Britishness and Otherness: An Argument’, *Journal of British Studies*, 31, 4, Britishness and Europeaness: Who Are the British Anyway? (Oct., 1992), 309–329; Krishan Kumar, ‘Empire and English nationalism’, *Nations and Nationalism*, 12, 1, (2006), 1–13; Hall, *Civilising Subjects*; and Catherine Hall and Sonya O. Rose, (eds.), *At home with empire*.

⁹⁰ Antoinette Burton, ‘The White Woman’s Burden’: British Feminists and the ‘Indian woman 1865 – 1915’, in, Nupur Chaudhuri and Margaret Strobel, (eds.), *Western Women and Imperialism* (Oxford, 1990), 137.

⁹¹ For a discussion of imagined paternal benevolence see, Elizabeth Buettner, ‘Fatherhood Real, Imagined, Denied: British Men in Imperial India’, in, Trev Lynn Broughton and Helen Rogers, (eds.), *Gender and Fatherhood in the nineteenth century* (Basingstoke, 2007), 178–190.

⁹² See, Harald Fischer-Tiné and Michael Mann, (eds.), *Colonialism as civilizing mission: cultural ideology in British India* (London, 2004), Edward Said, *Orientalism* (London, 2003), Ashis Nandy, *The Intimate Enemy: Loss and Recovery of the self under colonialism* (Oxford, 1983), Dipesh Chakrabarty, *Provincializing Europe: postcolonial thought and historical difference* (Oxford, 2000).

⁹³ Hull, *The European in India*, 186.

These representations created an expectation of racial distance and conduct amongst both Indian subjects and fellow officials.⁹⁴ The aspiring civilian was encouraged to develop or at least monitor those characteristics and behaviours deemed innately racially superior. Even within the Government-issued manuals the racial element of rule was emphasised. Madras civilians were provided with explicit instructions regarding ‘the manner of European superiors towards Natives. It would be quite out of place, in this paper, to speak of the necessity of kindness and of an absence of all violence’.⁹⁵ Racial authority was viewed as fundamental to their source of power and additionally it formed the basis for the key qualities in symbolic representations.

The portrayal of the district officer often escalated into grandiose depictions of power: ‘English men who have thus ruled provinces and districts, equal in size to small European kingdoms, have been venerated by the Natives almost as deities in the shape of men’.⁹⁶ The frequency of references to godlike or monarchical power indicates the pervasive nature of the imagined role of the district officer.⁹⁷ This language of representation inflated the power of the colonial official as a remedy to the structural weight of the administration. The idealised Collector was envisioned as an autonomous decision maker, either independent of or in opposition to the central Government. This idealisation of the role often focused on the early career and the work of the Assistant-Collector. Specifically these representations celebrated the freedom of the junior position, the alleged lack of interference by provincial Government and the unimpeded contact with the colonised:

in the course of the first year, I traversed in every direction the regions under my control, dwelling among the people, studying their feelings and their habits. The tent become my home, and the horse my only means of transport. Simple was the repast, light were the slumbers, unbroken the health in those days.⁹⁸

This author emphasised the simplicity of the lifestyle, indicating the contrast of later years and more senior positions. The model district official was an on the spot decision maker, and therefore moved independently amongst the people. This interaction with the subjects and

⁹⁴ Sudipta Sen, *Distant Sovereignty: National imperialism and the origins of British India* (New York, 2002).

⁹⁵ Lyons, *The Indian Civil Service Manual*, 5.

⁹⁶ Martin, *The Progress and Present State of British India*, 188.

⁹⁷ Campbell, *Modern India*, 239 and 240; Anonymous, *Adventures of Thomas Brown*, 183; and Anonymous, *Pictures of Anglo-Indian Life: Sketched with the Pen*, (Lahore, 1869), 78.

⁹⁸ Anonymous, *Pictures of Anglo-Indian Life*, 75.

space of the district was achieved during tours of the locality in the cold season. This imagery and the practice of the tour created an association between youth, freedom of movement and distance from the bureaucracy.

The executive branch was considered a more pleasant life with a more comfortable working environment in comparison with the work of the Judiciary. For the Collector, even the return to the more administrative environment of the district station and the office during the hot season, was still characterised by independence. The outdoors life was heavily romanticised by governing literature and relied on recurring motifs. For example, one repeated image was the figure of the Collector conducting business from under a tree or tent: ‘the deep shade of the mango and mowha at midday where my tents are now pitched, and where justice is now to be administered, where decision has to struggle against habitual procrastination.’⁹⁹ However, this idealised image of an outdoorsman relied on preconceptions around physicality and masculinity.

The idealised district officer’s masculinity was complex, relying simultaneously on physical acts of governance and paternalistic benevolence.¹⁰⁰ District administration required physical exertion, the capacity for movement, especially on tour or during a crisis was a defining characteristic of the ideal district officer.¹⁰¹ Being able to ride a horse was a crucial qualification for district life: ‘no officer shall be considered to have qualified who does not satisfactorily prove that he is at home on horseback and can cover a fairly rough bit of country without difficulty’.¹⁰² In George Campbell’s vision of the district officer the horse was even central to the performance of petitioning and justice. He described an imagined scene of an elderly woman ‘seizing his bridle, casting herself under the horses feet, and clamourously demanding either instant death or a restitution of her rights’.¹⁰³ The horse in this representation echoes the feudal images of authority referred to earlier. A horse also provided the district officer with the means of independent action. The necessity of riding to the spot to settle a dispute or investigate a crime aided in distancing the work of the district officer from

⁹⁹ Ibid., 81.

Campbell resided under the fig and vine, Campbell, *Modern India*, 247

Also see Gilmour, *The Ruling Caste*, 105-8; and Keene, *A Servant of ‘John Company’*, 118.

¹⁰⁰ Deane has drawn attention to the anxious nature of imperial masculinity, Deane, *Masculinity and the new imperialism*, 1-18.

¹⁰¹ For the body as an instrument of rule see, Collingham, *Imperial bodies*, 117. Also see Gilmour, *The ruling caste*, 64-65.

¹⁰² Lyons, *The Indian Civil Service Manual*, 2

Also see Hull, *The European in India*, . 151.

¹⁰³ Campbell, *Modern India*, 247.

the bureaucracy of the office. Effective horsemanship, and therefore productive work, depended on good physical health.

Robust masculinity was a fundamental characteristic of the ideal British civilian, and acted as a contrast to the degenerated or bookish administrator, and the effeminacy or barbarism of the Indian.¹⁰⁴ The ideal man for the ICS was said to have ‘a bodily frame invigorated by athletic exercise’.¹⁰⁵ Physical health, mobility, endurance and strength were necessary for the proper functioning of an ideal civilian with the camp life and riding over rough country. This is further evidenced in the practical advice concerning clothing, bathing and disease prevention in the guides and manuals. Compromised health was intrinsically linked to other forms of incompetence and degeneracy.¹⁰⁶ The Indian Civil Servant of middling age was renowned for having a ‘bad liver’.¹⁰⁷ According to Hull the symptoms of such degeneracy included sallow skin, a liver diseased red face, and a slouching gait.¹⁰⁸ As ever, the authors of guides and manuals saw it as their role to actively prevent such failings. For example, Johnson recommended drinking Schweppes soda water, and wearing mosquito drawers in bed.¹⁰⁹ The best remedy appeared to be the maintenance of British morality and gentlemanly vigour.

The district officer was characterised by the typical muscular Christianity of the Victorian era.¹¹⁰ Although as Regenia Gagnier has argued ‘as the century progressed the Christianity seemed to melt away from the athletic project, leaving only the muscle’.¹¹¹ The dominance of frontier masculinity over the exotic and feminine India, as typified by Kipling, has a limited presence in governing literature.¹¹² There was also little indication of the sexual adventuring, as described by Ronald Hyam.¹¹³ Only Captain Kerr vaguely hinted at the ‘disgraceful’ nature of mixed-race liaisons. Kerr described an Indian connection as one

¹⁰⁴ See Sinha, *Colonial masculinity*.

¹⁰⁵ Rev Geo C. Hodgkinson *The Civil Service of India: An analysis of the last Four Examinations with remarks and suggestions* (London, 1864), 7.

¹⁰⁶ This was particularly a concern for children in British India, Buettner, *Empire Families*, 25-51. Also see Dane Kennedy, ‘The Perils of the Midday Sun: Climatic Anxieties in the Colonial Tropics’, John M. McKenzie, (ed.), *Imperialism and the Natural World* (Manchester, 1990), 118-140.

¹⁰⁷ George Otto Trevelyan, *The Competition Wallah. Reprinted from Macmillan's Magazine, with corrections and additions* (London, 1864), 152; and Anonymous, *Adventures of Thomas Brown*, 129–130.

¹⁰⁸ Hull, *The European in India*, 41.

Gilmour claims alcoholism was fairly limited, Gilmour, *The Ruling Caste*, 136. Cotton claims non-official British Indians drank heavily, Cotton, *Indian home and memories*, 85.

¹⁰⁹ Johnson, *Stranger in India*, 11-14.

¹¹⁰ See Josh Tosh ‘Imperial masculinity and the flight from domesticity in Britain 1880 – 1914’ in Timothy P. Foley (ed.), *Gender and Colonialism* (Galway, 1995); and Sinha, *Colonial masculinity*.

¹¹¹ Gagnier, *Subjectivities*, 171.

¹¹² Wurgaft, *The Imperial imagination*.

¹¹³ Ronald Hyam, *Understanding the British Empire* (Cambridge, 2009).

‘which has no one feeling, in the just instance, congenial to it, but a disgusting sensuality. Avoid it as you would the plague spot’.¹¹⁴ This confirms that by the mid-nineteenth century such practices were clandestine, and the masculinity of the district official was grounded in a more Victorian sensibility. As Leslie Stephens’ quipped, India was ‘certainly the most masculine middle-aged busy society’.¹¹⁵ This was a distinctly middle-class and administrative masculinity drawing on paternalism.

The masculine authority of British India was paternal, and the district officers were the ‘ma-baps’ of the people.¹¹⁶ The symbolic power of the civilian official created a dichotomy which endowed the British Collector with traditional, even feudal, authority and simultaneously refashioned the Indian people as weak, childlike, incompetent and awestruck. In his administrative account Bowmanjee Cursetjee Cowasjee stated ‘happily we are under a Government which we can faithfully confide in and look up to, like little children to a parent’.¹¹⁷ Cowasjee’s tone is difficult to penetrate, the text could either be a genuine tribute to British rule or a parody intended to criticise. Although it is difficult to determine Cowasjee’s motives his work demonstrates the pervasive nature of the racialised language of benevolence.

Indian Civil Servants were encouraged to see themselves as bearers of enlightened civilisation: ‘The Saxon stranger, who has come from many a hundred leagues, the youth of a few summers, is listened to attentively by old men, brought up in these very valleys, occupied all their lives in these subjects.’¹¹⁸ The idealised district officer had a crucial role in the moral influence of Government in British India. As Harald Fischer-Tiné and Michael Mann have argued ‘the most powerful tool of self-legitimation was the colonizer’s claim to improve the country and to bring the fruits of progress and modernity to the subject peoples’.¹¹⁹ The idealised persona of the district official had an active role in the promotion of progress and civilisation both in the official mind and in practise.

For the British Government in India the Collector was considered vital to moral improvement, as it was he who had the means and resources most at his disposal: through his

¹¹⁴ Kerr, *A few words of advice to Cadets*, 89.

¹¹⁵ Hutchins, *The Illusion of permanence*, 43.

¹¹⁶ Parent, *Mother and Father*.

Also see, Steve Patterson’s discussion of honour and paternalism, Steven Patterson, *The Cult of Imperial Honour in British India* (New York, 2009).

¹¹⁷ Cowasjee, *On British administration in India*, 34–35.

¹¹⁸ Edward Robert Humphreys, *Manual of British Government in India*, 2nd edition (London, 1857), 68.

For African comparison see, Thomason, ‘Little Tin Gods’, 145-160. Anonymous, *Pictures of Anglo-Indian Life*, 81.

¹¹⁹ Fischer-Tiné and Mann, (eds.), *Colonialism as civilizing mission*, 4. Dewey, *Anglo-Indian attitudes*, vii.

instrumentality the cause of education, and therefore, of Christian enlightenment, may be advanced – his charities, judiciously dispensed, will save myriads from starvation.¹²⁰ The wellbeing of the people was dependent on the knowledge and experience of the Collector. The moral uplift and civilisation of British India was contingent on his work. It was through his personal connection with the people that the Collector could both utilise and be an instrument of the British Government. However, as Campbell argued, bureaucracy was a barrier to the civilising mission. Bureaucratic systems were removing the idealised district official from the people and extinguishing the autonomous characteristics required to deliver benevolent improvement. This thesis now examines the concerns about bureaucracy in Bengal, and the problematic idealised officer in practise.

‘A mere machine of record’: Bureaucracy and the Indian Civil Service

Bureaucracy was an anxious issue in the guides manuals and novels.¹²¹ In 1857, E.R. Humphreys made a plea regarding the conduct of British rule: ‘the civil servants of India should not be mute machines for collecting taxes and distributing justice; they ought to be moral rulers of India’.¹²² As expressed by Humphreys, there was a desire for a modern administration centred on professionalism and efficiency, but this was contrasted against the fear of extinguishing the autonomous actions and innate governing ability of the idealised British district official.¹²³ This warning found its focal point in the debates surrounding the new Indian Civil Servants recruited through the competition system. The advent of the competitive exams, and the discussions it provoked throughout the nineteenth century will be the subject of the next chapter, but it is important to understand how the figure of the competition wallah acted in opposition to the idealised district official.

There was evident suspicion of the competition wallah who was often characterised as a type of functioning automaton devoid of the capacity to interact with and understand the nation under his tutelage.¹²⁴ In *The Chronicles of Budgepore*, Prichard lampooned the

¹²⁰ Stocqueler, *The Hand-Book of British India*, 97.

¹²¹ George C.M. Birwood, *Competition and the Indian Civil Service: a paper read before the East India Association Tuesday May 21st 1872* (London, 1872), 13.

Bureaucracy as a concept was frequently referenced in governing literature, Anonymous, *Adventures of Thomas Brown*, 199; H.S Cunningham, *The Chronicles of Dustypore: a tale modern Anglo-Indian Society*, (London, 1877), 223; Henry Lushington, *The Double Government: the Civil Service and the Indian Reform Agitation* (London, 1853) 1-2; and Birwood, *Competition and the Indian Civil Service*, 20.

¹²² Humphreys, *Manual of British Government in India*, 79.

¹²³ For a historical account of the development of the bureaucrat see Peter Becker and William Clark, (ed.), *Little tools of knowledge: historical essays on academic and bureaucratic practices* (Ann Arbor, 2000), 1-21.

¹²⁴ Gilmour, *The ruling caste*, 64-65.

competition wallah through the character of Fitzmisil: 'the old school of civilians affected to look down upon him, criticised unfavourably his seat on horseback, and the cut of his shooting coat, it was clear to me that they were a little afraid of him.'¹²⁵ Unlike the idealised district officer the competition wallah lacked the moral manly character which encouraged respect from the colonised. In such representations the competition wallah always failed to be adequately masculine, but yet he was a threat despite his refusal to leave the office and engage with the work of the district.

The principal menace posed by this imagined competition wallah was his predilection for reorganisation and his desire to interpose new bureaucratic processes.¹²⁶ His style of governance was not based on innate characteristics, and he favoured instead the centralising impulses of the India Office. The competition wallah was ready to report anything he perceived as maladministration: 'wherever he looked at the machinery about him he saw things out of gear and working badly, and his mind was forthwith haunted with devices to improve them. He saw material, money, time wasted; wheel catching against wheel'.¹²⁷ These concerns about increased bureaucratisation and mechanisation were based in the belief that India was best governed by personal and autonomous action. As early as 1844, J.H. Stocqueler cautioned against the 'mass of gubernatorial machinery', claiming 'that it moves at all, is rather owing to the boldness of the local governors'.¹²⁸ Bureaucracy was placing a limit on the man-on-the-spot.

The principal anxiety was that the Government was becoming or had become a machine, and district officers would be reduced to automatic parts rather than individual decision makers.¹²⁹ Usually the central Government or the India Office was identified as the source of mechanisation. As discussed above, George Campbell was an opponent of the centralising impulse of the British Government in India.¹³⁰ Campbell believed that district officers should continue to exercise a degree of power independent of the India Office:

Although the executive officers of Indian districts exercise large powers the Government is intensely centralised. They are responsible for every particular of

¹²⁵ Prichard, *The Chronicles of Budgepore*, 36.

¹²⁶ Anonymous, *Adventures of Thomas Brown*, 199; and Cunningham, *The Chronicles of Dustypore*.

¹²⁷ Cunningham, *The Chronicles of Dustypore*, 142.

¹²⁸ Stocqueler, *The Handbook of British India*, 71 and 76.

¹²⁹ Ranade, *A Revenue Manual of the British Empire in India*, 3; Baden-Powell, *A Manual of the Land Revenue Systems and Land Tenures of British India*, 457 and C.H. Cameron and D. Elliot, *The Indian Penal Code: As originally framed in 1837 with notes by T.B Macaulay, J.M Mcleod, G.W Anderson and F. Millett. And the first and second reports thereon, dated 23rd July 1846 and 24th June 1847* (Madras, 1888), viii.

¹³⁰ Campbell, *Modern India*, 215.

their proceedings, and are supervised to an amazing extent. For all acts beyond those of ordinary routine it is necessary to obtain the previous sanction of superior authority.¹³¹

Campbell believed this rigid accountability and excessive monitoring frustrated the proper exercise of government. Instead of the efficient autonomy of the idealised persona, district officers were being burdened with unnecessary routine matters. George Birwood shared Campbell's concerns, and criticised the impersonal Government in the metropole. Birwood accused the India Office of being 'a mere machine of record – a dead-letter office'.¹³² Both men believed that the increasing reliance on reports and documentation did not capture the subtleties of the decision-making process.

The Report of the Salaries Commission of 1886 investigated the impact of the machine of government on the district official, and was strongly influenced by Campbell's vision.¹³³ By assessing the increase in the workload and responsibilities of the Collector between the 1840s and the 1880s, the report highlighted the greater complexity of the role. The Commissioners argued this was as a result of bureaucratic procedures. It was concluded that the Collector was subject to too many checks and reports, and that his capacity for independence was limited by constant referral to the Board of Revenue and the Bengal Government for routine matters. The Report listed over 146 different reports which the Collector had to file. This was to be remedied by re-establishing the power and decision-making capacity of the Collector in the district, and the aim of the Commissioners was to relieve 'Collectors from a great deal of anxiety and from composing elaborate letters in justification of their demand for funds for a variety of petty, but unavoidable, disbursements'.¹³⁴ There was a fundamental conflict between policy which privileged the decisions of the Collector at the district decision-making level, and the procedures which required his attention to the minutiae of everyday routine.

The Commissioners wished to exchange what they saw as unnecessary checks and overly rigorous surveillance, for a style of inspection which reflected the more personal relations between the Collector, the district and its people. The Report reflected Campbell and Birwood's concerns that by relying on fixed procedures, rules and documents the district officer would lose the experience and ability to respond in moments of crisis or change.

¹³¹ Ibid., 254.

¹³² Birwood, *Competition and the Indian Civil Service*, 13.

¹³³ Bengal (India), *Report of the Salaries Commission*, 16–19.

¹³⁴ Ibid., 64.

Furthermore, weighed down by the bureaucratic machine, the district official could no longer have a beneficial influence on Indian society. By insisting upon the empowerment of the district officer, the Report of the Salaries Commission acted as a renewed commitment to the idealised Collector. However, the conflict between the bureaucratic realities of government and the idealised autonomous decision maker were not resolved by this Commission. In practise, the district officer continued to be subjected to unrealistic expectations which drew on the idealised persona, and contradictory rules which undermined his autonomy. This was revealed in the policies and procedures around famine.

Darren C. Zook has argued that the spectres of famine and poverty were used by the British to bolster their own legitimacy.¹³⁵ Instead of being recognised as symptomatic of an exploitative revenue system, these issues were further evidence of the inability of India's susceptibility to disaster and need for guidance and care. Therefore, the benevolent role of the idealised district officer directly informed famine administration. Famine prevention and management relied on the district officer's familiarity with his district and its inhabitants. The famine manual (1905) stipulated that 'it is upon the District Officer that Government relies to give first warning as to impending famine, to estimate its probable extent, and to suggest the measures which must be taken in order to combat it'.¹³⁶ District officers were expected to possess an intimate knowledge of the locality, either through personal experience or documentation. This was highly unlikely due to the transitory nature of the district civil service. Regardless of the realities of experience, it was presumed that district officials would be able to recognise abnormalities in seasonal rainfall, understand average crop production in each region, and have a detailed record of the various states of poverty in the district.

Once famine had been confirmed, the administration no longer required autonomous action. Instead, the manual provided minute detail on how to set up, regulate and monitor relief works.¹³⁷ These instructions were to be followed to the letter, and even dictated the precise depth and measurements of an emergency water tank. However, the district officer was able to exercise limited independent decision-making in the allocation of charitable relief. It was his duty to assess whether the relief works were too severe or constituted real

¹³⁵ Darren C. Zook, 'Famine in the landscape: Imagining Hunger in South Asian History 1860 – 1994, Arun Agrawal and K. Sivaramakrishnan, eds., *Agrarian Environments, resources, representation, and rule in India* (London, 2000), 107–132.

Gilmour, *The Ruling Caste*, 115-20.

¹³⁶ *A Manual of Practical Instructions regarding Famine Relief Administration in Bengal* (Calcutta, 1905), 1.

¹³⁷ *Ibid.*, 41.

productive labour.¹³⁸ In this managerial capacity he remained the arbiter of moral improvement and represented the idealised district official.

The famine manual encapsulated the tensions between the innate abilities of the idealised district officer and the rigorous demands of the administration. In its closing remarks the manual once again relied upon the experienced and benevolent idealised district officer: ‘future famines will likewise, no doubt, reveal defects in the present regulations; and it will rest, in the first instance, with the officers in charge of the operations to grapple with the new problems as they arise’.¹³⁹ Policies regarding famine prevention and management reflected the contradictions of the idealised district officer in practice. He had to be an obedient instrument to the mechanisms of paternalism, and yet also appear to be the sole symbolic arbiter of benevolent government. The district officer was expected to critique and improve policies and practices of governance, and in the process reciprocally shape his own role. Governing literature, and especially memoirs, provided opportunities to vocalise these contradictions and tensions within the role of the district official.¹⁴⁰

Robert Carstairs used governing literature to express a long term commitment to the improving potential of the British Empire. In the closing remarks of his memoir (1912) he hoped that his ‘plans will yet be thought worthy of a trial; and that they will bring some little benefit to the people among whom I lived many years.’¹⁴¹ Carstairs’ memoir reads as a declaration of his feelings of defeat in the face of the bureaucratic machine of Government. He recounted in details his efforts to adopt projects of improvement. He proposed irrigation plans to clear canals and ensure water tanks were clean.¹⁴² After successfully widening a canal he sent the details of his scheme to the Provincial Government, but ‘the clerks breathed on this plant that I had been tending for a year with so much love and pride, and it withered away’.¹⁴³ Several chapters of Carstairs’ memoir repeated this motif by casting himself as the man-on-the-spot struggling against the static unyielding Government. His *A Plea for the Better Local Government of Bengal* (1904) acted as a manifesto of his schemes of improvement.¹⁴⁴ The *Imperial and Asiatic Quarterly Review* praised the text for its ‘suggestions which are the outgrowth of ripe experience, the experience of a man who loved

¹³⁸ Road building and water tank digging were typical of relief works. *Ibid.*, 30.

¹³⁹ *Ibid.*, 72.

¹⁴⁰ This satirical critique of the civilising mission expressed the scepticism about the realistic achievements of the idealised district officer, Prichard, *The Chronicles of Budgepore*, 58.

¹⁴¹ Carstairs, *The Little World of an Indian District Officer*, 381.

¹⁴² *Ibid.* 156–7.

¹⁴³ *Ibid.*, 157.

¹⁴⁴ Robert Carstairs, *A Plea for the Better Local Government of Bengal* (London, 1904).

his work, who cherished the people among whom he lived'.¹⁴⁵ Carstairs lived and practised the persona of the fatherly caring and experienced district officer and it was because of this that his critiques and frustrations, although honestly and frankly expressed, were accepted into the projects of improvement adopted by British India.

Similarly to Carstairs, George Graham used his memoir (1870) to criticise the contradictory agenda of the official mind. As district officer Graham appeared to resent what he saw as arbitrary ideas drawn up by clever Secretaries. Early in his career he was ordered by a Collector to oversee a cotton growing initiative. Graham explained the realities of executing these schemes as a district officer: 'I shall have to use what is called my "moral influence" to induce them to plant it and look after it, and then I shall have to send a report on the result to Government'.¹⁴⁶ Through his critique of benevolent projects Graham identified the limitations of the idealised district officer in practice: 'the fact is, I had dealt with the matter from the paternal government and moral influence point of view, and found it very difficult to make my somewhat irregular proceedings fit into the cut-and-dried red tape form required.'¹⁴⁷ Graham was frustrated by the expectation that he should simultaneously fit the role of paternal and uplifting district officer while following the prescriptive bureaucratic procedures.

Graham and Carstairs had been influenced by the idealisation of their role and used their contribution to governing literature to highlight the contradictory requirements of the role in practise. Their frustrations were primarily directed at the centralised bodies of Government, the Board of Revenue or the Bengal Secretariat. Both men resented the centralising impulse, accountability and bureaucratic influence emanating from the local Government administration. These were the same administrative systems that Campbell had argued against in 1852, and later attempted to curtail as Lieutenant-Governor of Bengal. It is this conflict between the idealisation of the role and the limits policy and practise placed on it that this thesis explores.

¹⁴⁵ Review of *A Plea for the Better Local Government of Bengal*, found in, Carstairs, *The Little World of an Indian District Officer*.

¹⁴⁶ An Ex-Civilian, *Life in the Mofussil*, 107.

¹⁴⁷ *Ibid.*, 224.

Conclusion

In *Pictures of Anglo-Indian Life*, a fictionalised memoir, the anonymous author described the scene of a district officer leaving his locality:

My subjects flock to see me – to have the last word of parting. They touch my feet sorrowfully: they tell me they have scarcely felt my rule, so gentle have their fetters fallen on them. They crave some small note as a memorial and as an introduction to my successor.¹⁴⁸

The idealised district officer in this representation was the benevolent paternalistic figure so frequently found in governing literature. He knew his people, they loved him, but in parting he remained stoic, distant and superior. Governing literature helped Indian Civil Servants embrace a symbolically powerful persona. It was an idealised role they could consume before the commencement of their career. The saturation and diversity of the market demonstrated the popularity and success of these works. The variety in authorship, style, publisher and cost attested to the complexity and broad appeal of the books. While intersecting with ‘Mutiny literature’, biographies, histories and travel guides, the genre remained distinct and specific. The success of the private and unofficial books resulted in the British Indian Government adopting governing literature. These texts collated regulations and acted as systems of accountability. Memoirs and guides functioned as critical platforms from which serving or retired officials could voice discontent or provide alternative advice. Furthermore, they produced and managed a governing role which was integrated into the procedures and practices of rule. This role was reciprocally reproduced through the experience of policy and practice during the working life-cycle of the district official. Governing literature was an integral part of the mundane technologies of governance.

However, the idealised district officer as represented in governing literature frequently occupied an anxious and contradictory position between bureaucracy and autonomy. Thus far this chapter has explored how these fundamental tensions defined the imagined and represented world of the district officer. Now this chapter turns to the impact of these representations in the procedures and practices of the ICS. The struggle between the idealised district officer and the realities of the administration Bengal spilled out into competing projects of rule and varying functions of Government. It is by observing the

¹⁴⁸ Ibid.

construction and contestation of this role in different phases of the working life of the district officer that this chapter demonstrates the function of such a representation. It was in anticipation of the examinations, the process of candidacy and the commencement of training that this persona was established in the official minds of a generation.

Chapter Two ‘Highly polished and costly instruments’: The Competition System

In a letter concerning the proposed changes to the mode of admission to the Indian Civil Service, Sir Edward Colebrook Bart stated:

our endeavours must be to secure efficiency of administration in India itself, that the value of this complex machine must depend on its securing to that country the services of a body of men in the highest state of efficiency, morals and intellect.¹

The value of India and the men who ruled it was evidenced by the debates surrounding the competitive examination system. These discussions were not limited to reflections on the nature of colonial rule, but concerned bureaucracy, power, Britishness, character, and the state of education. This chapter will explore these debates as expressed in published letters, pamphlets, critiques, and exam guides. The competition system was the subject of multiple conflicting and shifting agendas in metropolitan and British Indian public discourse. Initially shaped by the Commission headed by Thomas Babington Macaulay, the examinations underwent multiple reforms. While the competition system continued to be regulated by the Civil Service Commissioners, the opinion of the district officers and the Indian Government remained as a key influence.

Arguments focused on the nature of the candidates and the design of the exams. As Colebrook Bart indicated, there were concerns about how to select, test and train the right sort of governing subject. These discussions were influenced by the ideal of the model district officer. Furthermore, the competition system, and the debates surrounding it, contributed to the moulding of this idealised persona. The consistent goal in the official mind was to produce an ideal civil servant, and to avoid the contemptible figure of the competition wallah. The competition wallah was the antithesis of the model district official. This figure was characterised by impractical intellect, effeminacy and moral weakness. The challenge was to design a system which would capture the vigorous, active and moral young men of Britain and yet somehow weed out the bookish, weak and ineffective types. However, the system chosen evolved into one of the most complicated and contested examination processes of the nineteenth century. This chapter first considers the existing historiography regarding

¹ A close observer, *An Examination of the Competitory Mode of Admission into The Civil Service of the East India Company* (London, 1855), 9.
Sir Edward Colebrook Bart, *A letter to Thos. Baring Esq MP on the Indian Civil Service* (London, 1852), 6–7.

the competition system and education in nineteenth-century Britain. After outlining the advent of the competition system, this chapter discusses the design, style and content of the examinations. By analysing the overlapping and contingent issues of education, character, class and nationality this chapter demonstrates that the examinations and the imagined ICS candidate were influenced by the idealised district officer. Finally, this chapter explores the role of the probationary period in shaping the model district official.

‘The best qualified among all persons’: Historiography

Existing historiography has provided a comprehensive narrative of the beginnings of the competitive system.² R.J Moore has described how Charles Trevelyan, Benjamin Jowett and T.B. Macaulay subtly utilised the 1853 charter renewal to ensure a proper meritorious process, and stripped the Company and Haileybury of the power of appointment.³ Furthermore, Compton demonstrates that the vision of a gentlemanly administrator ‘epitomised the strength and weakness of the British governing idea’.⁴ Compton’s analysis of the contradictory and irresolvable principles of the competition system and the influence of a symbolic role on the examinations provides a useful starting point for this chapter. However, beyond the reforming moment in 1853, the process of recruitment, examination and training has not been considered in recent historiography.

Discussions regarding recruitment problems have been mainly confined to the early twentieth-century. Potter and Beaglehole conclude that the recruitment issue was the result of the deterioration of a previously successful system.⁵ Yet, Spangenberg argues by the late nineteenth century ‘recruitment for the ICS very early fell into a negative syndrome from which, for the various reasons outlined, it could never lift itself’.⁶ According to Spangenberg the middle-class tone of the service irreparably damaged it in the eyes of the Viceroyalty and other metropolitan aristocratic groups. Limited attention has been given to the roots of this decline or the idealised persona which was so essential to the system of competition. As this

² Ibid., 27.

R.J Moore, ‘The abolition of Patronage in the ICS and the Closure of Haileybury College’, *Historical Journal*, 7, 2 (1964), 246–57; Bernard Cohn, ‘Recruitment and training of British Civil Servants in India 1600–1860’; and J. Compton, ‘Open Competition and the Indian Civil Service’. Also see Gilmour, *The ruling caste*, 43–46.

³ Moore, ‘The abolition of Patronage in the ICS’.

⁴ Compton, ‘Open Competition’, 270.

⁵ Potter, ‘Manpower Shortage and the End of Colonialism’ and Beaglehole, ‘From Rulers to Servants’.

⁶ Bradford Spangenberg, ‘The Problem of Recruitment for the Indian Civil Service During the Late Nineteenth Century’ *The Journal of Asian Studies*, 30, 2 (Feb., 1971), 360.

chapter demonstrates, the background and class of the recruits continued to be a serious concern throughout the period.

The issues of class and background, highlighted by Spangenberg, have been obscured by the continuing belief that the competitive exams were a natural consequence of the reformed British education system. This interpretation has limited our understanding of the relationship between the ICS schools, universities and bureaucracy.⁷ In his discussion of institutional liberal Governmentality and bureaucracy, Joyce explains that public schools were ‘machines for making governors, for it needs to be realised that the teaching of how to govern oneself and so how to govern others was not incidental but central to elite education’.⁸ In 1864, the Clarendon Commission was tasked with investigating the educational standards in the nine leading public schools.⁹ It concluded that the Clarendon man was defined by ‘their capacity to govern others, and control themselves, their aptitude for combining freedom with order, their love of healthy sports and exercise’,¹⁰ and indeed this reads like the model candidate for the ICS.¹¹ The public school ethos helped produce a governing culture, as the individual was sacrificed to an idealised persona of the athletic, honourable and masculine Victorian.¹² As Regenia Gagnier argues, ‘they learned in school to be boys without women, then to be masters of other boys, and then to be guardians of state and empire’.¹³ However, as Buettner explains, ‘less famous and less expensive schools are a more promising starting-point for examining imperial family histories than the institutions that have dominated educational historians’ attention to date’.¹⁴ Therefore, while many of the men of the ICS were products of the public school system, these experiences should not be homogenized or limited to elite institutions.¹⁵ Furthermore, as Buettner has demonstrated, the ICS had a reciprocal relationship with public schools. This chapter argues that the idealised district officer and the competition system must be considered products of, and influences on, British education and governing culture.

⁷ C. J. Dewey, ‘The Education of a Ruling Caste: The Indian Civil Service in the Era of Competitive Examination’, *The English Historical Review*, No. 347 (Apr., 1973), 282.

⁸ Joyce, *The State of Freedom*, 229.

⁹ Elizabeth C. Kempe, *The Educational Ideas of the Clarendon Headmasters from 1860 – 1914* (London, Garland, 1987).

¹⁰ Compton, ‘Open Competition’, 269.

¹¹ For a discussion of the public school in Victorian culture, see Bristow, *Empire boys*, 53-92.

¹² J. Mangan, *Athleticism in the Victorian and Edwardian Public School: The Emergence and Consolidation of an Educational Ideology* (Cambridge, 1981).

¹³ Gagnier, *Subjectivities*, 178.

¹⁴ Buettner, *Empire Families*, 164.

¹⁵ Joyce, *The State of Freedom*, 264.

This chapter demonstrates that the district official informed the competitive exams, and influenced an imagined ideal candidate. However, the tensions between the district officer's autonomy and the increasing role of bureaucratic government were reflected in the examinations. These concerns were focused on the education and background of potential candidates. In order to better understand the contradictions and anxieties at the heart of the competition system debate, this chapter first examines the socio-political climate from which it emerged.

'How to manufacture a man': Reforming admission to the Indian Civil Service

This thesis argues that while the advent of the competition system cannot be separated from the reforming atmosphere of the mid-nineteenth century, it was devised primarily as a means of more efficiently securing and producing the idealised district official.¹⁶ In the 1850s patronage, corruption and inefficiency began to sit uncomfortably with shifting attitudes in the British governing administration.¹⁷ The public perception of Company governance ran contrary to the emerging popular liberalism which was to define British politics in the later nineteenth century.¹⁸ Even those defending the Company were aware of its public image, and one such defender argued in the *Morning Chronicle* 'declamation is easy for those who have learned nothing of the India to-day and have forgotten nothing of the India of Burke'.¹⁹

By the mid-nineteenth century, the British Government was increasingly defined by liberalism and the culture of 'disinterested' government.²⁰ After the Northcote-Trevelyan report highlighted the abuse of the patronage system, and portrayed the British civil service as rife with idle and incompetent individuals, the proposed remedy was to recruit using meritorious exams.²¹ However, this was contingent upon the cultivation of a more professional gentlemanly identity. Phillip Harling argues that cross-party reformers shared a commitment 'to make officers of the state more accountable to a notion of public service'.²²

¹⁶ By A Haileybury Man, *An Indian Civilian's Career, what it is, and what it might be, with some remarks on English mal-administration in India* (Brighton, 1867), 4.

¹⁷ Rohan McWilliam, *Popular politics in nineteenth century England* (London, Routledge, 2002).

¹⁸ Gunn and Vernon, (eds.), *The peculiarities of liberal modernity*.

¹⁹ Lushington, *The Double Government*, 9.

²⁰ Jonathon Parry, *Rise and Fall of Liberal Government in Victorian Britain* (London, 1993); and Phillip Harling, *The Waning of Old Corruption: the politics of economical reform in Britain 1779–1846* (Oxford, 1996).

²¹ William C. Lubenow, *Liberal Intellectual and Public culture in Modern Britain 1815-1914* (Woodbridge, 2010), 51.

For a comparison of reforms in the British and Indian Civil Service see Edward Barratt, 'Governing public servants', *Management and Organisational history*, 4,1 (2009), 67–84.

²² Harling, *The Waning of Old Corruption*, 105.

The civil service was to be staffed by gentlemanly administrators, characterised by accountability and expertise. David Vincent explains that after Crimea the persona of the gentlemanly administrator enabled the civil service to retain the preferred characteristics of discretion, authority, intellect, while dismissing the less savoury notions of nepotistic patronage, inefficiency and indulgence.²³ Professionalism was reworked into a duty or service, defined by discreet reserve, discipline and self-restraint.²⁴ The work of the gentlemanly administrator was distanced from the middle class professions and the financial taints of careerism were obviated by a conscious commitment to moral accountability.

Through the role of the gentlemanly administrator, hard work, professional conduct and moral virtue became entwined in Victorian ideals of good character and duty. Character was an active quality, a dynamic principle to be understood and developed by individuals. Furthermore, it was social behaviour, devised and structured by a predominantly middle and upper class culture. More practically imagined it was a code of conduct and a set of moral standards enclosed within certain behaviour patterns. Character was intimately linked to duty, service, and, therefore, work. Lauren Goodlad argues that the notion of character shifted during the nineteenth century from an evangelical vision of limitless self-improvement to a more stratified class based gentlemanly attribute.²⁵ Work, and especially Government service, became an expression of the liberal values of moral worth and personal effort. Collini argues that the ‘examinations were important for the professions because they served as agents for ideas of individual responsibility and public duty’.²⁶ Examinations depended on the characteristics of individualism, self-reliance and manly effort which underpinned the new identity of the gentlemanly administrator.

However, as Dewey argues, the ICS was deemed more worthy of reform than the Home civil service because ‘the Indian civil servant exercised a power for good or evil which no English civil servant – perhaps no functionary in the world possessed’.²⁷ This perception of significant influence informed the idealisation of the district officer. Patronage was abolished in the ICS a year before Northcote and Trevelyan’s report. Macaulay first proposed competitive entry by means of examination during the renewal of the EIC charter in 1833.

²³ David Vincent, *The Culture of Secrecy: Britain 1832–1998* (Oxford, 1998), 35–37.

²⁴ David Vincent, ‘Government and the management of information 1844–2001’, Gunn and Vernon, (ed.), *The peculiarities of liberal modernity*, 173.

²⁵ Lauren M. E. Goodlad, *Victorian literature and the Victorian state: character and governance in a liberal society* (Baltimore, 2003), 119–120.

²⁶ Lubenow, *Liberal Intellectual and Public culture*, 50–51. Also see Stephan Collini, *Public Moralists: Political Thought and Intellectual life in Britain 1850–1930* (Oxford, 1991), 192; and Dewey, ‘The Education of a Ruling Caste’, 262–285.

²⁷ Dewey, ‘The education of a ruling caste’, 267.

The competition system was the realisation of a long held ambition, and therefore, should be considered a distinct element of the mid-century reforming moment. For the British Home civil service, the gentlemanly administrator was slow to emerge, and the meritorious exams did not eliminate patronage or gross inefficiency until late into the nineteenth century.²⁸

Traditionally civilian officials of the EIC had been recruited by patronage and nomination.²⁹ During the charter renewal in 1813, it was agreed that to qualify for a career in India, nominees had to reside at Haileybury for four terms.³⁰ Opened in 1806, the training college was infamous for poor discipline and questionable levels of education. Despite these shortcomings, Haileybury was regarded with nostalgic affection by its alumni. John Beams reminisced ‘Haileybury was a happy place, though rather a farce as far as learning was concerned’.³¹ The legacy of Haileybury was its continued perception as an institution which had gathered the best kind of men together. Henry George Keene supported this conclusion, and although he confessed it was not the most academic of institutions, this was irrelevant as the young men ‘belonged to the old Anglo-Indian families, and had often been born in the country, where their names were well known’.³²

This ideal of young men with an inheritance connected with the East continued to plague the recruitment process.³³ Cohn argues ‘it is likely that from 1840 to 1860 fifty or so interconnected extended families contributed the vast majority of the civil servants who governed India. And these civil servants certainly had crucial administrative roles until the 1870s’.³⁴ Kipling claimed ‘if there were a single loaf in all of India, it would be divided among the Plowdens, the Trevors, the Beadons, and the Rivett Carnacs’.³⁵ Patronage was supposed to ensure this continuation of innate governing abilities. However, Macaulay believed that more than family ties were required to govern India. In his first efforts to introduce competitive examinations during the 1833 charter renewal Macaulay successfully proposed that nominations should be limited to four men per Company Director. These four

²⁸ H.R.G. Greaves highlights that it took 17 years for the reforms to come into effect, H.R.G Greaves, *The Civil Service in the Changing State* (London, 1947), 19.

²⁹ See, A. Lawrence Lowell, *Colonial Civil Service: The selection and training of Colonial Officials in England, Holland, and France* (New York, 1900), Jacob Thiessen, ‘Anglo-Indian Vested Interests and Civil Service Education, 1800-1858: Indications of an East India Company Line’, *Journal of World History*, 5, 1 (Spring, 1994), 23-46, and John Bowen, ‘The East India Company’s Education of its Own Servants’, *Journal of the Royal Asiatic Society*, 87, 3-4, (October 1955), 105-123.

³⁰ Lowell, *Colonial Civil Service*, 9.

³¹ John Beams, *Memoirs of a Bengal Civilian* (London, 1961), 63–64.

³² Keene, *A Servant of ‘John Company’*, x.

³³ J.S Wylhe, *A letter to the Hon’ble Sir C. Trevelyan on the selection and training of candidates for her Majesty’s Indian Civil Service* (Calcutta, 1870), 8.

³⁴ Cohn, ‘Recruitment and training of British Civil Servants’, 111. Also see, Gilmour, *The ruling caste*, 29-36.

³⁵ Quoted in, Thiessen, ‘Anglo-Indian Vested Interests and Civil Service Education’, 32.

candidates would be required to sit an exam and only one would be admitted to Haileybury to complete his training. This entrance exam was more stringent than existing examinations at Haileybury, but was primarily based on the typical education of young men with a strong focus on the classics, basic mathematics, English history and composition. The pass rate was around 75 percent.³⁶ It was not until the charter renewal of 1853 that patronage was completely abolished.³⁷ As a result in 1854 a Commission was established to investigate the best possible means of recruiting civil servants.

The Commission and the subsequent report have become synonymous with Macaulay. The report favoured the shared ambitions of Benjamin Jowett and Macaulay to recruit university men. Macaulay believed that the civil servants of the EIC should possess ‘the most liberal, the most finished education that his native country affords’.³⁸ Macaulay has been credited with wedding the ICS to the universities, but as this chapter argues, the subsequent relationship was complex. Despite some concerns about targeting university students, Macaulay believed that undergraduates could be tempted away from the celibate life of a university don by an Indian vocation. The Commission concluded that the examination had to appeal to the general liberal education of a gentleman.

The Commissioners did not wish to attract ‘a mere smatterer’,³⁹ essentially they wanted to avoid candidates who had knowledge ‘of wide surface and of small depth’.⁴⁰ Critics argued that without the personal guarantee and recommendation provided by nomination, the system could select morally corrupt persons. According to William Baptist Scoones, there was ‘no further evidence of fitness to undertake the delicate task of governing a proud susceptible and keen sighted race of men, than is implied by a certificate of good moral character, and the somewhat whimsical approbation of an irregularly constituted stuff of Examiners.’⁴¹ However, Macaulay and the Commissioners believed there was a link between intelligence, the application of studious habits, good character and moral standing. In defence of the process, the report confidently stated:

³⁶ 1839: 30 passed and 10 failed. 1846: 22 passed and 5 failed. 1847: 19 passed and 4 failed, in, Lowell, *Colonial Civil Service*, 12.

Mss Eur F213/56: 1846-1850 Copies of entrance examinations for Haileybury College with lists of successful candidates.

³⁷ Compton, ‘Open Competition’, 265.

³⁸ Right Hon T.B Macaulay, Right Hon Lord Ashburton, Rev Principal H. Mevill, B. Jowett esq and speaker of the house of commons, *The Indian Civil Service: Report to the Right Hon Sir Charles Wood* (London, 1855), 3.

³⁹ Macaulay, Ashburton, Mevill, Jowett, *The Indian Civil Service*, 12.

⁴⁰ Ibid.

⁴¹ William Baptiste Scoones, *On the method of selecting candidates for the civil service of India: A pamphlet addressed to the most hon Marquis of Salisbury and the members of the Indian Council* (London, 1874), 20.

early superiority in science and literature generally indicates the existence of some qualities which are securities against vice – industry, self-denial, a taste for pleasures not sensual, a laudable desire of honourable distinction, a still more laudable desire to obtain the approbation of friends and relation.⁴²

Macaulay certainly believed that a diligent student preparing for the competitive exams at Oxford or Cambridge was a better behaved and more morally worthy individual than a Haileyburian. However as the nineteenth century progressed the idea of what a liberal education, or even a good education, constituted became the source of considerable anxiety. In fact, Macaulay and Jowett had rather grandiose expectations of the new system. They were confident that it would change the nature of public schooling, and that the allure of such honourable, attractive and independent positions would produce a dramatic effect on the ambitions of young men.⁴³ Macaulay's competitive examination scheme was shaped by his commitment to the idealised district officer. The model district officer, as produced by the competition system, was integral to Macaulay's vision for a renewed British India:

you might read the character of the collector ... in the eyes and in the garb of the population – in the appearance of the fields and of the houses. When there was an incompetent collector, the peasantry were brokenhearted ... But let a good collector replace the bad one, and the whole scene is altered.⁴⁴

Macaulay's imagined idealised district officer reflected the representations of the Collector in governing literature. Therefore, the debates surrounding the competition system focused on how best to capture, and train, suitable candidates who could become district officers.

'Conscientious plodders': The design and style of the examinations

As the examination papers themselves have received limited attention, exploring their content and style offers a new contribution to our understanding of the competition system, and the impact of public debate on it.⁴⁵ Furthermore, investigating the exams themselves reveals the importance of an idealised district official to the Civil Service Commissioners and the British

⁴² Macaulay, Ashburton, Mevill, Jowett, *The Indian Civil Service*, 21–22.

⁴³ *Ibid.*, 6–7.

⁴⁴ Dewey, 'The education of a ruling caste', 267.

⁴⁵ Wylhe, *A letter to the Hon'ble Sir C. Trevelyan*, 1.

For a brief discussion of the exam content see Dewey, 'The education of a ruling caste' and Cohn, 'Recruitment and training of British Civil Servants in India 1600 – 1860'.

Misra has discussed the policy changes and marking scheme see Misra, *The Bureaucracy in India*, 158-174.

Government in India. The contradictory nature of the imagined and practiced idealised district officer was reflected in the debates surrounding the competitive exams. By examining the value of subjects in the marking scheme, this chapter reveals contemporary perceptions about types of intelligence, and the relationship between mental culture and the work of Empire.

Applicants submitted their intention to take the examination along with an indication as to which subjects they would sit. The examination was technically open to any natural born subject of Her Majesty.⁴⁶ Therefore, while it was not prohibited, it was difficult for any Indian born candidate to participate. The steadfast refusal to hold the exams anywhere but London, the privileging of typically English education and eventually the compulsory residence in a university during probation made it expensive and challenging for any Indians wishing to enter into the covenanted civil service.⁴⁷

The first exams were held in 1855 and the last Haileybury nominees went to India in 1856.⁴⁸ Haileybury was closed in 1858 and the Civil Service Commission was established in order to keep the ICS out of the politicians' hands.⁴⁹ Each year the examination regulations announced how many places were available and divided them by province. The annual regulations were necessary due to the frequent changes in the exam procedure, and the constant shifting of the minimum and maximum ages. In 1857 there were 60 candidates for 12 places, by 1870 there were 327 candidates for 43 places.⁵⁰ Due to the considerable number of applicants an examination fee of £5 was introduced in 1871.⁵¹ This fee supposedly ensured that only those truly committed to an Indian career would sit the exam. The exams could be up to three hours long and were often accompanied by a viva-voce. Scientific papers also usually involved a practical or laboratory examination.⁵² The results were always published alongside an examiners report. This tradition was soon criticised. It was argued that

⁴⁶ Compton, 'Indians and the Indian Civil Service, 1853-1879', 99 and Misra, *The Bureaucracy in India*, 98.

⁴⁷ Presidency town probation ended in 1864 and age lowered to 21, 1878, reduced to 19 and probation at a college or university, BL, IOR/L/PJ/6/264, File 2022, New System of competition, 11-30th November 1889, 19. For successful Indian candidates see, BL, IOR/L/PJ/6/315, File 293 11th February 1892, and BL, IOR/L/PJ/6/1053, File 4647, 19th December 1910 - 6th January 1911, Successful Indian Candidates 1886 - 1910.

For patterns of recruitment also see Misra, *The Bureaucracy in India*, 101-2.

⁴⁸ Compton, 'Open Competition and the Indian Civil Service', 265.

⁴⁹ *Ibid.*, 266.

⁵⁰ BL, IOR/L/PJ/6/315, File 293 11th February 1892.

⁵¹ Hugh Tinker 'Structure of the British Imperial Heritage', Ralph Baibenti, et al., (ed.), *Asian Bureaucratic systems emergent from the British Imperial Tradition*, 54.

⁵² BL, IOR/L/PJ/6/213, File 1887, Candidates Papers for open competition 1885 - 1887, Regulations for 1885

the best tutors could be easily identified by observing the names of the successful pupils, and this compromised the fairness of the system.⁵³

While the style of the examinations remained fairly consistent throughout the period, the content varied significantly. In order to have a broad appeal the examination offered a large variety of subjects, supposedly based on a gentlemanly English liberal education. In reality, as Dewey argues ‘the broad spread in papers was in part the product of a reluctance to exclude any type of intelligence’.⁵⁴ This range of topics reflected the concern that exams would be unable to capture the discretionary abilities so valued in the idealised district officer. The nature and measuring of intelligence was central to the discussion and informed the subjects of examination. Many commentators disagreed with Macaulay’s ultimate aim and thought that a university education was surplus to requirements. It was argued that ‘the work demanded from the bulk of the Civil Service is that not of originating a policy, but of following a prescribed course through the practical details of daily business’.⁵⁵ What was needed was methodical labour and not genius.⁵⁶

Contemporaries were concerned that the exams rewarded the recitation of facts and quickly learnt arguments, and not the studious application required of a potential district officer.⁵⁷ An anonymous pamphleteer claimed the real issue with the candidates was ‘the feebleness of true intellectual interests, the craving amongst young Competition Civilians not for knowledge but for marks’.⁵⁸ These anxieties were focused on the cramming system.⁵⁹ Cramming was a style of intensive tuition, often undertaken in a residential setting, and occasionally included boarding with the crammer and fellow tutees. The tutor would take on a small number of candidates or probationers over a period of a few months or even up to a year. E. Stack claimed that in 1865, 32 percent of candidates went to crammers, for an average of 5 to 6 months, whereas by 1874, 84 percent of candidates were attending crammers for an average period of between 12 and 18 months.⁶⁰ These tutors specialised in intensive preparation, and supposedly favoured those subjects with the highest marks for the minimum effort. They utilised past papers and manuals to coach their students towards likely

⁵³ BL, IOR/L/PJ/3/1117, File 4666, Papers on the selection and training of candidates for the Indian Civil Service, W.C. Capper, Commissioner of Fyzabad 11th August 1875, 2.

⁵⁴ Dewey, ‘The education of ruling caste’, 270.

⁵⁵ Wylhe, *A letter to the Hon’ble Sir C. Trevelyan*, 1.

⁵⁶ Joyce discusses the culture of ‘grinding’ in education, Joyce, *The State of Freedom*, 254-8.

⁵⁷ Rev. Robert Demaus, *English Literature and Composition: A guide to candidates in those departments in the Indian Civil Service* (London, 1866), 16.

⁵⁸ An Oxford Competition Wallah, *Remarks on the Education of Indian Civil Service as at present conducted in England* (Lahore, 1872), 26.

⁵⁹ Misra argues that the cramming issue worsened after 1878, Misra, *The Bureaucracy in India*, 205-207.

⁶⁰ BL, IOR/L/PJ/3/1117, E. Stack, Allahabad, 1st August 1875, 1.

questions. Critics argued that cramming undermined the entire purpose of the examination system. Crammed students would be ill-prepared for the working life of a district official. Therefore, the system was adjusted to favour subjects which were thought to require consistent and long term study, rather than those which could be rapidly absorbed, (see tables 5 and 6).

The initial solution was to adjust the marking system. A minimum demonstration of competent knowledge was required, (see table 6), and marks were only counted after a candidate had obtained an agreed minimum mark.⁶¹ This was in order to prevent the candidate spreading minimal knowledge over many subjects instead of demonstrating solid learning in a few fields of study. Throughout the period candidates had roughly twenty eight different papers to choose from. There was technically no limit on how many papers could be taken. This allowed considerable variations of knowledge and topic combinations. In an evaluation of the competition system exams Alfred Tupp concluded that ‘a moderate knowledge of even four subjects will not secure a man a place, he must know at least one of them very well indeed’.⁶² As Macaulay had wanted, the range of papers did not exclude avenues of learning, but this did lead to concerns about the potential disparities in knowledge and ability.

⁶¹ Between 1868-1878 the subjects and marks were fixed, but there were several changes in the subsequent decades, see Misra, *The Bureaucracy in India*, 158-174.

⁶² Alfred Cotterell Tupp, *The Indian Civil Service and the Competition System* (London, 1876), 48.

Table 5: Examination subjects in 1870⁶³

Examination	Marks
English Composition	300
English History, including a period selected by the candidate	300
English Literature, including books selected by the candidate	300
Greek	600
Latin	800
French	500
German	500
Italian	400
Maths, pure and mixed	1,000
Natural Sciences	500 (each)
Electricity and magnetism	300
Experimental laws of heat and light	300
Mechanical Philosophy, with outlines of astronomy	300
Logic	300
Political Economy	300
Sanskrit	500
Arabic	500
Probationary Examination	Marks
Law	1,250
Sanskrit	500
Arabic	400
Persian	400
Vernacular languages	400 (each)
History and geography of India	350
Political Economy	350

⁶³ Ewald, *The Guide to the Indian Civil Service*, 16 – 17.

Table 6: Examination subjects in 1885⁶⁴

Subject	Marks	Competent Knowledge
English Composition Lit, Lang, and History (inc history of laws and constitution)	500 1,000	1/6
Lit, language and history of Greece	750	1/6
Rome	750	1/6
France	375	½
Italy	375	½
Mathematics	1,200	
Pure		1/10
Mixed		1/10
Natural Science	500 (each)	¼
Chemistry		
Electricity and magnetism		
Geology and mineralogy		
Zoology		
Botany		
Moral Sciences, logic, mental and moral philosophy	500	¼
Sanskrit	375	1/6
Arabic	375	1/6
Total	7,125	

⁶⁴ BL, IOR/L/PJ/6/213, File 1887, Candidates Papers for open competition 1885 – 1887, Regulations for 1885

Initially, the topics reflected a liberal English education with a heavy focus on classics, English, mathematics and moral sciences. History, geography and modern languages were considered the cram subjects, as they lent themselves to rapid attainment compared to the long *durée* required of mathematics and classics.⁶⁵ Initially the traditional subjects were more successful. For example, in 1859 the highest placed candidate of the entire cohort was first in Maths, the second highest candidate was first in English, and the candidate placed third overall came first in Classics.⁶⁶ As well as requiring minimum attainment, the exams weighted the total potential marks according to the perceived value of each subject, see tables 5 and 6. Sanskrit and Arabic were only worth 375 marks each. They were considered a token gesture to any Indian born candidates and allegedly represented the equivalent classical languages of the Indian subcontinent. Purely linguistic in focus, the Sanskrit and Arabic papers did not include the history or literature of the European language exams. This biased weighting of marks also neglected the useful preparation Sanskrit and Arabic offered for other vernacular languages later on in the probationary exams.⁶⁷ As a framework to test studious habits the British Government remained confident in its commitment to the liberal gentlemanly education, but the competition system was ill at ease when being compared to the state of general education.

The ICS examinations were simultaneously praised for improving education and criticised for ignoring developments in academia and school curricula. English literature, composition and good grammar were all given primacy in the exams, thereby encouraging the study of these subjects. While it appears obvious that a civil servant would need to demonstrate a good grasp of written English, English literature was not traditionally part of the British public education system. Rev. Robert Demaus congratulated the examiners and believed the ICS literature paper would result in an English master in every public school.⁶⁸ This was the kind of far reaching educational influence Macaulay had craved. Yet, when in 1891, after fears that it had become a cram subject, Italian was removed from the syllabus. This decision was criticised as educators argued that modern languages were part of the public school curriculum, but the Commissioners responded: ‘the primary object of the

⁶⁵ Rev. H. Latham, ‘Examinations of the Civil Service of India, with the regulations’, *The Students’ Guide to the University of Cambridge* (Cambridge, 1866), 292.

⁶⁶ Tupp, *The Indian Civil Service*, 48.

⁶⁷ *Ibid.*, 296.

⁶⁸ Demaus, *English Literature and Composition*, vii.

scheme under consideration is not to prescribe an educational curriculum but to obtain an adequate supply of highly educated candidates'.⁶⁹

The sciences remained a contentious issue throughout the nineteenth century. From the advent of the system the examiners for the science papers complained that the scheme unfairly targeted scientific specialist subjects.⁷⁰ The balance of marks for the sciences did not appear to appreciate well applied knowledge but instead favoured a brief survey of various topics. H.H. Risley recalled that the 'sciences were frequently taken up by men who had no previous knowledge or taste for them, and who "got up" the subjects from popular manuals, supplemented by special lectures'.⁷¹ The natural science, botany and electricity papers were criticised for being less rigorous and easy to pass. A.C. Bainbridge asserted that the practical tests were rife with cheating, and the examiner was usually unaware:

He can only have a limited number of machines or specimens, upon his table. The first candidate who leaves his room can often name them all to some of his friends. These latter can refresh their memories by a reference to their text books and thus obtain a considerable advantage over other competitors.⁷²

Despite these critiques, by 1891 Oxford and Cambridge successfully lobbied to have the scientific tripos recognised as valid qualifications for an ICS candidate.⁷³

As Dewey argues, towards the end of the century a shift occurred towards those subjects which were not only believed to be the best demonstration of intellect, capacity and moral character, but also those which were of the most use in India itself.⁷⁴ In 1860, the classics, British and European language, literature and history accounted for two thirds of the total possible marks. By 1900, philosophy and the moral sciences constituted half of the total possible mark. The literature element had been severely reduced, and three new social science papers had been added, including political economy and economic history, and political science. These moral and social science papers featured the history of jurisprudence,

⁶⁹ BL, IOR/L/PJ/6/298 File 471 11th March 1891

⁷⁰ East India, Civil Service, *A Copy of the Reports dated the 4th day of August made to the Commissioners for the Affairs of India by the Examiners appointed under the Act of the 16th and 17th of the Queen c.95, for the examination of candidate for the civil service of India and a Copy of the correspondence relating to the Appointment and proceedings of said Examiners 11th August 1855* (HoC Papers, 11th August, 1855), 5

⁷¹ BL, IOR/L/PJ/3/1117, H.H Risely, assistant to director general of statistics, 10th August 1875

⁷² A.C. Bainbridge, Assistant-Commissioner, Ma-oo-beng, 30th July 1875, *Ibid.*, 1.

⁷³ BL, IOR/L/PJ/6/277, File 864, 19 May 1890 Sir Henry Roscoe's House of Commons question on ICS examinations being unfavourable towards candidates studying science

⁷⁴ Dewey, 'The education of a ruling caste', 280.

Misra argues this shift also reflected the educational abilities expected of younger candidates, Misra, *The Bureaucracy in India*, 163.

and most importantly required a solid grasp of English politico-legal institutions, and English law.⁷⁵ Despite the fluctuations in the content and style of the exams, by the end of the period there was a conscious favouring of the social sciences, these simultaneously blended the commitment to autonomy and independent decision-making, and the new technical professional skills of the modern era.

The debates about the inclusion or exclusion of different subjects revealed a relationship between types of knowledge and the correct kind of civil servant. The potential for a candidate qualifying despite having insufficient or inappropriate knowledge was cause for serious alarm. J.S. Wylhe complained: ‘where then is the guarantee for the peoples’ satisfaction in the fact of their new master having one day in London showed some proficiency in stringing together Greek Iambics or flooring abstruse problems in pure mathematics’.⁷⁶ There was an enduring conflict between those who believed that the exams should cultivate a specialist, independent and intellectual civil servant, and those who thought that little more than a check for hard work and basic intelligence was required.⁷⁷ While it was generally agreed what the qualities of the idealised officer were in practice, the process of capturing, testing and shaping these characteristics remained problematic. These tensions were reflected in the exam questions, and the papers revealed the centrality of an idealised district officer in the official mind of the competition system.

‘A frightful ordeal to pass through’: Taking the exams

The examinations were influenced by the imagined and practiced district official. However, by attempting to test for the qualities and characteristics of this contested figure, the competitive exams aided in the construction of this idealised persona. Questions were oriented around the perceived skillset of the district officer, and they also required candidates to engage with the imagined administrative role.

In the 1855 exam one of the passages for translation explicitly described the character of the idealised district official: ‘wisdom to discern the real interest of the community; goodness to endeavour always to pursue that real interest; and strength, or power, to carry this knowledge and intention into action’.⁷⁸ Composition questions frequently referenced the

⁷⁵ Dewey, ‘The education of a ruling caste’, 280.

⁷⁶ Wylhe, *A letter to the Hon’ble Sir C. Trevelyan*, 51.

⁷⁷ Latham, ‘Examinations of the Civil Service of India’, 292; Hodgkinson, *The Civil Service of India*, 24; and BL, IOR/L/PJ/3/1117, E Pasle 11th November 1889.

BL, IOR/L/PJ/6/264, File 2022, New System of competition, 11- 30th November 1889, 24 – 25.

⁷⁸ MSSEUR C943, Cheltenham, 12th May 1861, R.I Poslie.

governing race, the capacity to govern or the exercise of power.⁷⁹ These essays encouraged candidates to articulate languages of power and envision their connection to an idealised role. In the most consistently popular papers, those of English literature, history and composition, the questions were clearly aimed at testing the communication skills and decision-making capacity of the potential civil servants. These questions encouraged candidates to demonstrate their ability to efficiently and effectively communicate detail: ‘write a letter asking for information of a locality you are unfamiliar with to a friend’.⁸⁰ This question reflected the nature of the work expected of the early career of the district officer, writing, reviewing, memorising, regurgitating and presenting of reports.⁸¹ While the weighting of the marks in the English composition paper was frequently criticised, the essay style questions remained consistent. They were considered the most appropriate means of assessing the potential civil servant. Yet, simultaneously they were also the questions best adapted to the cramming method of study.

The English history papers similarly encouraged the fashioning of an idealised gentlemanly administrator. Unsurprisingly, the majority of the history questions focused on a Whig grand narrative of British progress: ‘What changes in the Law, as affecting the freedom of conscience and the liberties of the subject, happened between the reign of Charles I and Queen Anne’.⁸² These questions lent themselves to discussions of the natural British governing capacity, and encouraged the candidates to see their own role in the system of Government and its heritage. The exams were often criticised for having little ‘Oriental’ learning. However, the history papers frequently referenced the EIC. Prominent figures like Warren Hastings or Robert Clive featured: ‘Write an account of the Hastings administration from Francis’ departure in 1780. For what special transactions was he subsequently impeached?’.⁸³ Candidates were encouraged to reflect on or historicize Indian history. Questions tended to be on themes of success: ‘Estimate the merits and the deficits of the government of India by the East India Company’.⁸⁴ These questions encouraged students to evaluate and contextualise British rule in India. As the century progressed, contemporary

A Copy of the Reports dated the 4th day of August made to the Commissioners for the Affairs of India by the Examiners, 14.

⁷⁹ BL, IOR/L/PJ/6/187, File 1788, Open competition papers in 1884, 14, and BL, IOR/L/PJ/6/213, File 1887, Candidates Papers for open competition 1885 – 1887, Regulations for 1885, 15.

⁸⁰ BL, IOR/L/PJ/3/1077, File 399, A Copy of the Reports dated the 4th day of August made to the Commissioners for the Affairs of India by the Examiners, Question 13.

⁸¹ BL, IOR/L/PJ/6/435, Files 2211, Examinations 1896, 28.

⁸² Ewald, *The Guide to the Indian Civil Service*, 115.

⁸³ *Ibid.*, 182.

⁸⁴ BL, IOR/L/PJ/6/366, File 114, 18th January 1894, Examinations 1893, 123. William M. Watts, *Civil Service Examination Papers 1856* (London, 1856).

history occasionally featured, and the Company was increasingly distanced through evaluative questions. Through the history papers the candidates were encouraged to see their role in the grand narrative of the Raj.

The moral and political science papers asked candidates to define, explain and occasionally challenge theories and concepts: ‘Show that the Ricardo theory of rent and the Malthusian theory of population rest substantially on the same foundation’.⁸⁵ The political and philosophical variability within these papers, while reflecting contemporary trends, also encouraged the idea of independent reasoning which was so essential to the idealised district officer. Dewey has observed that later in the nineteenth century that a ‘reaction against utilitarianism co-existed in the book-lists with utilitarianism itself, as if the continued presence of utilitarian works was necessary to throw the reaction into high relief’.⁸⁶ As Dewey explains, the moral science and political philosophy papers were not entirely aimed at drilling into potential district officials the best arguments and theories to govern India by. These questions encouraged a critical approach. They also required candidates to interrogate their own decision-making processes: ‘Is the argument from common sense an appeal to the judgement of the vulgar or is it at once scientific and philosophical? In what circumstances may it be appealed to, and under what conditions may it be employed’.⁸⁷ Alongside philosophical debates, the methods of decision-making were tested. These questions asked candidates to consider the process of using common sense, or examine the moral justification of an argument. The increasing prominence of the moral, political and social science papers spoke to the continued commitment to an autonomous district officer. Candidates were required to interrogate their own decision-making processes and moral compass, often in an imagined environment. They were further expected to apply these skills and demonstrate legal understanding: ‘What are the uses of the institution of private property? What are the theoretical limitations to it? Why should we not expect to find it in the earliest stages of human society?’⁸⁸

For all the criticism of the sciences, the papers were equally revealing about the official mind. New scientific developments were reflected in the competition exams, with papers on electricity and magnetism featuring from the 1870s. Burgeoning theories of evolution and racial science were often intermingled with zoology and biology papers: ‘How do you distinguish structurally, man from the anthropoid ape? How far do certain lower races of

⁸⁵ Ibid.

⁸⁶ Dewey, ‘The education of a ruling caste’, 280.

⁸⁷ Watts, *Civil Service Examination Papers*.

⁸⁸ Ewald, *The Guide to the Indian Civil Service*, 192.

mankind approximate in character to those animals'.⁸⁹ These subjects encouraged candidates towards a scientific skillset and their inclusion aided in the construction of the district officer's expertise. Ethnography and anthropology were increasingly viewed as useful and relevant for trainee civilian officials. The competitive exams helped develop the idealised district officer into a qualified rational scientific bureaucrat.

As Wilson has argued, the exams were testing more than intellectual ability. The competitive system was 'an instrument for ensuring British and Indian officers acted as functionaries within a disciplined colonial machine. It was to be used to instil rational forms of mental order'.⁹⁰ By analysing the examinations this chapter has revealed that the nature of this mental order was the subject of debate. The examination questions, style and content reveal that the type of intellect, work and persona the system tried to produce was based on competing interpretations of the idealised district official. However, this process was also shaped by the nature of the potential candidates. Contingent and overlapping factors of education, background, character, class, Britishness and age informed the anxieties regarding prospective candidates. A dichotomy emerged between an ideal imagined candidate, drawing on the persona of the district officer, and the competition wallah, who reflected the concerns regarding bureaucracy. The tension between these two figures reflected and informed the debates regarding the competition system. One of the principle concerns regarding candidates for the ICS concerned the nature of their preparatory education, be it crammer, public school or university. This was a source of considerable debate, and had an impact on the development of the competitive system.

'Men of good general education in several walks of life': Education and schooling

The competition exams were intended to reflect a typical British public school education, but as the system developed, public school educations were insufficient preparation.⁹¹ According to historians of the public schools the education provided was fairly limited.⁹² Primarily, learning was orientated around the classics, translating without context, and a basic introduction of mathematics, some French and later a minimal inclusion of the natural

⁸⁹ BL, IOR/L/PJ/6/435, Files 2211, 1896 exam.

⁹⁰ Wilson, *The domination of strangers*, 153.

⁹¹ BL, IOR/L/PJ/3/1117, A Hobhouse September 22nd 1875, 5. Macaulay, Ashburton, Mevill, and Jowett, *The Indian Civil Service*, 3.

⁹² For discussions of the relationship between the ICS and public schools see Misra, *The Bureaucracy in India*, 204-208 and Gilmour, *The ruling caste*, 52.

sciences.⁹³ Public school applications peaked between the early 1870s and early 1890s due to the age range being significantly lower during this time.⁹⁴

The disparity between the promise that the examinations would reflect a classic liberal education, and the reality of the work required, presented an obstacle to public school and university candidates. As a result, the ICS became unpopular with educational institutions. A.H. Haggard, a subdivisional officer in Buxar, argued in 1875 ‘the Universities and Headmasters of public schools began to view with disfavour the working of a system which set them at nought, worked independent of them and from which they got no credit’.⁹⁵ This unpopularity of the competition system amongst schools and universities was aggravated by the lower age limit, which meant that the boys were taken out of the final years in order to prepare for the ICS. Furthermore, institutional commonality which was so vital to the public schools was disassembled by the competition system. As Dewey asserts, the nature of the exam was ‘enough to force candidates to have recourse to crammers; nowhere within the ordinary education system could they obtain appropriate tuition to supplement their early specialisation’.⁹⁶

The most famous crammer was Walter Wren: he proclaimed ‘it is well known that I was becoming a monopolist, that my pupils beat all rivals whether from Public Schools or the Universities, and that therefore the Public Schools begged Salisbury, Secretary of State, to make certain changes in their fancied interests’.⁹⁷ In a unique pamphlet Wren wrote to the Secretary of State for India defending his work and claimed that the crammers served a necessary function. Wren argued the demands of the preparation for the competition exams were being inadequately met by the public schools. Mr Cumine, an Assistant-Collector, had studied with Wren, and explained ‘so much impetus is given to cramming by means of manuals, for the next years’ examination. But this is clearly due to the carelessness of the individual crammer, and not to any defect in the system’.⁹⁸

There were a plethora of examination manuals covering the different subjects. These books offered strategy and advice, and frequently claiming specific expertise. They often

⁹³ Joyce, *The State of Freedom*, 252-258.

⁹⁴ Tupp, *The Indian Civil Service and the Competition System*, 59.

⁹⁵ BL, IOR/L/PJ/3/1117, Haggard, 12th August 1875.

⁹⁶ Dewey, ‘The education of a ruling caste’, 270.

⁹⁷ Walter Wren, *A Letter to the right honourable Earl of Kimberley on the Regulations now in force for Selection and Training of Candidates for the India Civil Service* (London, Waters, 1883), 9.

The following men identified themselves as former pupils of crammers, BL, IOR/L/PJ/3/1117, D.C. Ibbertson, Karnal, 7th August, A.H. Haggard, sub-divisional officer Buxar, 12th August 1875, A.R. Birks, Assistant Commissioner, Donabyoo, 29th July 1875, and Mr Cumine, Assistant-Collector and Magistrate, Tanna, Trinity College, Glenalmond.

⁹⁸ Mr Cumine, Assistant-Collector and Magistrate, Tanna, Trinity College, Glenalmond, *Ibid.*, 70.

included sample examination papers or composition exercises.⁹⁹ Examination guides asserted their role in a similar fashion to general governing literature, as one author argued: ‘most of the information published is as confusing and unintelligible to the public as the blue-books sold by the government printers’.¹⁰⁰ These texts claimed to guide the candidate through the process by assisting in the navigation of the examination procedure and offering advice on which subjects to take, and which combination would enable the student to pass. Although the majority of the books focused purely on the logistics of the examination, many utilised language reminiscent of the ideal district officer as an incentive to pursue the vocation. Alexander Ewald confidently stated of the ICS ‘it’s pecuniary prizes and the positions of high social influence which it offers, is the most splendid career that any country can offer to its young men of talent’.¹⁰¹ For many of the candidates these manuals were the first exposure to the governing literature which would manage the conduct of their future careers.

The popularity of examination guides began to cause anxieties. District officers distanced themselves from the texts in order to assert their independent success. Mr Winchester, an Assistant-Collector, stated that he read all his ‘books fairly, and never touched a manual, or handbook, or epitome’.¹⁰² Winchester’s rejection of handbooks and insistence on his ‘fair’ reading hints at a connection between the manual reading candidate and the competition wallah. A competition wallah dependent on a manual would lack discretionary capacity as he would only be capable of functioning when dictated to. However, there were those who had a more realistic attitude towards the use of governing literature. Bainbridge argued ‘when deciding a case in court a Magistrate will never trust his slippery memory as to the exact wording of any important passage. His books are before him and he at once refers to the text’.¹⁰³ Examination guides were part of governing culture in British India and this early exposure to such texts instilled a relationship with such works and the representations they contained. Although the quality of the education could be questioned it was undeniable that

⁹⁹ Watts, *Civil Service Examination Papers*; Lowell, *Colonial Civil Service*; Demaus, *English Literature and Composition*; B.D.K, (ed.), *Handbook to Government Situations: containing full particulars respecting all the open competitions held for situations in the home, Indian and colonial civil service* (London, 1887); Nassam W. Nassam Lees, *Instruction in Oriental languages considered specifically as regards the education candidates for the East India Civil Service and as a national question* (London, 1857); Anon, *How to pass examinations for the professions and the Civil Service or the Candidates aide* (London, 1880); H. Coleman, *Notes on Mental and Moral Philosophy: with an appendix containing a selection of questions set at the Indian Civil Service Exam* (London, Harrison, 1865);

Hodgkinson, *The Civil Service of India*; Ewald, *The Guide to the Indian Civil Service*; and Rev. H. Latham, ‘Examinations of the Civil Service of India, with the regulations’.

¹⁰⁰ B.D.K, *Handbook to Government Situations*, 1.

¹⁰¹ Ewald, *The Guide to the Indian Civil Service*, 13.

¹⁰² BL, IOR/L/PJ/3/1117, Mr Winchester, Assistant-Collector and Magistrate, Ratnagiri, Blundiells school Twerton, 68.

¹⁰³ BL, IOR/L/PJ/3/1117, Bainbridge, 1.

crammed students did very well at the exams. Wren boasted that he had produced great statesmen and, of 175 candidates successful under the ‘new system’ 89 were Wren’s pupils.¹⁰⁴ Critics of the cramming problem often laid the blame at the lowered age range which had removed students from universities, and it is to this debate that this chapter now turns.

In 1875 the Secretary of State for India, Salisbury, launched an inquiry into the competitive system. He collated the opinions of 101 serving civilian officials, Salisbury had two questions, firstly what should be the age range for recruitment, and secondly, whether residence in a shared institution was an appropriate arrangement. The majority of the civilian officials believed that residence at either a new Haileybury or a University would be a solution to the crammer issue. The calls for the reinstatement of Haileybury or some other East India College were dominated by nostalgia.¹⁰⁵ Haileybury was romanticised amongst the ICS, especially in memoirs.¹⁰⁶ Henry Cotton commented that in his early career, the service was still dominated by Haileyburians.¹⁰⁷ Although Haileybury was considered the perfect environment for mutual association, it had ‘none of those high associations which cling round the old universities and form so large a part of the education they give’.¹⁰⁸ Macaulay had always wanted to recruit university men, but integrating this into his competition system proved problematic. One solution proposed was to conduct a short course of study at a university, Oxford and Cambridge being obvious favourites. The advantages of the academics, the learning environment and the cultivation of cultured manners were prevailing incentives.

University education underwent significant changes during the period under discussion. Keith Vernon argues that Oxford and Cambridge were shaped by the interference of the British Government.¹⁰⁹ In the 1850s, a Royal Commission concluded Oxford and Cambridge were failing in their duty to educate the nation, and subsequently new honours courses were introduced.¹¹⁰ Initially, these new degrees were restricted to more traditional subjects like history and theology, but by the end of the nineteenth century even Oxford and Cambridge had branched out into modern languages, oriental studies and English literature. There was an

¹⁰⁴ Wren is referring to the lower age limit of 19, Wren, *A Letter to the right honourable Earl of Kimberley*, 19.

¹⁰⁵ Vincent A. Smith, *The Indian Civil Service as a Profession* (Dublin, 1903), 12.

¹⁰⁶ Lowell’s exam guide contained a nostalgic memoir on Haileybury, H. Morse Stephens, ‘An account of Haileybury’, in Lowell, *Colonial Civil Service*, 233-267.

¹⁰⁷ Cotton, *India & home memories*, 66, and An Ex-Civilian, *Life in the Mofussil*, 42.

¹⁰⁸ BL, IOR/L/PJ/3/1117, C.H.T Crosthwaite Naini Tal 8th August, 1875

¹⁰⁹ Keith Vernon, *Universities and the state in England, 1850-1939* (London, 2004), 7.

¹¹⁰ Christopher Stray, (ed.), *Classics in 19th and 20th century Cambridge: curriculum, culture and community* (Cambridge, 1999), 5, and Vernon, *Universities and the state in England*, 45.

enduring commitment to the classics as the most appropriate university degree. As Vernon explains ‘classical learning was the hallmark of the gentleman and imparted the civility, humanity and broad views of the great civilisations’.¹¹¹ Despite the belief that a university degree, especially one including the classics, was a superior demonstration of reasoned intellect, most undergraduates depended on private tuition.¹¹² Oxford and Cambridge were required to adapt to the changing demands of the professional classes, especially as the universities in London and elsewhere were willing to offer alternative courses. The viability of an ICS staffed by graduates depended on the gradual shift in education offered by Oxford and Cambridge.

Before the lowering of the maximum age to 19 there were quite a few university men among the candidates.¹¹³ Oxford, Cambridge, Dublin, and University College London were the most popular institutions. Usually candidates would sit a few terms of a degree course, occasionally they could take one of the law or history tripos, and then they would pursue the ICS exam. There was always a concern that clever men would then choose to complete a degree instead of continuing into the service. However, many, including Rev. H. Latham believed ICS appointments did ‘not attract persons of first rate ability from universities’.¹¹⁴ The principal problem was that most universities were unwilling or unable to accommodate the ICS candidates.

In 1872, only Balliol at Oxford, and Trinity Hall at Cambridge actively welcomed and accommodated students intending to take the competitive exam. Balliol’s acceptance of candidates was primarily as a result of the involvement of Jowett who had proclaimed that he could not ‘conceive a greater boon which could be conferred on the Universities than a share in the Indian appointments’.¹¹⁵ An India College at either Oxford or Cambridge, modelled on Haileybury, but more appropriate for graduates or undergraduates, was proposed, but it never materialised. This was principally because students were underachieving in their undergraduate degrees in order to devote their attention to the preparation for the ICS exam. The university issue further highlighted the tension between the Macaulay’s desire for a gentlemanly administrator and the demands of the system by the later nineteenth century.

¹¹¹ Vernon, *Universities and the state in England*, 14.

Gilmour makes a connection between classical learning and the Greco-Roman image of the ICS, Gilmour, *The ruling caste*, 25.

¹¹² Robert G. McPherson, *Theory of Higher Education in 19th century England* (Athens, 1959), 22.

¹¹³ For university recruitment statistics see Misra, *The Bureaucracy in India*, 103.

¹¹⁴ Latham, ‘Examinations of the Civil Service of India’, 248.

¹¹⁵ Dewey, ‘The education of the ruling caste’, 264

Another problem was a lack of expertise within the traditional university system. J. Muir complained that Scottish university students were disadvantaged as a result of the heavy concentration on English literature and History which was not catered for at Edinburgh.¹¹⁶ However, the Irish universities did not share this lack of relevant intellectual culture. Competition reform benefited young Irish men. Between 1855 and 63, 24 percent of the recruited civilians were Irish university educated. Scottish civilians dropped from 13 percent under nomination to 10 percent, and likewise English recruitment decreased from 54 percent to 51 percent.¹¹⁷ Scott Cook argues that this was because Trinity College Dublin, like the University of London, adapted itself to cater for the exams by establishing chairs in Arabic and Sanskrit, and Queen's University Belfast followed suit.¹¹⁸ The result of Salisbury's report was that university residence during probation was made compulsory in 1878. This did not obviate the crammer issue for the first exams. It was concluded that a university residence would appropriately socialise and prepare the probationers even if they were crammed students. The education and universities debate was focused on trying to harness the idealised ICS candidate, and avoid the problematic character of the competition wallah.

'A beggar on horseback': The ideal Indian Civil Service candidate and the competition wallah

The debates around the style and content of the exams and the nature of the preparation were the product of conflicting ideas about the ingredients, imagined and real, for the ideal civil servant.¹¹⁹ The design of the system was contingent upon the individual, both imagined and real, who would be input into the process. The tensions emergent from discussions of character, intelligence, age, class, gender, and physicality demonstrate the centrality of an idealised persona for the ICS. The belief in the role of the competition system in selecting the correct attributes and appropriately moulding the civil servant demonstrates that the model district officer was already being constantly contested and reconstructed in the beginning stages of his life. The ideal district officer was described thus by Sir Colebrook Bart:

¹¹⁶ J. Muir, *The Indian Civil Service and the Scottish Universities: or the new system of appointments considered as it effects prospects of Scottish students, and the higher education in Scotland* (Edinburgh, 1855), 27

¹¹⁷ Scott B. Cook, 'The Irish Raj: social origins and careers of Irishmen in the Indian Civil Service', *Journal of Social History*, 20, 39 (1987), 510.

¹¹⁸ Ibid.

¹¹⁹ Compton, 'Open Competition and the Indian Civil Service', 268.

the type of officer the people like is someone who will listen to their long tales of grievance patiently, treat their notabilities with courtesy and in his administrative action show vigour and promptitude tempered by cool judgement.¹²⁰

A test for these qualities of patience, courtesy, vigorous action and judgement were, for many, glaringly absent from the competition system. In response to the exams, there was an ongoing discussion about what set of attributes and characteristics were most likely to produce a good district officer. The allegedly meritorious examination system took no account of background, nationality, or moral compass. The figure of the competition wallah loomed disconcertingly during these debates.

According to Baptist Scoones the competition men were viewed as ‘undergrown, transparent creatures, who have been subjected to a “nefarious system of education and have been allowed to suffer premature growth in an exotic nursery”’.¹²¹ Competition wallahs were often referred to as in some way ‘forced’ or ‘stunted’.¹²² These criticisms were reminiscent of hot house flowers, exotic and unnaturally grown. Critics of the system argued that the process did not allow the natural growth of manly habits and this was aggravated by the lowering of maximum application age to 19.¹²³ A major concern was that these premature competition wallahs would be more vulnerable to the contaminating influences of the East, both in their bodily weakness and underdeveloped character. L.H. Griffin complained that the competition wallahs were unpopular due to their arrogance, caused by premature success. He claimed ‘they neither ride, nor shoot nor dance, nor play cricket, and prefer the companionship of their books to the attractions of India society’.¹²⁴ One presiding opinion was that the earlier batches of competition men were superior to the more recent recruits, unsurprisingly this was a view shared by the remaining Haileyburians and the early generations of competitioners.¹²⁵ The competition wallah was intellectually insufficient, physically inadequate, morally compromised and lacking in the core qualities of a governing official.¹²⁶ There were those ready to defend the Indian Civil Servants produced by the

¹²⁰ Bart, *A letter to Thos. Baring Esq.*, 50.

¹²¹ Scoones, *On the method of selecting candidates for the civil service of India*, 14.

¹²² BL, IOR/L/PJ/3/1117, Proceedings of the Madras Government, 7th August 1875, public department Sir W. Gull.

¹²³ A Haileybury man, *An Indian Civilian's Career, what it is, and what it might be, with some remarks on English mal-administration in India* (Brighton, 1867), 3.

¹²⁴ L.H. Griffin, Kapurthala 9th August, 1875. Ibid.

¹²⁵ Mr Ravenscroft, acting chief secretary to government, Haileybury, Mr Oliphant acting revenue commissioner, Haileybury, Mr Ashburner, Revenue Commissioner, Haileybury, Mr Justice Kendall, Haileybury, Ibid.

¹²⁶ Mr Peddler, acting secretary to government, Ibid.

competition system, Mr Crosthwaite claimed ‘a great deal of the cry against the competition men is due to old prejudices’,¹²⁷ and Charles Turner argued that the competition men were the equivalent to barristers or university tutors.¹²⁸ The competition wallah served as the antithesis to the ideal district officer. He was condemned by his failure to demonstrate or acquire the crucial traits which made up the model Indian Civil Servant. Furthermore, the examination system failed to allow the competition wallah to prove he did possess such attributes. These tensions reflected the wider debates about how best to govern India and how to select and test the governors. Measuring and demonstrating the possession of the qualities of the ideal district officer became central to the discussion surrounding the competition system.

The competition wallah was presumed to have an insufficient Christian moral compass. Goodlad explains in addition to gentlemanly conduct and active individuality, character depended on resistance or the lack of indulgence. One district officer, A. Hobhouse, defined morality as ‘the virtues of sobriety and chastity’.¹²⁹ The competition men were often accused of being immoral. Governor of Madras complained ‘there are men amongst our junior Civilians who give way to sensual temptations’.¹³⁰ The increasing number of middle class applicants made many doubt the rigour of the exam and the value of the conduct certificate. L.H. Griffin complained:

What do the commissioners know of the character of a candidate, vouched for by the tutor or a clergyman, a friend of the family, who are naturally and necessarily ignorant of the pursuits and the companions which the youth may prefer in London? I really do not see how anything short of an appearance in the police courts could attract the attention of the Civil Service Commission.¹³¹

Many considered the competition system an insufficient test for ascertaining the characteristics of a future ruler of men. It failed to identify those governing qualities that had been inherent in older generations and were so necessary for the proper conduct of district Government. However, Buettner has demonstrated that imperial careerism was a family business.¹³² Jacob Thiessen explains ‘these men's connection with India might be less

¹²⁷ Crosthwaite, 18th August 1875, Ibid., 2.

¹²⁸ Charles A. Turner, Allahabad, 16th August 1875, Ibid.

¹²⁹ BL, IOR/L/PJ/3/1117, A. Hobhouse September 22nd 1875.

Also see David Runciman, *Political Hypocrisy: The mask of power from Hobbes to Orwell and beyond* (Woodstock, 2008), 143.

¹³⁰ BL, IOR/L/PJ/3/1117, Minute by the governor, 3rd June 1875, 5.

¹³¹ Griffin, 9th August, 1875, Ibid.

¹³² Buettner, *Empire Families*.

hereditary than the Anglo-Indians' had been, but it was no less careerist'.¹³³ Therefore, many of the candidates would have had connections to India, but the system did not acknowledge them.

The character problem in the ICS was attributed to the increasing number of career men in the service. Macaulay had been somewhat disparaging about the growing class of professional men, 'for the duties, even of a very young servant of the Company, are more important than those which ordinarily fall to the lot of a professional man'.¹³⁴ Harold Perkins argues that there was a division between Victorian perceptions of the gentleman, defined by governing qualities, and the business professional who did not possess these qualities but was more familiar with scientific or technologically oriented means of earning money.¹³⁵ W. Hudleston complained 'members of the service now regard themselves in many, I think I may say the majority of instances as the paid servants of a government, rather than as being the members of a governing service'.¹³⁶ The competition men were seen as prioritising emoluments, pensions and leave rather than devotion to the project of rule. Naturally, critics of the 'careerist' competitioners blamed their lower middle class backgrounds.

Concerns regarding the competition system found a focal point in the competition wallah. The elevated status accorded to the civil servant in India, and especially the Collector, resulted in anxieties regarding the class and moral standards of those who might access this coveted position through the open exam system. Montgomery Martin claimed that the mid nineteenth century recruits often came from trade backgrounds, 'they have sprung from every class of English society; sons of druggists, ironmongers, tailors, upholsterers, drapers, undertakers, farmers, stewards, millers, butchers, printers'.¹³⁷ In reality, between 1860 and 1874 the overwhelming majority of candidates were sons of clergymen, (see table 7).¹³⁸ Only 27 men were the sons of food provisioners or shop owners.¹³⁹ John Tosh argues 'vicarage sons were particularly sensitive to the demerits of domestic patriarchy because their fathers were present in the home for so much of the time. It may be for this reason they are disproportionately represented in the ranks of officialdom'.¹⁴⁰ Tosh believes the exposure to

¹³³ Thiessen, 'Anglo-Indian Vested Interests and Civil Service Education', 41.

¹³⁴ Macaulay, Ashburton, Mevill, and Jowett, *The Indian Civil Service*, 4.

¹³⁵ Harold Perkins, *The Rise of Professional Society: England since 1880* (London, 1990), 82–84.

¹³⁶ BL, IOR/L/PJ/3/1117, C.L. Tupper, Lahore, 24th July, 22.

¹³⁷ Martin, *The Progress and Present State of British India*, 187.

¹³⁸ Misra also comments on the dominance of the sons of clergymen, see Misra, *The Bureaucracy in India*, 200–203.

¹³⁹ See Table 7.

¹⁴⁰ Tosh, *A man's place*, 186.

the domestic patriarch created the desire for the flight to the Empire. The lifestyle offered by the ICS probably appealed over the genteel poverty of the Church. Therefore, at least until the 1870s the candidates were from an appropriate background, the Church was not the most profitable vocation but it was certainly respectable.

Buettner offers a nuanced account of fatherhood as experienced by British Indians, see Buettner, 'Fatherhood Real, Imagined, Denied', in, Lynn Broughton and Rogers, (eds.), *Gender and Fatherhood in the nineteenth century*, 178–190.

Table 7: Social backgrounds of Indian Civil Servants 1860 – 74¹⁴¹

Job of father	Civilians 1860 - 74
Landed / peerage	67
Officers, Army, Navy, Indian Army	65
Clergymen	184
Civil Service / Diplomat	57
Legal	49
Medical	65
Merchant / Banking	48
Architecture / Engineering	11
Education	27
Secretarial / Librarian / Agent	20
Farmer / agriculture	28
Shop / food provision, e.g Tailor or Baker	27
Organist	1
Clerk	2
Steward / Gamekeeper	2
Station Master	1
Not Specified	14

¹⁴¹ BL, IOR/L/PJ/3/1117, File 19, T. Walrond, The Undersecretary, India Office.

Table 8: Birthplace of Indian Civil Servants 1860 – 74¹⁴²

Birthplace	1855 - 74
England	350
Scotland	189
Ireland	156
Guernsey	3
Europe (France 3, Belgium 1, Germany 3, Austria 1, Russia 1, Gibraltar 1)	10
St Helena & Ascension	2
India and Ceylon	6, (7 native candidates)
Canada	11
China and Mauritius	4
West Indies	2
U.S & Brazil	2
Tunisia	3
Polynesia	2
At Sea	1

¹⁴² BL, IOR/L/PJ/3/1117, File 19, T. Walrond, The Undersecretary, India Office.

Yet, the impression remained that the service was being stocked by the lower sorts of tradespersons and this caused considerable anxiety. Wylhe claimed that it wounded ‘the people’s pride to see their thousands governed by a man who scarcely possess muster among his own race’.¹⁴³ By opening up the competition system to men from all classes the inherent sense of ‘authority’, which was so crucial to the legitimate function of the British Government in India, might be compromised. The idea of the model district officer was dependent on an innate racial authority, and many clearly felt that the son of a grocer was incompatible with this vision of governing power. However, it was also argued that the subject race would be unaware of the differences of class. Tupp believed that as long as a man spoke the language fluently and became well acquainted with the culture, the locals would believe he belonged to that “‘large class of Englishmen which is distinguished from all the rest’”; although according to our standard he might be very widely separated from it’.¹⁴⁴ A.H. Haggard supported Tupp, and while he thought the competition exams were prohibitively expensive, he concluded that ‘in two years it is difficult in India to say which is the son of the banker and which of the gamekeeper’.¹⁴⁵ Tupp and Haggard’s claims did depend on the individual capacity to integrate and conduct oneself correctly as a district officer, and many believed that the lower middle classes would not be capable of this. By the end of the nineteenth century it was increasingly difficult to recruit from the more desirable upper echelons of society, and the ICS had to settle for lower middle class candidates.¹⁴⁶

In addition to these fears that the natural governing elite were being displaced by lower class persons, were the anxieties caused by the Britishness of the candidates.¹⁴⁷ In 1858 *The Saturday Review* complained ‘what, after all, is at present the result of recruiting the Indian Civil Service by competition . . . Simply this. We are substituting Irishmen for Scotchmen . . . Englishmen may be allowed to ask whether the empire gains by the exchange’.¹⁴⁸ There was a prevailing opinion that in the context of the ICS, British should essentially equal English.¹⁴⁹ There was an obvious awkwardness around an Irish civil servant. A metropolitan colonial

¹⁴³ Wylhe, *A letter to the Hon’ble Sir C. Trevelyan*, 6.

¹⁴⁴ Tupp, *The Indian Civil Service and the Competition System*, 24.

¹⁴⁵ BL, IOR/L/PJ/3/1117, Haggard, 12th August 1875.

¹⁴⁶ See Spangenberg, ‘The Problem of Recruitment for the Indian Civil Service’.

¹⁴⁷ Gilmour, *The ruling caste*, 52-54.

¹⁴⁸ Cited in, Cook, ‘The Irish Raj’, 513,

¹⁴⁹ Lushington, *The Double Government*, 42; BL, IOR/L/PJ/6/288, File 1841, Public Service Commission; Communicating the views of His Excellency the Governor in Council on proposals regarding the Judicial and Executive branches of the Administration, 1-2; BL, IOR/L/PJ/3/1117, R.S. Ellis, 3rd August, Madras, 8; and P/W 534, Stephen, *A Narrative of Indian Legislation Under the Earl of Mayo*, 17.

For discussions of English Imperial identity see, Krishan Kumar, ‘Empire and English nationalism’, 1-13, and Ian Baucom, *Out of Place: Englishness, Empire and the locations of identity* (Chichester, 1999).

subject ruling other colonial races was a sensitive contradiction. In 1903 Vincent A. Smith delivered a lecture at Trinity College Dublin on the merits of the ICS as a profession. Smith recommended the career to spirited young Irishmen, he explained:

it pays much better than most professions, but because it offers to an able and ambitious young man an honourable and manly career, giving full scope for the exercise of the strongest character and the highest intellectual power, and holding out promise of eminent distinction.¹⁵⁰

Cook argues that the ICS was a way for the Irish to take advantage of the British connection, but ultimately by the later nineteenth century the English-Britishness issue was irrelevant to a sprawling bureaucracy.¹⁵¹ Yet, it was a discussion that still had a place in 1875, in the Salisbury report civil servants had varying expression of confidence in Scottish and Irish students. W.H. Smith argued ‘the Scotch universities do not, as far as I know them fulfill the desired conditions’.¹⁵² Whereas Robert Smeaton, officiating under-secretary for the North Western Provinces, was under the impression that all the Scottish men in the service were graduates. Furthermore, Sir Phillip Wodehouse, Governor of Bombay, believed that the graduates of the Scottish, Irish and London universities should be encouraged as much as Oxbridge men.¹⁵³ Between 1855 and 1874 the English dominated with 350 ICS men being born in England (and presumably Wales too, as it was not listed as a separate birthplace), Scotland followed with 189 men and Ireland close behind with 156.¹⁵⁴ There remained an overwhelming concern that Irish, Scottish, or Welsh competition men might not possess the innate ability to uphold the standards of the governing race, as the system did ‘nothing to prevent the transplantation of a raw youth straight from some rural parsonage in Wales to the mastery over masses of subject race full of craft and passion’.¹⁵⁵ George Campbell believed it would practically insult Indians, short of destabilising society, to be governed by anyone not recognisable as a member of the imperial racial elite.¹⁵⁶ The idealised district officer was

¹⁵⁰ Smith, *The Indian Civil Service as a Profession*, 25.

¹⁵¹ Cook, ‘The Irish Raj’.

¹⁵² BL, IOR/L/PJ/3/1117, W.H Smith, additional paper alongside, Mr Turner, officiating Chief Justice of NWP, Naini Tal, 23rd August 1875, written by secretary A. Colvin, 2, Bainbridge, and C.H. Aitchson 21st May 1875, 1.

Buettner discusses the practice of Scottish identity in British India, see Buettner, ‘Haggis in the Raj: Private and Public Celebrations of Scottishness in Late Imperial India’, *Scottish Historical Review*, LXXXI, 2 212 (October 2002), 212-39.

¹⁵³ Sir Phillip Wodehouse, Governor of Bombay, Bombay Department, 27th August, *Ibid.*

¹⁵⁴ See Table 8.

¹⁵⁵ Wylhe, *A letter to the Hon'ble Sir C. Trevelyan*, 7.

¹⁵⁶ Bengal (India), *Report of the Salaries Commission*, 17

imagined as an Englishman, but in practice his nationality and his masculinity were more complex.

Masculinity and racial superiority were intimately linked and, as the period progressed, concerns around the 'white maleness' of the district officer came to the fore.¹⁵⁷ This official administrative masculinity has not been sufficiently explored by historiography. Mrinalini Sinha has identified parallels in the descriptions of competition wallahs and Indian born civil servants. Indian born candidates for the competitive service often came from middle class backgrounds and lacked aristocratic authority. Sinha explains Indian competitioners also failed to 'display qualities of "physical and intellectual manhood"'.¹⁵⁸ According to Sinha the Salisbury Commission resulted in the exclusion of Indian covenanted servants by attributing fixed and naturalised characteristics to different 'native types'.¹⁵⁹ These exclusions were based on a fixed superior white male British persona.

This white British male district officer persona was a complex and contradictory gendered role. C.A. Galton explained 'Competition Wallahs have been reproached with effeminacy, as well as with deficiency, in the characteristics of a gentleman'.¹⁶⁰ Effeminacy, or at least lacking in masculine attributes, was inextricably tied to lower middle class backgrounds.¹⁶¹ Masculinity, as defined by sporting activity, formed part of the assertion of control and bodily discipline required of an ideal district officer. In a letter to Trevelyan, Wylhe insisted that masculinity was fundamental to the relationship between the British and the Indian population 'the play of his power commands their respect. They like him to have manly amusements which they can comprehend'.¹⁶² The issue faced by the British Government in India was how to test the physicality and masculinity of its civilian officials. Candidates for the civil service were expected to pass a medical examination. Sir William Gull had conducted these assessments from 1868. In total he had examined 289 candidates and explained that he usually only failed men on the basis of some mechanical fault, for example a heart valve malfunction.¹⁶³

Francis Galton, sometimes known as the Father of Eugenics, was a stringent critic of the medical examination, and argued for it to be part of the marked scheme of the competition system. Galton drew attention to the recent concerns regarding the constitutional

¹⁵⁷ See, Hall, *Civilising Subjects*.

¹⁵⁸ Sinha, *Colonial masculinity*, 104.

¹⁵⁹ Ibid, and BL, IOR/L/PJ/3/1117, 3.

¹⁶⁰ BL, IOR/L/PJ/3/1117, C.A. Galton, M.A Oxford, 12th July, 14.

¹⁶¹ See Collingham, *Imperial Bodies*, 120.

¹⁶² Wylhe, A letter to the Hon'ble Sir C. Trevelyan, 2.

¹⁶³ BL, IOR/L/PJ/3/1117, Sir William Gull, 36.

robustness of candidates. He suggested that 'physical efficiency' should be marked out of 500, and he proposed tests for measuring strength, breathing capacity, agility or promptness, keenness of eyesight and hearing.¹⁶⁴ When the India Office expressed concerns that that such a test might unfairly exclude Indian candidates, Galton asserted that Indians were most fit for the climate and would therefore pass. Arthur Godley, Under Secretary of State for India supported Galton and believed the testing would take into account the background of the candidate:

Of course vigorous is a term which would be detrimental relatively to race, the same physical strength is not to be expected in natives of many races in India as is to be expected in ~~Europeans~~ Englishmen and indeed men of the North of England have probably as a race greater physical strength than men of the South.¹⁶⁵

Godley's choice of the word Englishmen over Europeans, and preference for Northerners highlights contemporary ideas of race, nationality and masculinity. Although European was often used interchangeably to mean British, Godley's specific usage of English indicates that the idealised district officer was considered an Englishman, and not merely white and European. The Secretary of State, Viscount Cross, approved the additions suggested by Galton but under the proviso that physicality would be strictly marked based on a medical examination and measurements.¹⁶⁶ While the British Government was unwilling to conduct a full racial bodily assessment of the candidates, the decision to extend the scope of the medical exam reflected the anxieties around physical fitness and capacity to rule.

The second reform to the competition system based on physicality was the introduction of the compulsory riding examination. As already discussed, horsemanship was a crucial part of the ideal district officers identity. A civilian official willing 'to mount his horse at 12 o'clock at night, and ride thirty or forty miles, and *without the intervention or aid of native subordinates personally hold an investigation*, possesses an advantage over a brother civilian who may be unable to do so'.¹⁶⁷ Wylhe asserted that being unable to ride a horse disqualified a man from becoming a Magistrate in India.¹⁶⁸ The riding test was introduced in 1884 but no

¹⁶⁴ BL, IOR/L/PJ/6/265, File 2033, 15 Nov 1889, Civil Service of India as to allotting marks for the physical fitness of candidates, Francis Galton, *ON the advisability of assigning marks for Bodily efficiency in the examination of candidates for the public services*, 3,

¹⁶⁵ The word Europeans is crossed out in the document and replaced by Englishmen, BL, IOR/L/PJ/6/265, File 2033, Letter in reply, Arthur Godley, 3.

¹⁶⁶ BL, IOR/L/PJ/6/267, File 2235, 14 Dec, Civil Service of India; physical qualifications of selected candidates, 1889, 14th December 1889, Civil Service Commissioners, (referring to letter J&P 2033).

¹⁶⁷ Nassam Lees, *Instruction in Oriental languages*, 21.

¹⁶⁸ Wylhe, *A letter to the Hon'ble Sir C. Trevelyan*, 6.

marks were assigned, the candidates simply had to demonstrate competency.¹⁶⁹ According to the rules of 1895 the test was conducted by a military officer acting for the Commissioners: ‘the chief tests will be in Saddling and Bridling; Mounting and Dismounting; Trotting; Trotting without stirrups; Trotting without reins or stirrups; Cantering; Jumping the bar at a moderate height; Jumping a moderate hedge hurdle’.¹⁷⁰ The test was considered necessary as increasingly candidates were coming from homes that did not keep horses.¹⁷¹ In 1899 seven candidates failed the riding exam.¹⁷² The resulting perception was that the system was drawing on a pool of men which was increasingly lacking in the required skill set. Furthermore, concerns around physicality and masculinity were aggravated by the lowering of the maximum age. Anxieties about the prematurity, mentally, morally and physically, of the candidates reflected general concerns about the constant raising and lowering of the minimum and maximum age for the applicants.¹⁷³

The age debate was intimately connected to the education problem, as the Civil Service Commissioners could not decide whether a schoolboy or a graduate made a better ideal candidate. Macaulay’s original vision for a service staffed by graduates was eventually condemned by those who claimed that they were too old for the demands of the work. Critics argued that they were ‘unsuccessful at the onset of their career, are very apt to dislike the country and the work; they adopt themselves less easily to the people; and they feel sorely the drudgery and difficulties inseparable from the first few years of a civilian’s career’.¹⁷⁴ The original maximum age was 23, but in 1859 this was lowered to 22, five years later it was lowered again to 21 and by 1878 it was taken from 21 to 19. Briefly under Ripon the maximum age was increased back to 22, supposedly to allow Indians to integrate in to the service. As the age limit decreased, fitting in even a few terms at a university seemed impractical, and this contributed to the decreased popularity of the service.¹⁷⁵ Therefore, ‘gradually, the civil service commissioners and the India Office became reconciled to the

¹⁶⁹ BL, IOR/L/PJ/6/265, File 2033, Draft Letter to the Civil Services Commission by the Under Sect of State, 1.

¹⁷⁰ BL, IOR/L/PJ/6/427, File 1644, 1895, Civil Service of India, Instructions to the candidates selected in 1895, with regard to their final examination, 10.

¹⁷¹ BL, IOR/L/PJ/3/1117, Minute by the Governor, William Rose Robinson, 3rd June 1875, 6.

¹⁷² BL, IOR/L/PJ/6/521, File 1972, 16 Oct 1899 Civil Service of India; Final Examination of 1899; further examination of certain candidates in riding.

¹⁷³ BL, IOR/L/PJ/3/1117, Proceedings of the Madras Government, 7th August 1875, public department.

¹⁷⁴ Tupp, *The Indian Civil Service and the Competition System*, 17

¹⁷⁵ For ICS application statistics see IOR/L/PJ/6/315, File 293 11th February 1892, Native Candidates. Between 1892 and 96, 78 percent of successful candidates were university men, Dewey, ‘The Education of a Ruling Caste’, 275.

abandonment of the Macaulay committee goal – recruitment of the cream of the universities – and accepted as a substitute recruitment of the cream of the public schools'.¹⁷⁶

These changes to the maximum age limit were undeniably influenced by the concerns surrounding education, but they also indicated shifting attitudes about the age at which a man had matured into a colonising subject. Younger men were considered better suited to the nature of the work, and they could acquire the languages quickly.¹⁷⁷ By commencing an ICS career at a younger age it was possible to achieve the position of Collector earlier and, therefore, in theory, district administration would be conducted by a more physically healthy group. This also offered the possibility of an early retirement with the potential for other work at home in middle age, an increasingly appealing prospect as a result of the diminishing returns on the pension.

The age debate was also influenced by practical considerations, younger men would be less likely to regret their decision because they would have had limited exposure to other opportunities, but simultaneously this lack of life experience could leave them ill-equipped. As J.S. Mackintosh argued 'the younger he is the less likely is he to think himself above the work of counting stamps and money and inspecting drains'.¹⁷⁸ The Salisbury report echoed the uncertainty of the Civil Service Commissioners, of the district officers asked, 5 made no reference to age, 27 recommend a reduction, 36 argued for the retention of the existing limits and 36 would have raised it.¹⁷⁹ The debate regarding the age of potential candidates reflected a service simultaneously characterised by the autonomous district officer and a rule bound regime. No one seemed able to conclude if the older or younger man would make a better decision maker or be more liable to turn into a bureaucrat. Therefore, the probationary period became fundamental to either train the younger man in the ways of a gentlemanly administrator or to force the older man into the agreed model. The probationary period served as the means of polishing away the failings of the candidates and rendering them more suitable for their role as the ruling race.

¹⁷⁶ Dewey, 'The education of a ruling caste, 274.

¹⁷⁷ Lowell, *Colonial Civil Service*, 4.

¹⁷⁸ BL, IOR/L/PJ/3/1117, J.S Mackintosh, Naini Tal, 24th July 1875, 4.

¹⁷⁹ Northbrook, Viceroy, 22nd September, 1875, Ibid.

A 'vessel into which knowledge regarding things Indian is to be poured': The Probation

The disjuncture between the design of the competitive exams and the practical role of the district officer necessitated a probationary period and further examinations in India.¹⁸⁰ This process has received insufficient attention.¹⁸¹ Prior has examined the role of similar training in the African Colonial Administrative Service. He concludes that training was minimal, and 'beyond enduring enthusiasm for empire, little guidance was given as to both how officials were to act, and how far they were able to use race in understanding those whom they had to govern'.¹⁸² The ICS probation attempted to equip the newly qualified candidates with information about the languages and laws of India, but it was also lacking in practical preparation, as the majority of the training was conducted on the job.

In 1858 further 'specialist' exams, primarily focused on languages and law, were added to the competition process. By 1859 the new probationary period was increased to a year and a more comprehensive 'probationary' exam was devised. Probationers were permitted a £100 allowance. After 1864 the language exams were relocated from Presidency towns to England, (an additional £200 allowance was granted).¹⁸³ The examinations were sat every six months, initially they could be resat, but this was refused after 1863 due to a belief that it encouraged laxity.¹⁸⁴ Candidates had to pay back their allowance if they failed the probationary exams, and they, along with two guarantors, signed a £1,000 bond, making it a significant financial commitment.¹⁸⁵ One anonymous commentator argued that the expense accrued by residence in London was not sufficiently rewarded by the future career.¹⁸⁶ The London based probation was criticised as it exposed young men to the diverting pursuits of the capital. Sir Louis Mallet, the Undersecretary of State for India, wrote to the Civil Service Commissioners arguing the probation was 'gained at the expense of all moral securities, the candidate being practically left to conduct their own studies in a great city without supervision of any kind'.¹⁸⁷ Conversely, H. Gillion, Joint-Magistrate of Jessore, argued that the probation should have 'as

¹⁸⁰ Captain G.H Trevor, officiating first assistant Resident, Hyderabad Residency, 3rd August 1875, *Ibid.*, 2.

¹⁸¹ Misra gives a narrative account of the development of the probationary exams in Misra, *The Bureaucracy in India*, 168-200. Also see Gilmour, *The ruling caste*, 82-83.

¹⁸² Prior, *Exporting Empire*, 36.

¹⁸³ Misra, *The Bureaucracy in India*, 176 and Ewald, *The Guide to the Indian Civil Service*, 10 – 11.

¹⁸⁴ *Ibid.*, 23.

¹⁸⁵ *Ibid.*, 22.

¹⁸⁶ A close observer, *An Examination of the Competitory Mode of Admission into The Civil Service of the East India Company* (London, 1855).

¹⁸⁷ *Papers relating to the selection and training of Candidates for the Indian Civil Service* (Calcutta, 1876), 3.

much freedom as is consistent with the attainment of the main end in view'.¹⁸⁸ Many considered the grandmotherly fussing over the location of the probation as inconsistent with the independent role to be assumed in India. Alternatively, it was argued that a solitary existence was an equally inappropriate preparation, and that some kind of institutional association would benefit the future civilian officials.

The importance of *esprit des corps* in the governance of India also dominated these discussions. It was believed that a group with mutual confidence would make a better unit as a civil service.¹⁸⁹ There was some logic in the desire for a group residence or association. Especially with the reduced age limits it was important for a candidate to be 'brought into contact and comparison with a large number of young men, which will give him a juster estimate of his own powers, than if he were brought up more privately'.¹⁹⁰ A shared institution would facilitate the polishing required. The probation also played an important role in shaping the personality of the candidate because it gave him the crucial opportunity to spend time with his family and society more generally. H.G. Fanshawe argued that candidates were too long isolated at school and the exam process, he stated 'no society of men can improve a man of 20 or 21 years of age in manner, except as far as "diffidence" is concerned; such influences beyond men and must be sought in women'.¹⁹¹ This view was expressed by several district officers and they recommended travel and mixing in literary or other intellectual society during the probation.¹⁹² C.H.T. Crosthwaite opposed an India College because he argued that the society in it would be too small and that unlike a university it would not 'be of much advantage to those whose angles require to be taken and polished down'.¹⁹³ Out of the 101 civilians asked, 75 were for an association of some kind, 47 distinctly argued for a university, 14 were favourable towards a university and 14 wanted a special college.¹⁹⁴ This was the reason for the introduction of the compulsory residence at a university during the probation.

The university residence had also been the ultimate aim of some at Oxbridge. Reverend George Phear Vice Chancellor of Cambridge petitioned the Secretary of State for India in 1874 and believed that Indian officials should have all the educational advantages of a

¹⁸⁸ BL, IOR/L/PJ/3/1117, 14th August 1875, H. Gillon, Joint-Magistrate of Jessore, 1.

¹⁸⁹ Anonymous, *Remarks on the Education of the Indian Civil Service*, 26.

¹⁹⁰ Latham, 'Examinations of the Civil Service of India', 300.

¹⁹¹ BL, IOR/L/PJ/3/1117, H.G Fanshawe Ferozepore 21st July, 26.

¹⁹² J.A. Jeffreys 10th July 1875, L.A. Campbell and H.B. Grigg (BA Ox) Ootacamund, 30th July, and 14th August 1875, H. Gillon, *Ibid.*, 3.

¹⁹³ C.H.T. Crosthwaite Naini Tal 8th August, 1875, *Ibid.*

¹⁹⁴ 'The Selection and Training of Candidates for the Indian Civil Service', (London, 1876), *Ibid.*, 19.

Cambridge degree.¹⁹⁵ By 1902, most of the major universities had scholarships, prizes and courses for ICS candidates and probationers. Christ Church had four Sanskrit scholarships worth £50. Cambridge offered prizes at Trinity, Pembroke, Gonville and Caius, St John's, Emmanuel and Claire. University College Dublin emphasised a specialisation in Law and the University of London had a dedicated Indian school costing 25 guineas.¹⁹⁶ In 1903, Oxford provided three hours of law lectures a week, plus the choice of forty history lectures, and four hours per week for the vernacular language of the allocated province. Probationers were given a £300 allowance for residing at a university approved of by the Secretary of State, and, in recognition of the original purpose of the scheme any particularly successful students could apply for an additional year and an extra £180 to complete a degree programme before travelling to India.¹⁹⁷

Probationers were assigned provinces based on how well they did at the first examination and could express various preferences which were taken into account alongside their results.¹⁹⁸ The North Western Provinces (NWP) and the Punjab were generally favoured due to the preconceptions about the active lifestyle and good climate. In 1894, several probationers listed their reasons for preferring particular provinces. Michael H. Whittley wished to be stationed near Agra as his mother would soon be living there.¹⁹⁹ Thomas Callan Hodson wanted to go to the Upper Provinces of Bengal as he had friends in the locality and believed it 'would be as conducive to the public interests as to my own, were I to be sent to a province where the feeling of isolation would thus be lessened'.²⁰⁰ W. Done Bushell had a specific interest in the Upper Provinces of Bengal. He explained that he 'personally should much prefer to deal with manly races'.²⁰¹ Alan W. Pim was similarly interested in the people of the NWP, as was L.S. Stevenson who was under the impression they were more Anglicised.²⁰² It was evident that for these three men the influence of gendered racial discourse was shaping their preconceptions of the role and their particular ambitions regarding their positions as district officers. However, the dominant motivation appeared to be the presence of family or friends in the province. Once the province had been decided

¹⁹⁵ Reverend George Phear Vice Chancellor of Cambridge, to SS for India, 15th December 1874, *Papers relating to the selection and training of Candidates*, 9.

¹⁹⁶ BL, IOR/L/PJ/6/655, File 2794, Regulation from Open Competition 1902.

¹⁹⁷ BL, IOR/L/PJ/6/213, File 1887, Candidates Papers for open competition 1885–1887, 7.

¹⁹⁸ This order of merit rule remained in force until 1870, but candidates could still express a preference, Misra, *The Bureaucracy in India*, 94-96. Also see Gilmour, *The ruling caste*, 56-60.

¹⁹⁹ BL, IOR/L/PJ/6/382, Files 1711-1727, 1 Oct 1894 1712, October 1st 1894, ICS candidates state their reasons for choice of provinces in India, Michael H. Whittley.

²⁰⁰ Thomas Callan Hodson, *Ibid.*

²⁰¹ W. Done Bushell, *Ibid.*

²⁰² Alan W. Pim, and, 1725, I.S Stevenson, *Ibid.*

upon, and confirmed by the Civil Service Commissioners, the probationer could begin his language studies.

The languages for the Lower Provinces in Bengal were Bengali and Hindustani. In 1870, the vernacular exams were worth 500 marks each, these were taken in addition to Sanskrit, also 500 marks.²⁰³ By 1885, the vernaculars were only worth 400 marks, and alternative classical languages in the form of Persian or Arabic were added to the scheme.²⁰⁴ The Indian classical languages were offered in order to reflect the ancient or root language for each province.²⁰⁵ It was feared that without a compulsory language element in the initial process there was nothing ‘to guard against the admission of men who have absolutely no linguistic talent, and who go about to the end of their service talking like a bawarchi-khana (kitchen) dialect’.²⁰⁶ Linguistic incompetency was a serious concern, as it could cause the contempt of the local population and expose the district officer to potential exploitation or even corruption. In his pamphlet W. Nassam Lees emphasised how inadequate the probationary and Higher Standard language exams were:

he is capable of reading particular books, writing with certain accuracy exercises, in the language he has studied, but incapable of understanding one spoken word of Oriental tongue, or himself of directing even a witness to be brought into his Court.²⁰⁷

Nassam Lees explained that on passing two languages the junior civil servant was empowered to give one months’ imprisonment or 15 days imprisonment with 50 RS fine. The concerns surrounding the language barrier will be explored further in Chapter Five. The ability to speak Indian languages was crucial for the smooth functioning of district Government, and the rule of law.

The law section of the probationary exams accounted for 1,200 marks. Alongside learning the legislation and legal frameworks of British India the probationers were expected to produce a series of law reports. By attending various courts the probationers were supposed to produce a report which methodically described the case, assessed the evidence and concluded with an analytical summary. They were required to demonstrate a sound understanding of the role of evidence, the process of a trial, and the function of a judge versus

²⁰³ Ewald, *The Guide to the Indian Civil Service*, 22.

²⁰⁴ See Table 6.

²⁰⁵ BL, IOR/L/PJ/6/213, File 1887 Candidates Papers for open competition 1885 – 1887, 7.

²⁰⁶ Tupp, *The Indian Civil Service*, 52.

²⁰⁷ Nassam Lees, *Instruction in Oriental languages*, 18.

a jury. The process was laborious, over the four exams the probationers were expected to attend 35 different court sessions ranging from County courts, to police Magistrates, to civil cases, to serious criminal trials and even judicial committees of the Privy Council.²⁰⁸ There was a disproportionate focus on the processes of British law, which would be of limited use in India.²⁰⁹ Probationers also sat a political economy paper, as well as one on the history and geography of India. The probationary exams were envisaged as the process of more practical training, in theory they would eliminate any candidates who were unsuited to the work.

After passing the probationary final exams the newly qualified Indian Civil Servants would travel to India, usually to the provincial capital, and then shortly afterwards they would be transferred to their first district. Junior civilians were instructed that they should ‘consider it a duty of primary importance to become familiar with the language and people of their districts’.²¹⁰ Although the training did have slight variations depending on the province and region, generally the new ‘griffin’ officers were required to translate and prepare summaries of cases, take down evidence in court and prepare summary decisions. As part of their revenue duties they were required to study the relations between the Government, the landholders and the tenants. They were often assigned to a small locality or subdivision of a few villages in order to practice their limited powers. The junior civilians were expected to be familiar with the work of the Collector-Magistrate and he was supposed to exercise a careful but encouraging control over their work. Procedure dictated that junior assistant-collectors should accompany other district officers on their tours as it was believed:

by the direct and intimate intercourse and association with the people thus obtained, they will acquire a more thorough knowledge of, and greater interest in, those whom they have to deal than they could possibly obtain in the routine of daily office work at head-quarters.²¹¹

This emphasis on practical experience reflected the description of the idealised district officer. Some argued that written tests were not appropriate during the final stages of training.²¹² The Lower and Higher Standard examinations were conducted on the job, and were designed to be practical and experience based. After three years of intensive studying and exams, the young men were thrown in at the deep end. During the process of the Lower

²⁰⁸ BL, IOR/L/PJ/3/1117, T. Walrond, The Undersecretary India Office, 48–49.

²⁰⁹ Misra discusses the inadequacy of the legal training, Misra, *The Bureaucracy in India*, 190-1.

²¹⁰ Lyons, *The Indian Civil Service Manual*, 3.

²¹¹ *Ibid.*, 4.

²¹² BL, IOR/L/PJ/3/1117, P.S. Melvili, Jullualdur 29th July, 18, and Birks, Donabyoo 29th July 1875.

and Higher Standard examinations, junior officials were gradually allocated greater powers and increases in salary.

The Madras Civil Service regulations explained ‘the principle object of the lower standard is to test the proficiency, for practical purposes, of the assistant in the Vernacular’.²¹³ Once the Lower Standard was passed junior officers could become head Assistant-Collector, and were allocated a division of the district to manage. Their wages increased to £45 per calendar month. The Higher Standard included required junior officers to familiarise themselves with the complex legal and administrative system of the locality and the province. By the Higher Standard, the junior officer was expected to be almost fluent in his first language, and capable of holding simple official conversations in his second. Success at the Higher Standard resulted in a wage increase to £50, and investment with the powers of a lower class Magistrate. Failing to pass the Lower Standard in three years and the higher standard by the completion of four years resulted in suspension, and potentially dismissal.²¹⁴ Ideally, a newly qualified civil servant would pass the Higher Standard in two years and achieve his first senior district role within the next seven years.

The fledgling Assistant-Collector was supposed to be the younger model of the ideal Collector-Magistrate, he should be ‘accessible to all within reasonable limit and, without relaxing vigilance, repose confidence in their subordinates, insisting at the same time, upon individual responsibility’.²¹⁵ However, Haggard complained that this disjuncture between the recruitment process and the functioning as district officer presented serious problems. Assistant-Collectors were ‘frequently occupied in partition cases, mutations and settlement cases; but before landing in this country he has never even heard of the laws by which these are regulated’.²¹⁶ Newly qualified civilians were frequently thrust into the scene of action with insufficient preparation. By attempting to replicate the qualifications of an idealised persona, characterised by discretion and experience, the competitive examination system often left junior officials ill equipped for their new working lives.

²¹³ *The Indian Civil Service Manual (Madras)*, 13.

²¹⁴ *Ibid.*, 10–13.

²¹⁵ *Ibid.*, 4.

²¹⁶ Haggard, 12th August 1875, *Ibid.*, 13.

Conclusion

James Fitzjames Stephen famously declared of the ICS that ‘your greatest difficulty in India will be having to do first rate work with second, third, fourth and fifth rate tools’.²¹⁷ Concerns about the competition wallah threw into sharp relief the role of the idealised district officer. This model persona was increasingly vital when many suspected the recruits did not match the requirements. Nineteenth century debates regarding the competition system replicated and contributed to the anxieties and tensions about what kind of man should be ruling India. There was a conflict between the work of the practical role and the meritorious examination based selection process. The competitive system reflected the anxious desire to simultaneously capture an autonomous decision maker and a more bureaucratic and rule-bound civil servant.

These discussions drew frequently on the characteristics and ideals present in the model district officer. However, in the process of designing a system to produce this idealised model the Civil Service Commissioners, politicians, British and Indian commentators could not agree on either the core characteristics of an ideal candidate or the best means to test these abilities. The task of shaping an intellectual test to produce candidates for an idealised role defined by practicality, autonomy and experience proved problematic. Throughout the nineteenth century the competitive system was subjected to constant reforms, commissions and debates which demonstrated the concerns and tensions inherent in the scheme. Yet, this seemingly irresolvable and constantly criticised process remained focused on trying to reproduce the idealised district officer. This aspirational role was communicated to the new recruits by social expectations, the examinations themselves, the demands of the probationary period, and the practical work of the district exams.

The competitive exams constructed and challenged the imagined district officer, but they were influenced by the practised persona. The working life of the district officer commenced with the duties of the revenue branch. As an Assistant-Collector the district revenue official would be faced with the challenges of survey and settlement. This everyday function of local administration became the focus for debates about governance, professionalism and the role of the district officer. Passing the exams was the first step in the shoes of the district officer, walking in his idealised footsteps would be the next challenge.

²¹⁷ Spangenberg, *British Bureaucracy in India*, 35.

Chapter Three ‘Every Collector must be his own Surveyor’: Revenue, Settlement and Survey

In response to the impending survey and settlement of Bihar, J.A. Bourdillion, the Collector of Saran, wrote to the Commissioner of the Patna Division.¹ He stated:

my feeling as a revenue officer is that much as I should like to have charge of a district when survey and record of rights is over, I cannot deny that the same post, while those operations were going, would not be an easy one.²

Bourdillion’s concerns described a vital tension in the British Indian revenue administration. While he was aware that a successful survey and record of rights would enable him to work efficiently and effectively, Bourdillion was equally conscious of the complexity of this process. His reluctance to be a Collector during survey and settlement proceedings hints at a problematic relationship between the Government project and the work of local officers. Collectors and other district revenue officials often found themselves in anxious and difficult positions during the process of survey and settlement. This tension was caused by the perceived difference between the revenue work of the district and the professional expertise of the surveyors.

In accounts of survey and settlement there has been a limited acknowledgement of the influence of the district officer, imagined and practised.³ Histories of mapping and survey have also neglected the functions of revenue officials.⁴ The model revenue officer was imagined as an independent benevolent decision maker, with experience of the local agriculture and in contact with the people.⁵ This idealisation of this autonomous paternalistic persona created expectations which were often irreconcilable with surveying practise and the realities of revenue administration. By exploring the process of surveying and settlement, this

¹ Captains R. Smyth and H.L. Thuillier, *A MANUAL OF SURVEYING for India detailing the mode of operations on the Revenue Surveys in Bengal and the North-Western Provinces* (Calcutta, 1851), vii.

² BL, IOR/L/PARL/2/268 1892-1894 Behar, Cadastral Survey Correspondence, (Parliamentary Papers) J.A Bourdillion, Collector of Saran, to Commissioner of Patna Division, No 1056G, Chapra 5th October 1888, 4, para 8.

³ The practices and processes of surveying and settlement at the district level have been discussed by Saumarez Smith, *Rule by records*, and Robb, *Ancient rights and future comfort*.

⁴ Ian J Barrow, *Making History, Drawing Territory, British Mapping in India 1756 – 1905*, (Oxford, 2003) and Matthew H Edney, *Mapping an Empire: the geographical construction of British India 1765 – 1843* (London, 1997),

⁵ I use the term revenue officials to indicate covenanted, later Imperial, district officers possessing the powers of a Settlement Officer, Collector or Assistant Collector.

thesis reveals the continuing influence of the idealised district officer. This chapter analyses the debate between the scientific expertise of the surveyor and the local expertise of the district official. It was in the contradictory and confused practices of revenue administration that the ideal district officer emerged as an intermediary between the Government and the people.

Revenue administration was the core responsibility of the executive district officials. Settling disputes over taxation, tenure and landownership were everyday activities for Collectors, their Assistants and Deputies. At the district level, settlement work was often conducted by junior officials, and it constituted the training and early experiences of most district officers.⁶ In mid-nineteenth century Bengal, routine revenue administration did not involve regional surveys, therefore, local revenue officers were considered unskilled, and they were relegated to the background of surveying projects. However, eventually the complexity of Bengal revenue administration and the historic absence of surveys necessitated the involvement of the revenue officer.

By the end of the century the revenue district officer's discretionary abilities and local expertise were recognised as crucial to the proper functioning of survey and settlement. It was through the local experiences and processes of settlement and survey that the district officer reasserted his importance. There was a discussion throughout the period as to whether the local revenue administration or the professional surveyors were best equipped to carry out the work of survey and settlement, and it is this debate which this chapter explores.

This chapter begins by outlining the current debate regarding revenue policy, and progresses to a summary of the work of the idealised revenue officer. This is followed by an outline of the key legislative moments in which the imagined and practised district officer was realised. This is followed by a discussion of the historiography of surveying in British India. This chapter then discusses how settlement and survey acted as a negotiation between the daily practices of the revenue officer, and the operation of the Survey Department as an expression of wider projects of rule. By considering the practical role of survey and settlement in the administration of British India, this chapter reveals the awkward and problematic process of cadastral mapping. At the district level, revenue reforms and cartographic projects did not always simplify colonial governance.⁷ The role of district

⁶ BL, IOR/L/PJ/6/418, File 660, Time at which Bengal Civilians between the Executive and Judicial branches of the administration in Bengal, April 1896.

⁷ This chapter challenges the arguments of Scott and Cohn, James C Scott, *Seeing like a State: How Certain Schemes to improve the human condition have failed* (London, 1998) and Cohn, *Colonialism and its forms of knowledge*.

officials will be explored in an examination of survey and settlement in Chittagong. This case study further illustrates the consistent contradictions between the idealised and the practised as envisioned and experienced by the local revenue officer, the Survey Department, and the Bengal Government.

‘The gap between professions and performance’: Revenue policy and practise in Bengal

Eric Stokes has argued that:

the gap between theory and practice in the land revenue system yawns so widely that – discounting the possibility of official hypocrisy – the impression of double-think and double-speak as a defining characteristic of the official mind of the time is powerfully reinforced.⁸

Stoke’s ‘double-think’ refers to the anxious and contradictory process of colonial rule. This ‘double-speak double-think’ describes the disjuncture between the centralised policy of the Government of India and the operation of the revenue system. The gap between policy and practice significantly shaped survey and settlement in British India. These tensions resulted in the simultaneous demand for adherence to new legislative schemes, and the enduring reliance on the decisions of the knowledgeable local officer.

In 1896, T.W. Richardson, officiating Registrar of the High Court of Judicature in Calcutta, claimed ‘there is but little Revenue work owing to the Permanent Settlement, and the Collector’s chief function is Magisterial’.⁹ This view was misleading, but has influenced accounts of revenue administration in Bengal.¹⁰ Peter Robb argues that during the late nineteenth century tenancy debates there was ‘a renewed preference for the all-knowing paternalism of the local official, better acquainted with “his” villagers and his horse than with his files and his clerks’.¹¹ However, Robb incorrectly asserts that this renewed commitment to an idealised district officer drew on the Punjab and not from the similar realisation of the

⁸ Eric Stokes, ‘The Land Revenue Systems of NWP and Bombay 1830 - 80, ideology and the official mind’, Burton Stein, ed., *The Making of Agrarian Policy in British India 1770 – 1900*, (Oxford, Oxford University Press, 1992), 84.

Ibid., 87.

⁹ BL, IOR/L/PJ/6/418, File 660, April 1896, T.W. Richardson, Offg Registrar of High Court of Judicature, Appellate side, Fort William To Secretary to Govt of India, 27.

¹⁰ Dewey, *Anglo-Indian attitudes*, 201.

¹¹ Robb, *Ancient Rights Future Comforts*, 217.

For an account of revenue administration in British India, see Raman, *Document Raj*; Irschick, *Dialogue and history*; and Saumarez Smith, *Rule by records*.

role in Bengal. This chapter challenges Robb's account by exposing the contradiction in Bengal revenue administration which he does not identify. This thesis contests Robb's assertion that the development of the Bengal bureaucracy eclipsed the district officer. Robb describes the conflict between paternalist and bureaucracy as a mutually exclusive arrangement rather than a complex relationship: 'the construction of the reasoned minute and report was the mark of the successful officer, even when the avowed tradition was of open-air paternalism'.¹² This tension between the idealised district official as the autonomous paternalist and the reality of settlement and surveying practises reveals the enduring if contradictory commitment by the Bengal government to the model persona of the revenue officer.

This chapter argues that the idealised district officer continued to have an influential role in the revenue administration of Bengal. The ideal district officer was not diminished by a static passive bureaucratic system but instead remained a fundamental part of surveying and settlement practises. This chapter demonstrates that despite the Permanent Settlement the Government and district officers of Bengal continued to conduct surveys and settlements throughout the nineteenth century.

This thesis intends to build on Jon Wilson's account of the Permanent Settlement, and his discussion of the anxious reactions of local district Government in the early nineteenth century.¹³ It is important to understand that policy formation was, as Wilson describes it, the 'search for general abstract rules, which could be applied mechanically by an authoritarian state'.¹⁴ District officers were the instruments of application, and revenue administration in Bengal involved governing a complex and varied agrarian society.¹⁵ In the daily practices of revenue administration district officers were required to reconcile vast and complicated Bengal agrarian social and economic structures with abstract or generalised categories. Categories like 'proprietor', 'tenant', 'zemindar' and 'ryot' were not wholly invented by the British. Indeed, they frequently drew on existing, if misinterpreted, customs and roles, and 'revenue terms were often administratively clear but socially imprecise'.¹⁶ During the work of settlement and survey, the professional and centralised Survey Department encountered an

¹² Ibid., 221.

¹³ Wilson, *The Domination of Strangers*.

¹⁴ Ibid., 3.

¹⁵ For a discussion of agrarian relations see, Iqbal, Iftexhar, *The Bengal Delta: Ecology, State and Social change, 1840 – 1943* (Basingstoke, 2010); Dharma Kumar, *Colonialism, Property and the State* (Oxford, 1998); Burton Stein, 'Introduction', *The Making of Agrarian Policy in British India*; Binay Bhushan Chaudhuri, 'Growth of Commercial Agriculture in Bengal 1859 – 1885', David Ludden, ed., *Agricultural Production and South Asian History* (Oxford, 2005); and Peter Robb, *Peasants, political economy, and law* (New Delhi, 2007).

¹⁶ Robb, *Peasants, political economy, and law*, 72.

agrarian society that did not always match the categories described in Government policies. Therefore, the discretionary powers of the district administration were necessary in order to fit policy to practise. The idealised district officer, as a figure of experience and local knowledge, became essential in the process of survey and settlement.

‘I am a Collector and not a mere machine’¹⁷: The work of the Revenue Officer

The revenue work of the district officer contained a multiplicity of daily acts of government. These ranged from settling disputes about rent and ownership, maintaining a record of landowners and tenants, managing Government estates, holding sales for land in arrears, assisting in the identification of land for public works, and all the other routine administration concerning the agricultural business and infrastructure of the region. However, despite the Permanent Settlement in Bengal, the idealisation of the role focused on the work of taxation assessment and collection. Baden-Powell argued that the role of the Collector-Magistrate was to ‘supervise the collection of the revenue, and watch the effects of the assessment, using their power to compel payment when it is necessary, but discriminating carefully where real misfortune necessitates a suspension or remission of demand’.¹⁸ This compassionate discrimination was a product of the experience of the district and its people. In theory the British Government in India was committed to the principles of light, liberal and fair revenue assessment.¹⁹ The revenue collected was supposed to be sustainable as well as encouraging profit and improvements. In order to be fair to the cultivator, the revenue official had to exercise the compassionate discrimination described by Baden-Powell.

This discretionary autonomy was the product of knowledge and experience. The imagined revenue officer was informed and influenced by the experiences of the junior officials of the revenue branch. In the satirical novel *Adventures of Thomas Brown a Griffin*, the author recalled how he had watched many young Assistant-Collectors ‘trying their half-developed wings and preening out into the vast future of possibility without so much as a doubt that each and will win a niche in the temple of fame’.²⁰ Emerging qualified from the

¹⁷ State Archives of West Bengal, henceforward SAWB, Revenue, March 1895, No. 116–169, Sale Law and Public Demand Recovery Act 1880, Mr Windsor Officiating Deputy Commissioner of Manbhum, 1310.

¹⁸ Baden-Powell, *A Manual of the Land Revenue Systems and Land Tenures of British India*, 457.

¹⁹ Ranade, *A Revenue Manual of the British Empire in India*, 15.

²⁰ SAWB, Revenue, February, 1882, No. 1–6, Training civilians in survey and settlement work Survey and Settlement, The Government of Bombay, Her Majesty’s Secretary of State for India, Bombay Castle, No 20 13th October 1881, para 2.

Anonymous, *Adventures of Thomas Brown*, 199.

probationary examinations these young men of the ICS were keen to adopt the role of the idealised district official.

It was considered the duty of Assistant-Collectors to familiarise themselves with the language and people of their districts.²¹ One manual concluded: ‘the remarkable power of appreciating evidence and discriminating between truth and false hood, which can only be acquired in the cutcherry of the Assistant-Magistrate and in the revenue officers tent’.²² Revenue duties occupied a considerable amount of time during the first few years of a district official’s career. The 1888 *Manual of the Powers, Duties, Practices and Procedure of Revenue Officers* dictated that Assistant-Collectors should be ‘employed, during the cold weather, entirely upon revenue duties in the interior, taking up only such criminal duties in the neighbourhood of their encampment as will not interfere with their revenue duties’.²³ The investigation and trial of disputes, arrears and tenancy issues were considered excellent training for junior officers. They were expected to have an intimate knowledge of the locality, and subsequently become experts on the agriculture of the district. As this chapter demonstrates, the progress of the professional survey became contingent on this knowledge.

This experience was supposedly reinforced during the Collector’s tour of the district. The 1888 Revenue Officers Manual rules determined that the Collector must visit every part of his district at least once every three years. ‘The duty of visiting the interior for the purpose of acquiring, by personal observation, a knowledge of the actual circumstances of his district is one of so great importance that its neglect by a Collector is on no account’.²⁴ Policy and practise were informed by the idea of a model district officer touring his district. The idealised district official, using his inherent governing abilities, was expected to distinguish between a fair rent or tax, and an oppressive demand.²⁵

In his memoir, Henry Keene described the type of deception he had to outmanoeuvre in his revenue officers capacity: ‘as the inspecting officer approaches, they come out to meet him, wearing their oldest clothes and complaining in various tones and manners of the ruin that has overtaken them.’²⁶ Keene’s narrative emphasised the performative nature of the

²¹ *The Indian Civil Service Manual (Madras)*, 3.
Gilmour, *The Ruling Caste*, 109-14.

²² An Anglo Indian Official, *The Judicial System of British India* (London, 1852), 8.

²³ BL, IOR/V/27/311/92, Board of Revenue, Lower Provinces, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*, 20.

²⁴ BL, IOR/V/27/311/92A, Bengal Board of Revenue, *Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*, Rules 1 and 2, 18.

²⁵ For a discussion of fair rents in practice see IOR/V/27/314/39, C.G.H. Allen, (settlement officer), *Final Report of the Survey and Settlement of the District of Chittagong 1888 to 1898* (Calcutta, 1900), 103.

²⁶ Keene, *A Servant of ‘John Company’*, 194–5.

experience, particularly the routine of being shown the barren or waste ground by ryots claiming impoverishment, and the eventual discovery of well irrigated, fertilised and cultivated land in the vicinity. In these accounts the idealised Collector was victorious over the deceitful peasant as a result of his experience and investigative powers.²⁷

The impact of this representation was significant, because the reality of working life for many district officers involved constant relocation from one area to another. This was described by Carstairs as the 'vagabond life', 'that stage which comes in the career of every Indian civilian, the intermediate stage, when he moves on from appointment to appointment, never remaining long in one place'.²⁸ Although, as Carstairs indicates, constant transfers were more typical in the middle years of the district officer's career and they usually remained within the same division. Achieving an intimate and extensive knowledge of the district and its people through the annual tour would have often have been impossible, or at least short lived in each sub-division or district. The resulting issue was that of over-reliance on the subordinate official and the production of subsequent anxieties, which will be discussed in Chapter Five. Cultivating the symbolic persona of experience became a crucial tactic in the project of rule, as many Collectors had only fleeting opportunity to genuinely get to know their district. This commitment to the idealised district officer, despite bureaucratic realities, was based on and reflected in revenue policy.

Autonomous authority was grounded not only in the idealised representations of the district official but also the legislation and policy under which he operated. This thesis has identified three key legislative moments which constructed and legitimised the discretionary idealised revenue official. In 1822, Regulation VII consolidated the role of the revenue officer and invested in his discretionary judgement.²⁹ This enactment stated that under the auspices of the Collector, settlements would be conducted upon careful observation, investigation and local experience. This legislative moment established the Collector as the arbitrator of revenue administration, a position resulting from his contact with the rural community.

The discretionary powers of the revenue official were further strengthened by the first Tenancy Act of 1859. The 1859 Tenancy Act 'provided jurisdiction in rent suits for revenue

²⁷ Lieut-Colonel Addison, *Traits and Stories of Anglo-Indian Life* (London, 1858), 229.

²⁸ R. Carstairs, *British Work in India*, 56; Denman Hume, *Magistrate and Collector's Manual*, 58; and, Phillips, *Our Administration in India*, 185.

²⁹ James Henry Young, *The Revenue Handbook Containing a short sketch of the laws and regulations in force connected with the collection of the government revenues in Bengal & North West Provinces* (Calcutta, 1855), 45.

officials and thus a chance for paternalistic mediation between landlord and tenant'.³⁰ This Act was one of many legislative changes that helped establish the conditions for the emergence of the idealised district officer. 1859 also witnessed the reunification of the roles of Collector and Magistrate, cementing the vision of the model district official.

However, by the late nineteenth century it was generally agreed that the 1859 Tenancy Act had failed to sufficiently overhaul the inequalities of the Permanent Settlement. It was therefore replaced by the 1885 Tenancy Act, and this legislation consolidated and re-established the discretionary powers of the district revenue official.³¹ A commitment to the paternalistic experienced revenue official was reflected in the Act as it invested local officers with various powers 'in the interests of public order or of the local welfare'.³² The most significant intervention of the new Tenancy Act was the provisions for survey, settlement and a record of rights.³³ The grand surveying projects of the late nineteenth century were instigated by the 1885 Tenancy Act. As the case study in this chapter will reveal, it was in the execution of these surveys that the conflict between ideal and practise emerged. The idealised district officer as constructed by policy and in the official imagination was defined by his autonomy, experience and discretion. However, this commitment to the ideal paternalistic district officer was frequently thwarted by the working realities of revenue administration.

In 1861, shortly after the reunion of the roles of Collector and Magistrate, Mr W.L.F. Robinson, Collector of Purneah, complained of the routine minutiae that constantly interrupted him:

a Collector's time is so broken in upon and frittered away by petty duties which may almost be called mechanical; that he is unable to dispose of the same quantity of business requiring the exercise of judgement as he would otherwise be able to do.³⁴

Mr Robinson's principal grievance was the constant demand for his signature for small payments or grants. This was the gradual creep of bureaucratisation edging into the daily work of the Collector. In Robinson's opinion this mechanical work was a waste of his time

³⁰ Robb, *Ancient rights and future comfort*, 219.

³¹ BL, IOR/V/27/310/13, Bengal. Legislative Department, [Acts relating to settlement of land in Bengal, 1859-1905]. Calcutta, Alipore [1865-1934]; Bihar and Orissa. Legislative Department, [Acts relating to settlement of land in Bihar and Orissa, 1923-31]. Patna, 1924-31, para 112, 63.

³² *Ibid.*, para 73, 27.

³³ Robb, *Ancient rights and future comfort*, 99.

³⁴ SAWB, Revenue, March, 1861 No 100, Proposal to relieve Collectors of routine office duties
G. U. Yule Commissioner of the Bhaugulpore Division to Sect to Govt of Bengal, No 246 11th March 1861.

and resources. He was advised to deputise the work as much as possible within the regulations. Eventually such responsibilities were devolved amongst the various stamp and treasury departments, but the Collector was still the overseer and co-ordinator of all district activities. The district officer was increasingly reliant on reports and statistics rather than his own personal experience, yet his decisions were validated by his alleged knowledge of the locality.

By 1895, Mr Windsor, Deputy Commissioner of Manbhum complained: ‘a Collector’s first duty is to Collect but I can’t collect if I am permitted no discretion’.³⁵ Windsor found himself frustrated by the demands of his office and the limits placed on his authority by bureaucratic process. He no longer felt empowered as a discretionary autonomous official. As the scope of the revenue official grew wider, the work was broken in to multiple departments and responsibilities. There was a concern that the Collector had become the servant of the administration, rather than the deciding force over the various areas of his work. The Collector was believed to be at the mercy of so many departments and responsibilities, accountable to so many processes, and, yet, paradoxically he remained the ultimate decision maker. The consensus was that the final responsibility still lay with the Collector. It was his duty to co-ordinate and lead a bureaucracy which simultaneously dictated the methods of his work.³⁶ This contradiction echoed the governing conflict in the persona and work of the district officer. While the role of the Collector was established in the official imagination and in policy, integrating this role into the working realities of survey and settlement proved problematic.

The practical issue in the process of revenue administration was that the role of district official became identified with authority and expertise, regardless of the limited training the individual possessed.³⁷ Although, as discussed above, revenue administration formed the foundational training and experience of junior district officials, in the permanently settled province of Bengal, there was limited attention to surveying techniques. Therefore, in 1881, it was considered a logical step to extend the revenue training of Assistant-Collectors to include the science of surveying.

The Bengal Government concluded that even if this training was not utilised during a professional survey the skills obtained would ensure that maps and records were

³⁵ SAWB, Revenue, March, 1895, No. 116–169, Sale Law and Public Demand Recovery Act 1880, 1310.

³⁶ Charles James Connell, *Our Revenue Policy in Northern India* (Calcutta, 1876), iv.

³⁷ Gilmour, *The Ruling Caste*, 113.

appropriately maintained and it would obviate the expense of a further resurvey.³⁸ The Board of Revenue consulted the Government of Bombay, as it already had a training scheme in place. Junior revenue civilians with under seven years' experience were required to attend surveying work if any should take place in the locality for a period of six weeks.³⁹ The Bombay Government stated that they did not expect junior revenue officers to become experts, they would not be:

either a skilled measurer or classifier of soils, but it is there wish that he should obtain such a general knowledge of the methods of procedure in each case as will enable him fully to appreciate the settlements which result and to subject them to intelligent criticism.⁴⁰

H.L. Dampier argued for the introduction of a similar scheme in Bengal. Dampier stated that there was a constant need for cadastral surveying. He insisted 'it is obvious how the want of a knowledge of practical survey must be felt in such cases by the Controlling Collector.'⁴¹ The Secretary of State, Governor-General and Lieutenant-Governor of Bengal all concurred with Dampier. It was agreed that, subject to availability, two junior covenanted revenue officers could be deputed to nearby survey work as part of their training. The Lieutenant-Governor added, the training would have the 'further advantage of taking young officers into the fields and villages, of which it is at present difficult for them, owing to their other duties, to see enough'.⁴² The debate regarding the survey and settlement training scheme demonstrated how, despite bureaucratic pressures, the Government of India was committed to the experienced and knowledgeable idealised district official.

However, putting this policy into practice proved problematic. In 1890, encouraged by the new scheme, the Collector of Dacca, L. Hare, suggested that his two Assistant-Magistrates should be sent to Tipperah and Barisal where a survey party was engaged.⁴³ Despite the previous commitment to the training by the Bengal Government, the

³⁸ SAWB, Revenue, February, 1882, E.C. Buck sect to govt of India Revenue to Sect to govt of Bengal, Revenue, No 1-203.12, Simla, 11th November 1881, 21.

³⁹ The Government of Bombay to Her Majesty's Secretary of State for India, Bombay Castle, No 20 13th October 1881, Ibid.

⁴⁰ Extract from the Proceedings of the Government of Bombay Revenue Department, No 4958 Bombay Castle, 27th August 1881, Ibid.

⁴¹ Government Order No 2635-1954LR 29th November 1881, Minute, 21st December 1881, H.L. Dampier, Ibid., 29.

⁴² D. Barbour sect to govt of Bengal to Sect to Govt of India, revenue No 188-70LR, Calcutta 20th January 1882, Ibid.

⁴³ SAWB, Revenue, April, 1891, No 42, L. Hare, Collector of Dacca to Commissioner of Dacca Division, No 1910/VI Dacca 6th January 1890.

Commissioner of Dacca was censured for failing to notify the Government of Hare's intentions.⁴⁴ The Board concluded that such training was only appropriate for recently qualified civilians.⁴⁵ Instead, the training for more experienced revenue officials should be facilitated not by field work, but by the surveying classes already provided in order to train local agency during the rains.⁴⁶ This decision was characteristic of the 'double-think' described by Stokes. The Government of Bengal simultaneously wanted an experienced and discretionary local revenue officer to be part of surveys, and yet, these efforts were frustrated by contradictory policy decisions.

As the confused implementation of survey training demonstrated, the Bengal Government found it difficult to reconcile the idealised district official with the technical practises of surveying. Throughout the nineteenth century the work of survey and settlement was a constant battle between the scientific supremacy of the survey and the daily grind of the settlement. The constant attempts to integrate the practise and procedure of survey with that of settlement revealed the anxious commitment to the discretionary authority of local revenue officers. This tension is remarkably absent from histories of surveying in British India. By interrogating the role of the idealised district officer in the policies and processes of survey and settlement this chapter reveals a complex dimension previously neglected in accounts of surveys in Bengal.

'Surveys may be more or less exact': Survey and Settlement in British India

This chapter challenges Cohn and Scott's account of the simplifying, universal and coherent role of surveying.⁴⁷ Grand cartographical schemes did successfully map a coherent imagined India, but they did not facilitate the daily work of Government.⁴⁸ The British Indian scientific surveys rationalised landscape and territory into definable categories and understandable space.⁴⁹ As Barrow explains the objective and scientific nature of the Trigonometrical Surveys, 'permitted British surveyors and bureaucrats to indulge in the fantasy that accurate

⁴⁴ No 41, C.W. Bolton sect to Board of Revenue, Sect to Govt of Bengal Revenue, No 50A Calcutta 20th January 1890, Ibid.

⁴⁵ SAWB, Revenue, April, 1891, No 47, W. Maude under sect to gov't of Bengal revenue to Sect to Board of Revenue, No 4155 1566LR, Calcutta 19th December 1890.

⁴⁶ No 44, C E Buckland Sect to Board of Revenue to Sect to Govt of Bengal Revenue, No 551A Calcutta 11th July 1890, Ibid.

⁴⁷ BL, IOR/V/27/311/91, Bengal Revenue Department, *Thakbust Manual* (Calcutta, 1879), 1. Scott, *Seeing like a State*, 3, and Cohn, *Colonialism and its forms of knowledge*, 7-8.

⁴⁸ Barrow, *Making History, Drawing Territory*, 6.

⁴⁹ Jeffrey C. Stone, 'Imperialism, Colonialism and Cartography'. *Transactions of the Institute of British Geographers*, 13, 1 (1988), 57-64; and Paul Carter, *The Road to Botany Bay: An Essay in Spatial History* (London, 1987).

cartography knowledge would both demonstrate British superiority and lead to better control over the land and people'.⁵⁰ The official mind was committed to these fantasies of control, and believed settlement and survey would result in practical administrative knowledge.⁵¹ However, this chapter demonstrates that mapping at the district level did not always provide coherent and comprehensive governing information.

This chapter makes an intervention in the existing historiography by analysing the practises of surveying and settlement at the district level. As Deborah Sutton explains 'cadastral mapping at the district level had a more substantive and interesting history than simply as a "lower stratum" in the larger story of colonial cartography.'⁵² Through an examination of the operation of revenue policy at the local level, this chapter calls attention to the significant influence of the idealised district officer on the practise of survey and settlement. Matthew Edney argues that the history of surveying in India has been neglected, and that 'when historians have noticed the institutional circumstances of the new surveys it has been to cast the surveyors in the role of heroes-of-science who overcame the stupidity of decision makers'.⁵³ This thesis agrees that the historiography has tended to focus on the heroics of the men scaling the Himalayas and often casts the ICS in the guise of the frustrating bureaucracy. Yet, this dichotomy of the scientist versus the civil servant is worth further exploration. By examining the interaction between the revenue administration and the work of settlement and survey, this chapter explores the role of the Surveyor and the Settlement Officer in the governance of India

The operations of a survey and settlement, although involving contingent and overlapping processes, were consistently viewed as distinct procedures. It was within this dislocation between policy and practice that the revenue and district officers were awkwardly located. These issues arose because surveying was defined as scientific and professional. Robb explains that as surveying developed in British India 'measurements and the drawing of plans were separated from the recording of landholders and from economic, social, and historical assessments of the conditions in every village and in regions'.⁵⁴ As a result, the science of the survey and the recording of agricultural life were gradually separated. However, contrary to Robb's claims this separation was not total. Indeed the confused and

⁵⁰ Barrow, *Making History, Drawing Territory*, 6.

⁵¹ The proposed survey and settlement of Bihar represents one of these projects, BL, IOR/L/PARL/2/268 1892-1894, Behar, Cadastral Survey Correspondence.

⁵² Deborah Sutton, *Other Landscapes: Colonialism and the Predicament of Authority in Nineteenth-Century South India* (Copenhagen, 2009).

⁵³ Edney, *Mapping an Empire*, 24.

⁵⁴ Robb, *Peasants, political economy, and law*, 11.

partial separation of settlement and mapping caused dysfunction between the work of the revenue administration and the process of cadastral survey.

In the definitive surveying manual of the nineteenth century, Captain R. Smyth and H.L. Thullier stated that a survey, in comparison with a settlement, should be:

performed on scientific principles, with first-rate instruments and by experienced Europeans and East Indians, aided also by natives trained and educated for the purpose; the former [settlement], on the contrary, appears to be conducted by the rudest methods, and by an inferior, though intelligent class of natives.⁵⁵

This narrative of professional and skilled work compared to local and rudimentary practices continued to define approaches to survey and settlement in the nineteenth century. The scientific identity of the survey came about through its independent military origins. Surveying in British India began in the eighteenth century but the Survey of India, as a Government institution it did not formally exist until 1878.⁵⁶ Surveyors were relatively independent from centralised Government, a Department for the Surveyor General existed in Bengal from 1779 in an attempt to tie the surveys to the Government, but for the majority of late eighteenth and early nineteenth centuries surveying remained under the Military Department.⁵⁷ The maps produced by the Survey of India and Trigonometrical Survey were of limited use to district officers, and primarily functioned as contributions to grander projects of knowledge production. They were always drawn out using large scales, and were more focused on areas of geographical significance. Often trigonometrical survey maps were not even supplied to district libraries. These maps were not created for the everyday practices of government.

By the later nineteenth century, as a result of the information resources at its disposal, the Survey Department became more integrated in the Government of India.⁵⁸ This premium on knowledge and skilled labour justified the continuing autonomy of the surveyor within the Government of India. It was the gradual transition of the Survey Department from a

⁵⁵ Captains R Smyth and H L Thullier, *A Manual of Surveying for India detailing the mode of operating on the revenue survey in Bengal and the North Western Provinces* (Calcutta, 1851), 575.

⁵⁶ Edney, *Mapping an Empire*, 17.

In 1814 the independent presidency Surveyor Generals were abolished and replaced by one central Surveyor General of India, R.H. Phillimore, *Historical records of the Survey of India*, (Dehra Dun, 1946-1958), vol 2, 308.

⁵⁷ Phillimore, *Historical records of the Survey of India*, vol 1, 262-269.

⁵⁸ Edney, *Mapping an Empire*, 204.

predominantly military geodesy enterprise into a tool of governance that holds relevance for this discussion.

This chapter is primarily concerned with revenue or cadastral surveying. Scott's account of the simplifying State does not reflect the anxious and complex development of cadastral surveying in British India.⁵⁹ Instead, Bernardo Michael presents a more satisfying description of the piecemeal and confused emergence of cadastral mapping.⁶⁰ The cadastral surveying developed in the early nineteenth century did rationalise territory into manageable administrative units, and created a more systematic revenue record. However, this rationalisation was subject to several policy revisions which in practice depended on the discretionary powers of the district officer. The absence of the district officer from accounts of cadastral surveying has limited our understanding of mapping in practice. The style of cadastral mapping that emerged through the revenue surveys fundamentally relied on the work of settlement. This chapter seeks to address the absence of the practise of settlement in discussions of the history of survey.

Settlements have usually been associated with grander legislative projects like the Permanent Settlement, and there were no regional surveys in Bengal until the 1880s. However, it is important to recognise that settlements were also an everyday mundane revenue process.⁶¹ Settlements were conducted during any change in agrarian relations. A settlement could be caused by a dispute, death or other routine changes in land holding. In Eastern Bengal alluvial settlements were regularly required due to the movement of rivers and water channels.⁶² A settlement could affect the rent or the revenue. The settlement of land taxation or revenue was 'the determination of the amount of revenue payable by proprietors, tenure-holders, or raiyats, directly to Government, whether under the denomination of revenue or rent'.⁶³ Routine acts of investigation included ascertaining and investigating landholding patterns, agrarian socio-economic relations, crop output, soil classification, standards of irrigation, and tenurial obligations and rights.⁶⁴ The daily practice of the revenue courts depended on the experience and knowledge of revenue officers, who

⁵⁹ Scott, *Seeing like a State*, 3.

⁶⁰ Bernardo A. Michael, 'Making Territory Visible: The Revenue Surveys of Colonial South Asia' *Imago Mundi*, 59, 1 (2007), 78-95.

⁶¹ A settlement could interchangeably mean a larger project or the regular activities of the district official involving disputes or changes in tenurial or landholding patterns.

⁶² SAWB, Revenue, January, 1879, No. 14 – 17, Principles which should be adopted in making assessments in Dearah surveys (Dacca).

⁶³ BL, IOR/V/27/311/118 Bengal Lower Provinces Board of Revenue, *The Settlement Manual*, (1888), 1.

⁶⁴ *Ibid.*, and Board of Revenue, *Survey & Settlement Manual 1895* (Calcutta, 1896).

frequently acted as on the spot courts. Furthermore, as Settlement Officers, district officials held the premium on local knowledge.

During the processes of settlement, revenue officials distinctly embodied the idealised district officer. As Richard Saumarez Smith explains, ‘the published reports of the officials who directed Settlement operations in a district quickly became the foundation of official knowledge concerning local conditions of agriculture, land tenure and much else besides’.⁶⁵ The role of revenue official contributed to the representation of the district officer as a persona of expertise and discretion. However, settlements were usually conducted by local revenue officers, with the majority of the work undertaken by uncovenanted Deputy Collectors and overseen by British district officers. The idealised revenue official was always imagined as the autonomous paternalistic British man, but in reality these decisions were undertaken by Indian officials. The discretionary authority of the district officer frequently relied on the collaboration of his Indian colleagues and their relationships with local communities.

New surveys and settlements instigated after the Tenancy Acts provided fresh information about agricultural conditions, which often sat awkwardly with the concept of Bengal as the land of Permanent Settlement. This new information was frequently contingent on the work of the Settlement Officer. The Settlement Officer provided the main point of contact between the local population and the British Government of India. This role drew upon the idealised revenue official as embodied in the persona of the Collector. Therefore this chapter now considers the training of revenue officials and the work of the Collector.

‘The exercise of a sound discretion is required’: The Process of Settlement and Survey

Revenue administration supposedly relied on the discretionary experience of the district officer, but in the practices of survey, local officials were disregarded as inexperienced and unqualified. A distinction emerged between the professional knowledge of the Surveyor and the mundane unskilled labour of the revenue officials. However, these representations impeded and frustrated what was a fundamentally collaborative process. The 1895 *Survey and Settlement Manual* provided a clear definition: ‘surveys are divided into two classes i) professional i.e those conducted with the assistance of officers of the survey Department; ii)

⁶⁵ Saumarez Smith, *Rule by records*, 5.

nonprofessional, those conducted solely by the revenue officers'.⁶⁶ These definitions developed in the later nineteenth century as a result of the evolving practical work of survey and settlement. In order to better understand the conceptualisations of the varying roles and competing projects this chapter examines the process of the work itself and the function of the officials within it.

The 1879 Thakbast Manual explained the two aspects of a Revenue Survey:

A demarcation in which only the boundaries of mouzahs and estates are laid down is called a mouzahwar and mahalwar demarcation. A demarcation which defines the boundaries of each field is called a khasra, field by field, or cadastral survey.⁶⁷

The professional survey usually only dealt with the external boundaries of the village. Under the guidance of a Superintendent of Survey a map would be produced showing the boundary and total area of each village. Professional surveyors were uninterested, but more importantly inexperienced, in the conduct of the cadastral or thakbast survey.⁶⁸ The Thakbast Manual explained that the professionally orchestrated survey was 'expensive and is inapt to deal with questions of tenure and disputes about boundary, which requires local knowledge and experience'.⁶⁹ While the local knowledge and experience of the revenue officers was necessary, they were lambasted for being unskilled. The majority of the actual measuring was conducted by Indian Amins, usually under the supervision of an uncovenanted Deputy Collector. Smyth and Thullier described the process as conducted according to:

the primeval custom of the district. With no compass, or any thing, but his rope to guide him, the native Ameen is expected to measure a village, the total area of which must agree with the area defined by the Professional survey within a certain percentage, and to deduce the intermediate detail areas of every species of land.⁷⁰

It was the use of crude instruments and Indian agency which rendered the local field-by-field cadastral surveys unprofessional. Although the professional survey parties were larger, usually overseen by European Superintendents, and used scientific instruments, they were equally dependent on Indian agency. Thuillier described an average establishment for a

⁶⁶ BL, IOR/V/27/311/91, Bengal Revenue Department, *Thakbast Manual*, 8 and Board of Revenue, *Survey & Settlement Manual 1895*, 22.

⁶⁷ BL, IOR/V/27/311/91, Bengal Revenue Department, *Thakbast Manual*, 1.

⁶⁸ *Ibid.*, 9.

⁶⁹ *Ibid.*, 1.

⁷⁰ Smyth and Thullier, *A MANUAL OF SURVEYING*, 576.

Revenue survey in Bengal in the 1850s as containing a Revenue Surveyor, one Sub-Assistant, four Indian Assistants, twenty Indian Measurers, and four Field Guards. This cost roughly 31,876 RS per annum. Over the seven months of the field season, from November until the beginning of June, they were expected to complete a survey of a thousand square miles, with the average size of a village being one and a quarter square miles. The rest of the year, during the rains and the very hot weather, was spent perfecting the maps, registers and calculations. This was a demanding work schedule as surveys were frequently delayed and could take up to three years to complete.⁷¹

The field work of the professional revenue surveyor was contingent on the unprofessional work of district officials. Although the professional surveyors measured and mapped out the mouzahwar and mahalwar, the local agency provided the initial boundary demarcation. The boundary unprofessional survey party worked one season ahead. As the Thakbast Manual explained ‘demarcations preparatory to professional survey are conducted by the Collector of the district or other officer vested with the powers of a Collector’.⁷² The Manual outlined the process of the thakbast as follows:

They measure and map the boundaries of villages and estates, deciding all boundary disputes. Subsequently they perform all the registration work, embodying the results. The professional survey party maps the mouzah boundaries on the basis of the marks in the field, previously erected by the thakbast party.⁷³

These boundary maps or thakbast maps were usually drawn by eye and sketched with a pencil. Figures 8 and 9 are from the 1845-1850 revenue survey of Rajshahye

⁷¹ BL, IOR/V/27/314/39, Allen, *Final Report of the Survey and Settlement of the District of Chittagong 1888 to 1898*, 93.

⁷² BL, IOR/V/27/311/91, Bengal Revenue Department, *Thakbast Manual*, 3.

⁷³ *Ibid.*, 1.

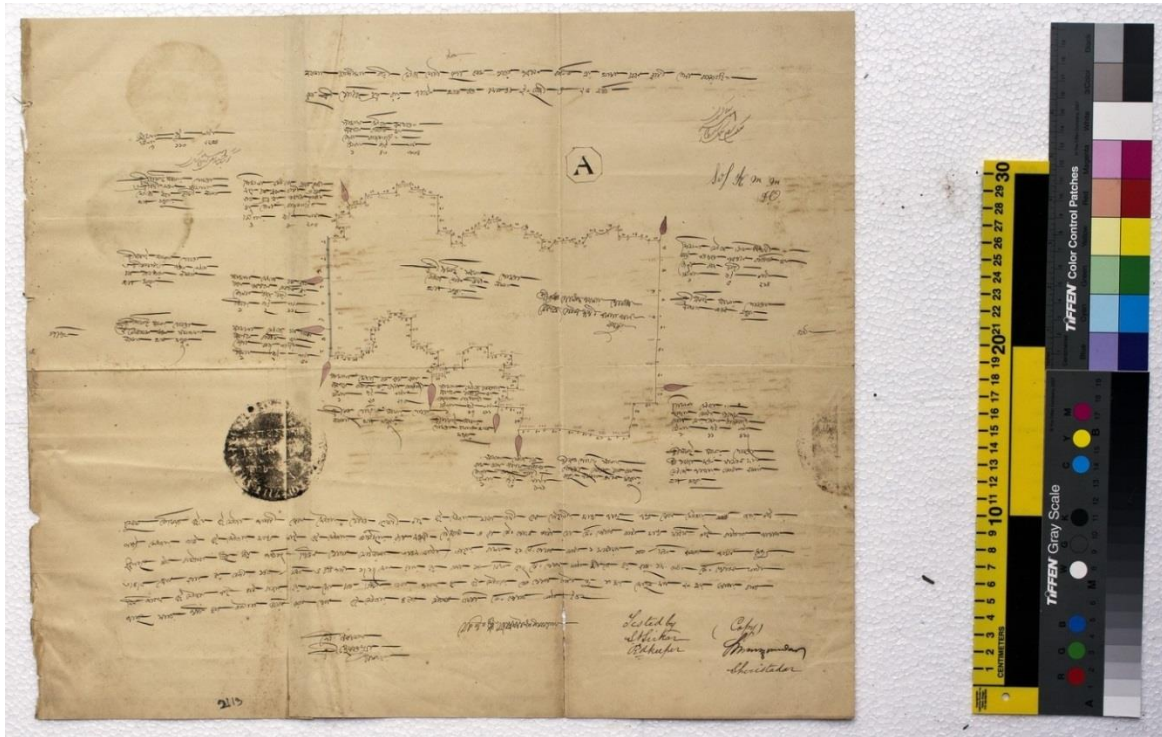


Figure 8 – Thakbast Map of Rajshahye no. 13⁷⁴

⁷⁴ British Library, Endangered Archives Project
http://eap.bl.uk/database/overview_item.a4d?catId=237933;r=6334
 (accessed 12th May 2016) EAP619/1/1/2: Thak Maps Volume 2 [1848-1850], 13.

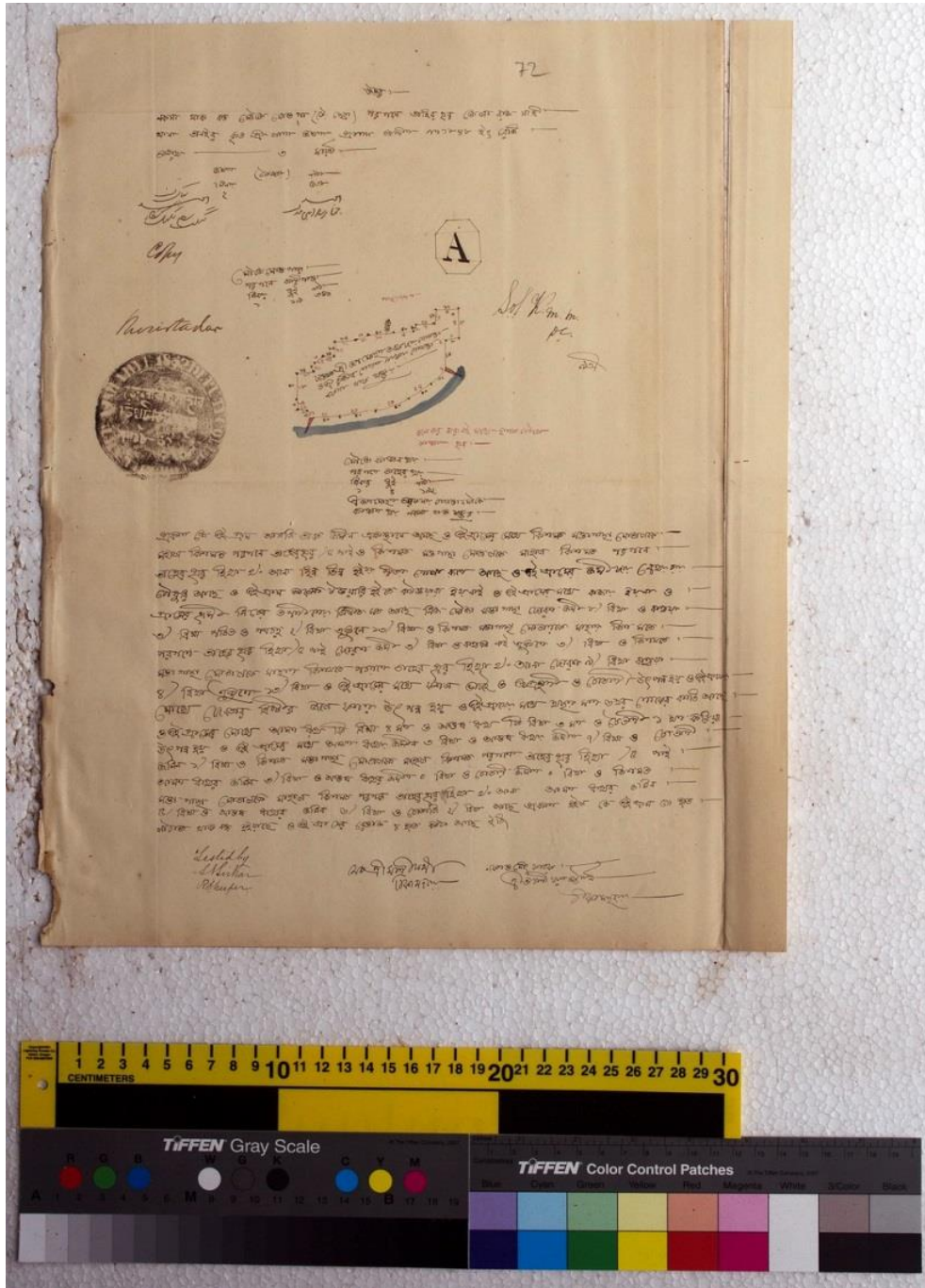


Figure 9 – Thakbast map of Rajshahye no. 32⁷⁵

⁷⁵ EAP619/1/1/35: Thak Maps Volume 35 [1848-1850], 32.

Boundary sketch maps were annotated by the Amins and confirmed by the Settlement Officer. In figure 8, it is possible to see the boundary markers indicated in the demarcation line and theodolite stations represented by the arrows. These theodolite stations would have been erected for the use of the topographical and trigonometrical surveys later in the process. Figures 8 and 9 reflect the varied and complex nature of land holdings in Bengal. Surveyors and revenue officers had to map and record cultivated areas ranging from individual strips of fields to entire estates. The intricacy of farming patterns in Bengal necessitated the experience and knowledge of local revenue officials and Indian subordinate officers. This level of detail is reflected in the boundary sketch maps. The documents are dominated by text more than the actual map, the information contained in these sketch maps related to possession, location within larger estates or village areas, rent, tenure, soil type, and crops. Both documents include an official stamp and three signatures including those of the Record Keeper and Sheristadar. These sketches were usually the first stage in the process of survey and settlement, and acted as the initial information gathering exercise for settlement officers.

The professional surveyors would crosscheck their own work against the boundary maps. Once the mouzah and mahal boundaries had been confirmed the professional maps were returned to the local officers for the internal field by field cadastral mapping. While surveying was represented as a professional enterprise there was a considerable amount of activity undertaken by the local district functionaries. As indicated above the main duty of district revenue officers was to erect demarcation boundaries. This process and the discussions around its execution provide important insight into the work of the idealised district official.

‘Professional work mainly depends on clearly defined boundaries’: Boundary Mapping

Boundary demarcation procedures were developed in response to the sense of disorder experienced during settlement and survey operations.⁷⁶ The discretionary capacity of the revenue officer was essential for the smooth functioning of boundary demarcation, and subsequent survey and settlement operations. It was in the process of boundary marking that the survey had a visible impact on agrarian society. E.W. Collin, the Settlement Officer in Mozufferpore, explained that survey ‘was, as one gentleman told me, a name to frighten

⁷⁶ BL, IOR/V/27/420/1, India, Survey Department, *Handbook of the departmental and circular orders and instructions issued from the year 1832 for the guidance of officers of the Revenue Branch, Survey Department. 2nd edition. [with correction slips]* (Calcutta, 1873), 26.

children with'.⁷⁷ Therefore, the role of the idealised district official as knowledgeable intermediary was necessary in order to alleviate the concerns and manage the resistance of the local population. Furthermore, demarcation practices were influenced by the idea of the man-on-the-spot decision maker.

In his 1874 revenue manual, E.H Winfield complained about the lack of legislative provision for permanent boundaries.⁷⁸ This issue was aggravated by the absence of legislation to compel landlords to maintain boundary markers. The initial boundary marks were often 'obliterated and the use of the survey for practical purposes is thus very much diminished'.⁷⁹ The absence of clearly defined roles in boundary demarcation procedure also contributed to the general frustration and confusion. It was an overlapping and unclear process. In the mid to late nineteenth century, confusion in the thakbast and cadastral surveys was primarily caused by failing to involve the district officers in the process.

In the summer of 1870, in Rajshaye, the lack of clarity regarding the function of the Survey Department and the role of the revenue officers caused an expensive misunderstanding.⁸⁰ When the professional team began to formally measure out the villages and estates they realised the initial thakbast boundary demarcation was incomplete. Several trijunction pillars, used to indicate the intersection of village boundaries, were absent. This survey would have depended on the integrity of the 1848 to 1850 sketch maps. These records were usually available and familiar to district officials, but surveyors were not well versed in the nature of revenue archives. Captain Stewart, the Surveyor, failed to provide appropriate information and instructions to the Collector. In May 1870, an Amin was sent to fix the trijunction boundary pillars. However, Stewart had provided an incomplete list, and so the Amin noted the omissions, and re-measured the sites for the pillars. The pillars were faulty, although erected in stone they were too short and many were incorrectly located. The Board of Revenue complained:

All the delay, misunderstanding, and confusion, which has taken place in the Rajshaye districts, concerning the simple matter of putting up pillars, shows a

⁷⁷ BL, IOR/L/PARL/2/268, Behar, E.W Collins, Esq, c.s Settlement Officer, Mozufferpore, to the Director of the Agriculture Department, Bengal, No. 441 dated Mozufferpore 18 July 1887, para 93, 46,

⁷⁸ E. H Winfield, *The Revenue law and the practice of the Revenue Department in the lower provinces of Bengal* (Calcutta, 1874), 210.

⁷⁹ Ibid.

⁸⁰ SAWB, October, 1871, Revenue, No. 107-8, Survey at Rajshahye.

lamentable want of proper care and attention to the matter on the part of almost every one concerned.⁸¹

The failure to properly mark out the boundaries before the full measurement work of the Survey teams could cause serious difficulties. Henry Ricketts reported to the Board of Revenue ‘the terrible evils which beset us in Mymensingh of never having done with the boundary dispute, of altering survey plans one, two and three years after Survey or Demarcations, seems to cling to us in Dacca’.⁸² The majority of the issues faced by surveyors and the Board of Revenue were the result of failed co-ordination with local district revenue officers.

Finally, the Survey Act of 1875 provided some clarity and a procedural framework for boundary marking. The Survey Act described the process of funding and erecting permanent boundary markers, and placed the Collector as central arbitrator. The Collector was empowered to erect any permanent boundary marks ‘of such materials, and in such number and manner as he may determine to be sufficient to distinguish the boundaries of the estates, tenures, mouzahs or fields for which the same are to be erected’.⁸³ Phillip’s revenue manual described the process of boundary delineation as follows:

Demarcation of Boundaries is made in the first instance by villagers themselves. They are called upon beforehand to set up such marks as shall suffice to indicate the boundaries of their village, and of the fields within the village.⁸⁴

The revenue officer overseeing the demarcation could legally compel the attendance of ryots, the landowner or a representative of the landowner. If anyone summoned refused to point out the boundaries or provided information known to be false they were imprisoned until they complied.⁸⁵ Naturally, the demarcation process instigated disputes over landholdings. All boundary disputes were supposed to be settled on the spot, and the Collector was to be involved if the boundary affected a Government estate.⁸⁶ However, the professional surveying could not continue until the boundaries were settled and demarcated.

⁸¹ No 107, D J McNeile offg sect to the Board of Revenue, to, Sect to Govt of Bengal Revenue, No 181A Fort William 21st August 1871, *Ibid.*, 67.

⁸² SAWB, Revenue, April 1862, No. 135–7, Henry Ricketts, late of Board of Revenue, Bengal, dated Surrey 19th February, 124.

⁸³ Phillips, *Manual of Revenue and Collectorate Law*, 890.

⁸⁴ *Ibid.*, 819.

⁸⁵ Circular No 843, Dec 26th 1850, Young, *The Revenue Handbook*, (1855),

⁸⁶ BL, IOR/V/27/311/91, Bengal Revenue Department, *Thakbust Manual*, 13.

The cost of the boundary marks and the labour involved was covered by landlords.⁸⁷ The Collector was instructed to apportion the cost according to the number of boundary marks attached to each tenure and the distance of the land holdings from each boundary pillar.⁸⁸ Procedure stipulated that after the cost estimation had been performed, the revenue officer had to allow the proprietors to undertake the work. If they declined or failed to do so within a specified time frame, the revenue officer could do it himself or contract the work out.⁸⁹ In 1879, during an alluvial survey in Dacca, Deputy Collectors were encouraged to raise the money for erecting boundary pillars in camp: ‘where he fails to realize summarily on the spot, he will follow the procedure laid down in the law’.⁹⁰ The immediacy required of boundary demarcation decisions rendered the discretionary autonomy of the revenue official necessary, but this policy was influenced by the idealisation of the district officer as independent and experienced. As this chapter demonstrates, surveying and settlement legislation often encouraged or preferred on the spot decision-making.

The Thakbast manual described the construction of and materials required for the boundary markers, temporary field markers were made of ‘small mounds of earth of about three feet in height; but when three boundaries meet, stone marks are to be laid down’.⁹¹ These stone boundary pillars were then usually used as the theodolite stations by the surveying party.⁹² It was also the Collector’s role to ensure the maintenance of these boundary markers and bring to justice anyone who damaged them. The earthen mounds could easily be damaged by monsoon rains, or appropriated to shore up paddy fields or irrigation ditches.

However, sometimes boundary markers were intentionally damaged. In 1892, the talukdars of Comila resisted the survey and settlement of the region by destroying the boundary stakes.⁹³ Boundary demarcation acted as a direct intervention in the agrarian society of Bengal. It forced tenants and landowners to identify their physical space, and the law compelled them into defining the landscape. However, the legislation regarding demarcation reveals that the revenue authorities anticipated and punished resistance.

⁸⁷ *Ibid.*, 2.

Also see, Robb, *Ancient rights and future comfort*, 255.

⁸⁸ Phillips, *Manual of Revenue and Collectorate Law*, 898.

⁸⁹ BL, IOR/V/27/311/91, Bengal Revenue Department, *Thakbast Manual*, 1879.

⁹⁰ SAWB, Revenue, January, 1879, No. 14–17, Principles which should be adopted in making assessments in Dearah surveys (Dacca), 15.

⁹¹ *Ibid.*, 9.

⁹² BL, IOR/V/27/420/1, India, Survey Department, *Hand book of the Department and Circular Orders and Instructions for the Guidance of Officers of the Revenue Branch*, 14.

⁹³ SAWB, Revenue, June, 1892, No 87, 4th June, Mr Greer, 1259.

Occupants were instructed to ‘give immediate notice to Collector if any such marks are injured, destroyed, removed or require repairs’.⁹⁴ A fine of 200 RS was imposed for any mark that was erased, moved or damaged. Fines were also payable if cultivators or landholders failed to notify the Collector of any problem. While part of the fine realised could be given to the informant, the occupants became responsible for the fine and cost of repairs if no perpetrator was found.⁹⁵ Cultivators and landlords could find themselves involved in complicated disputes, forced to pay for boundary markers or punished for obstructing the demarcation process.

The litigation produced by boundary marking occupied a considerable amount of time in settlement proceedings. Whether as a result of the rights granted by the Tenancy Acts or during the physical marking of boundaries, the decisions of revenue officials had a visible impact on agrarian society. Boundary disputes were conducted on the spot or in camp by revenue officials, with only appeals and financially significant cases reaching Court.⁹⁶ These were tangible moments, during which the power of Government was visibly exercised through the instrument of the district official.

The concluding stage of demarcation was the act of mapping. Surveyors cartographically committed the decisions enacted by the revenue officers into official maps. Figure 10 shows an example of a khusrah field map taken from Thuillier’s manual.⁹⁷ As demarcation concluded, boundary sketches were rigorously compared with the surveyors’ maps, and any discrepancies were corrected.⁹⁸ Then the internal field plots would be mapped out. Each plot was numbered, and would correspond to a series of documents, including rent rolls and revenue records. The mapped out plots reflected clearly defined administrative units and enabled the smoother functioning of the revenue Government.

⁹⁴ Phillips, *Manual of Revenue and Collectorate Law*, 892.

⁹⁵ *Ibid.*, 905-906.

⁹⁶ For example see *Mundir vs Sahoy*, 16th August 1864, C. Steer & E. Jackson (justice judges), 886 of 1864, under Act X of 1859, in, David Sutherland, *The Weekly Reporter* (Calcutta, 1895), vol. 1, 36.

⁹⁷ Smyth and Thuillier, *A MANUAL OF SURVEYING*, 585.

⁹⁸ *Ibid.*, 543.

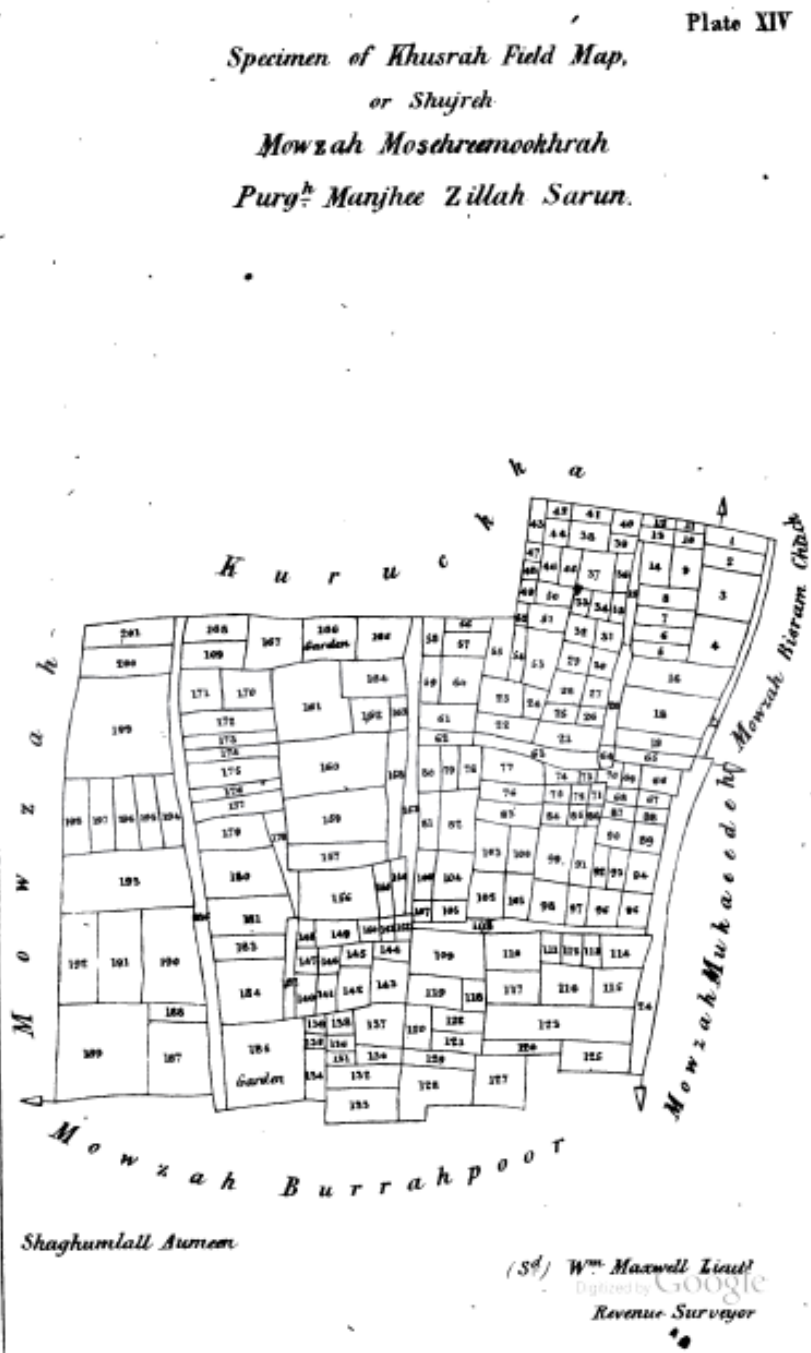


Figure 10 – Specimen of a khusrah field map, Captains R. Smyth and H.L. Thuillier, *A MANUAL OF SURVEYING for India detailing the mode of operations on the Revenue Surveys in Bengal and the North-Western Provinces*, (Calcutta, 1851). 543.

Traditionally, the cadastral or khusrah survey was made by the Settlement Officer with the help of the Patwaris and trained Amins. Phillips argued ‘this agency though not scientific, nor organised as a permanent department has always been found perfectly adequate’.⁹⁹ The alternative was a professional field survey. These were more expensive, but they tended to be more accurate in terms of measurement.¹⁰⁰ This debate, over whether the field survey and operations of the settlement should be conducted by the professional survey team, the revenue officers or a combination of the two functions, was the defining and crucial discussion of this period. In order to more fully explore this debate, this chapter now examines the roles of the Surveyor, Collector and Settlement Officer.

‘Putting his own shoulder to the wheel’: Surveyor, Collector, and Settlement Officer

The constant shifts in the roles and responsibilities of the Collector, Surveyor and Settlement Officer resulted in confusion over practice and procedure. In British India the Surveyor was considered a scientific professional.¹⁰¹ By comparison the work of the revenue official was represented as tedious and unskilled. It was the conflict between these imagined and practised personas which shaped survey and settlement procedure. The 1875 Survey Act consolidated the role of the Survey Department, and was the penultimate step in creating the Survey of India. It clarified the work and powers of Superintendents of Surveys, and it authorised the Lieutenant-Governor of Bengal to order a survey whenever he thought it appropriate.¹⁰² A Superintendent of Survey was granted the powers of a Collector under the Act, and could also appoint Deputy-Collectors to act as Assistant-Superintendents. However, there was an enduring commitment to the importance of the revenue official. It remained within the scope of the Act to empower a district officer to undertake responsibility for the work of survey and settlement: ‘it shall be competent to the Board of Revenue to direct that the Collector shall perform any duties under the act within the said tract’.¹⁰³ The 1875 Survey Act formalised the tensions between the district officer and the scientific work of the surveyor.

⁹⁹ Phillips, *Manual of Revenue and Collectorate Law*, 822.

¹⁰⁰ *Ibid.*, 823.

¹⁰¹ Smyth and Thullier, *A MANUAL OF SURVEYING*, 238.

For a discussion of the surveyor as a professional see SAWB, Revenue, February, 1882, Training civilians in survey and settlement work Survey and Settlement No 1–6.

Also, Edney, *Mapping an Empire*.

¹⁰² Phillips, *Manual of Revenue and Collectorate Law*, 883–884.

¹⁰³ *Ibid.*, 885.

It was the leading role played by Indian uncovenanted revenue officers which contributed to tensions and anxieties about the process of survey and settlement. According to H.R. Thuillier, scientifically able Indians were simply not to be found, and therefore their work was crude and inaccurate.¹⁰⁴ However, Amins, Patwaris and Deputy-Collectors all played significant roles in surveys and settlements. Assistant Settlement Officers were usually junior Indian revenue servants who conducted the bulk of the work.¹⁰⁵ The on the ground boundary disputes while co-ordinated by the British district officers were usually resolved by Deputy-Collectors.¹⁰⁶ This unspoken reality of revenue practice explains the reluctance by the Government of India to depend on the local administration during a survey. The Surveyor was also supposed to exercise control over the large parties of Indian Amins, Indian Surveyors and European Assistants. Thuillier concluded that ‘the best results may be expected from an active personal supervision in the field, and indeed without this there can be no hope of proper and systematic progress or of the quantity of work’.¹⁰⁷ Complaints about the cost or inefficiency of the Survey Department were often targeted at the overreliance on British labour. Despite the financial implications, a predominantly British surveying team was deemed superior to the local and experienced revenue officials. The Government of India was unwilling to admit that the process of survey and settlement was made cheaper and easier through the collaborative labour of Indians.

This reluctance was strengthened by the fundamental belief amongst senior Surveyors that district officials were incapable of conducting scientific work.¹⁰⁸ This criticism did reflect a perceived gap in the knowledge of district officers. For the official mind, the work and role of the Surveyor was fixed and clearly defined. By comparison the revenue official in the capacity of Settlement Officer or Collector occupied a more awkward and fluid position. The Surveyor possessed a more tangible skill set than any other role in the governing of India. This perception was as a result of the military background of the Survey Department. Throughout the nineteenth century, surveyors continued to be military men. In 1887 there were 32 military officers and 1 civil official in the survey department.¹⁰⁹ Surveying was a technical and mathematical practice based on the need for reconnaissance. Surveyors were expected to competently demonstrate superior ability in arithmetic, geometry, trigonometry

¹⁰⁴ National Archives of India, henceforward NAI, Surveys, May, 1887, No 24–27.

¹⁰⁵ Settlement officers were empowered under a range of legislation see Board of Revenue, *Survey & Settlement Manual 1895*.

¹⁰⁶ SAWB, June, 1872, Revenue, No 8–12, Board’s Circular letter, no 486B, of 31st August 1871.

¹⁰⁷ Thuillier, *A Manual of Surveying*, 238

¹⁰⁸ NAI, Surveys, May 1887, No 24–27.

¹⁰⁹ *Ibid.*

and other mathematical skills. Also required was ‘a knowledge of Plan Drawing or at least proof of some degree of taste in Drawing and Printing so as to warrant the expectation that he may turn out a good Draftsman’.¹¹⁰ As Edney argues, this skillset was the preserve of gentlemanly military officers and engineers.¹¹¹ However, the majority of the district officials were not of the same class as military officers. While mathematics was one of the more popular exam papers, and did include trigonometry and geometry, the practical application of these equations beyond plotting out a field sketch did not feature highly in the conceptualisation of the district official. The monopoly over these scientific abilities retained by the Survey Department was problematic as it exacerbated the unscientific quality of the settlement and boundary demarcation.

Instead of appropriately training revenue officials, governing literature was considered the most efficient and effective means of providing clear information, and guiding district officers through the work of survey and settlement. In 1875, F.W. Kelly drew up a basic surveying textbook in response to the lack of skills he had identified amongst district officers. Kelly complained of the existing surveying manuals, including Thuillier’s: ‘they are, moreover, too comprehensive, abstruse and technical, to be of much use to non-professional men and students, who do not as a rule possess the previous training required to enable them to understand the entire subject’.¹¹² Kelly’s manual endeavoured to close the gap between the scientific expertise of the surveyor and the practical experience of the district officer.

In 1850, the Board of Revenue issued instructions after concluding ‘a great diversity of theory and practice prevails in the different Districts in making settlements of Land Revenue’.¹¹³ The Government issued several Settlement and Survey Manuals during the mid to late nineteenth century.¹¹⁴ These assisted in the navigation of new legislation, explained under which acts officials were empowered and provided information to revenue officers who received insufficient training. The 1895 edition was drawn up and ‘intended to point out to Collectors the most important rules of this Manual which govern details of work and the

¹¹⁰ Thuillier, Appendix, xxxviii

¹¹¹ Edney, *Mapping an Empire*, 5.

¹¹² F.W. Kelly, *Hand-book of practical surveying for India: especially designed as a guide and book of ready reference for district officers, planters, municipalities, courts of wards, and landholders, and for the use of the surveying classes* (Calcutta, 1875).

¹¹³ Young, *The Revenue Handbook*, (1855), Appendix VII, December 1850, No 81, xxxvii.

¹¹⁴ BL, IOR/V/27/420/1, India, Survey Department, *Hand book of the Department and Circular Orders and Instructions for the Guidance of Officers of the Revenue Branch*; BL, IOR/V/27/311/118 Board of Revenue, Bengal Lower Provinces, *The Settlement Manual* (1888) and Board of Revenue, *Survey & Settlement Manual 1895*.

general course of procedure for survey and settlements'.¹¹⁵ Even in 1895 these were processes which required explicit guidance. While district revenue officials might have been lacking in the technical expertise, they were at least more familiar with the agriculture and people of the district.

The surveyor was consistently portrayed as a scientist, removed from the practicalities of governance, but they were also expected to traverse and experience the locality:

a Surveyor should always endeavour to obtain a good knowledge of his District, or the portion of country under survey, by constantly riding over it, in every direction, and thus getting a sort of bird's-eye view in his own mind.¹¹⁶

There were evident parallels with the ideal district officer. H.R. Thuillier stated that the only civil officers in the Survey Department were 'selected from those who have proved themselves to be thoroughly qualified for the charge of a survey party'.¹¹⁷ This contradiction was revealing, revenue officers were simultaneously dismissed for their local unsophisticated practices, and yet allegedly qualified by their experience of settlement establishments. The Surveyor was a scientist on the spot, applying his skills to an inert landscape which he had to understand through the lens of his instruments. However, frequently, that lens had to be refracted through the local revenue officer.

H.L. Thuillier emphasised the necessary relationship between the district officer and the surveyor. He wrote, 'on the Revenue Surveys in India, the Surveyor is not merely dependant on his own resources, he has to look to the proceedings of another and distinct establishment, that of the Civil or Settlement Officer'.¹¹⁸ The procedures and practices of Settlement relied on an imagined Settlement Officer who had personal and intimate experience of the locality. As Henry Rickett's explained 'the settlement officer holds in his hands the welfare of the whole of the agricultural community'.¹¹⁹ After the demarcation had been confirmed it was the job of the Settlement Officer to investigate rents and revenues, and ultimately produce the record of rights. The work was complicated, as Settlement Officers frequently had to make decisions based on inaccurate or incomplete records.

¹¹⁵ M. Finucane, Board of Revenue, *Survey & Settlement Manual*, i.

¹¹⁶ Ibid.

¹¹⁷ NAI, Surveys, May, 1887, No 24 – 27.

¹¹⁸ Thuillier, *A Manual of Surveying*, 320- 321

Although it was not standard practice, under the Bengal Tenancy Act, Survey officers could be empowered as revenue officers, and exercise the function of a Settlement Officer, Board of Revenue, *The Settlement Manual*, 1895, 47

¹¹⁹ Young, *The Revenue Hand-Book*, 55.

The revenue roll was often just ‘a list of the proprietors of the estate, shewing the extent of the interest of each, whether measured by proportionate share (as so many annas in the rupee), or by actual division of the lands; and, finally the assessment of the estate’.¹²⁰ These documents were usually incomplete, out of date and often damaged. It was not unusual for a settlement to be conducted in a district without any existing map.¹²¹ Surveyors and revenue officials had to rely on records of ownership that could be thirty years old. The unreliability of the documentation made the experience and independence of the district official even more important. Due to the inaccuracy of the existing records, Settlement Officers were given the discretion ‘to recognise a claimant of proprietary interests though his name may not have been registered. This discretion should only be exercised when there is practically no doubt that the claimant of proprietary right is really the proprietor’.¹²² The Settlement Officer was tasked with determining ownership, tenancy and revenue payments. All of these duties were made simpler if the Settlement Officer had local district experience.

The discretionary capacity of the Settlement Officer was contingent on his familiarity with the agrarian community and the agriculture of the region. *The Settlement Manual* suggested that during the initial assessment procedure the deposit for the cost of the survey and settlement could be secured on the spot from the proprietor. The Settlement Officer was advised ‘to exercise his discretions as regards the requisition of security, with due reference to the means and character of the farmer’.¹²³ However, the transient nature of the district officers’ career meant that this impression was often made on the spot and not as a result of personal familiarity. It was an even greater difficulty for Surveyors with no experience of revenue procedures and limited contact with cultivators. The result of this tension between the imagined settlement officer and the reality of practice was a more scientific means of assessment. The settlement could instigate detailed investigations into soil classification or irrigation systems. However, despite these more technical procedures, the Settlement Officer was still required to judge the fairness of the revenue assessment based not on what ‘the land may pay for one year, but what can be paid with regularity in average years. It is especially incumbent on him not to conclude too hastily that what appears to be an appropriate assessment is actually so’.¹²⁴ The capacity for and exercise of discretion was fundamental to the functioning of survey and settlement. This thesis argues that this empowered discretion

¹²⁰ Phillips, *Manual of Revenue and Collectorate Law*, 833.

¹²¹ Phillimore, *Historical records of the Survey of India*, vol 2, xv.

¹²² BL, IOR/V/27/311/118, Board of Revenue, *The Settlement Manual*, 51.

¹²³ *Ibid.*, 20.

¹²⁴ *Ibid.*, 10.

rested upon the premise that the district official was the interface between the colonised and the coloniser.

This emphasis on the discretion of the revenue officer was echoed in calls for the honesty of the Surveyor. The lack of contact or local experience, while rendering the Surveyor more professional, could make him less invested in the benevolent and improving aims of the project.¹²⁵ Surveyors were cautioned against rushing work or claiming more than their dues: ‘it may be difficult for him to refrain from injudicious haste, when he knows that some of his brother Executive Officers are working with greater rapidity than himself, and are likely to gain more credit than he does’.¹²⁶ Surveys were vital in the production of knowable statistics in British India, but often the surveyor was more interested in big results than practical information.

The macro agenda of the Survey Department and its staff frequently created tensions during revenue surveys. This conflict between the centralised aims of the Survey Department and the local circumstances of the district influenced the policies and practises around survey and settlement. H.L. Thuillier insisted ‘there should be such an understanding between the Surveyor and Settlement Officer, as may prevent all hindrance to the progress of the work; the object of both should be to co-operate mutually with each other, and so overcome all difficulties that may present themselves’.¹²⁷ This guidance was not without substance, as was revealed during the complex survey and settlement of Chittagong.

‘Settlement work is harder in Bengal’: The Survey and Settlement of Chittagong

Chittagong was the border region of the province of Bengal.¹²⁸ Chittagong clung to the North East corner of the Bay of Bengal, stretched through delta plains, jungle and up into the hill tracts bordering Burma. In 1891, it measured 2,492 sq miles with a population of 1,290,167.¹²⁹ Previous suggestions about resurveying the region in 1877 had been rebuffed, but subsequent to the Tenancy Act the local officers proposed a new settlement.¹³⁰ After an initial and successful survey of the Thana of Ramu, Finucane, Director of Land Records, visited in September of 1889, and sanctioned a new survey and settlement of the region.

¹²⁵ BL, IOR/V/27/420/1, India, Survey Department, *Hand book of the Department and Circular Orders and Instructions for the Guidance of Officers of the Revenue Branch*, 5.

¹²⁶ *Ibid.*, No 240, 23rd June 1866, 12.

¹²⁷ *Ibid.*, 321

¹²⁸ SAWB, Revenue, March, 1895, No. 177–82, Scheme for remuneration of settlement officers, 21st January Calcutta, W.C. Macpherson Deputy Director Land Revenue, 1418.

¹²⁹ IOR/V/27/314/39, Allen, *Final Report of the Survey and Settlement of the District of Chittagong 1888 to 1898*, 1 and 15.

¹³⁰ *Ibid.*, 84.

Finucane concluded that the ‘the supervision of the work was to be entrusted to Mr Slack, who was then officiating as Collector of the district, assisted by two Deputy Collectors’.¹³¹ The primary aim of the Chittagong survey and settlement was ‘to ascertain the existing rents paid by the raiyats to the talukdars, and, after allowing a percentage to the talukdars, to fix the balance as the revenue payable to Government’.¹³² The discretion of the revenue officer was kept at the centre of the settlement, owing to the specificities of the district.¹³³ In his report Allen, Mr Slack’s successor, explained that Chittagong presented many difficulties in the process of the settlement. The complexity of the work was aggravated by the minute size of the plots, the intermixture of different estates and the ignorance of the people as to which field belonged to each estate.¹³⁴

Each had a history, each peculiarities of its own. It was a wise policy, therefore, to leave the officers locally employed a free hand to assess each taluk in the manner best fitted to secure a fair share of the profits for the Government without ruining the talukdars.¹³⁵

This discretionary freedom allowed to the revenue officer was the outcome of a rather problematic start to the proceedings. The initial demarcation of the boundaries was taxing, especially as the local officers were following an 1848 map. They found the old markers were ‘very ill-defined. They pursue a tortuous course, sometimes through the centre of fields, sometimes intersecting houses and tanks’.¹³⁶ After the demarcation was completed the cadastral work was handed over to Mr F. Grant, the Superintendent of Survey. However, there was a problem. The Survey Department were using ‘up-country’ Amins, who spoke Urdu, not Bengali: ‘having no knowledge of Bengali or of the local tenures, were unable to write the records (khasras), hence a dual establishment was necessary, viz., a staff of up-country amins to do the cadastral survey, followed by Bengali-knowing amins who wrote the records’.¹³⁷ Unsurprisingly this caused considerable errors and confusion. The Survey Department cadastral Amins sketched out the map, irrespective of occupancy, and used physical markers like field ridges rather than the boundaries of actual tenurial holdings. This pencil map was then handed to the Settlement Officer, who deputised the khanapuri Amin to

¹³¹ Ibid., 85.

¹³² Ibid., 103.

¹³³ Ibid.

¹³⁴ Ibid., 93.

¹³⁵ Ibid., 132.

¹³⁶ Ibid., 89.

¹³⁷ Ibid., 90.

write up the records of the holding (khusra). The khanapuri Amin had to revisit the site and consult the collectorate records to ascertain who was in actual possession and occupancy.

This arduous system of record writing was commenced under the auspices of the Survey Department, but it was found to be so inaccurate that it required a complete revision before the attestation settlement procedures could begin. As a result the work was handed back to the Settlement Officer in May 1891. Slack and Allen concluded that this could have been avoided if the Survey Department had not given up so quickly on using local agency. Allen stated ‘I have no wish to blame the survey officers. I merely desire to point out that a great part of the complication of procedure was due to the inability of the survey officers to get correct khasras written’.¹³⁸

As the survey and settlement were being conducted according to the provisions of the Bengal Tenancy Act, there was considerable emphasis on the record and the rent roll: ‘each landlord was compelled to show each tenant of each of his estates in his rent-roll, and the amin to identify each tenancy so entered’.¹³⁹ Five assistant Settlement Officers worked on attestation and they were instructed to insist on documentary evidence. The tenants were compelled to produce pattas (rent receipts). For the Survey Department settlement attestation ‘was a disagreeable and unfamiliar task which they accordingly postponed till the end of their work’.¹⁴⁰ This postponement was unacceptable and against standard procedure. The process of accurately recording the rent involved ascertaining if enhancements were required. Rent could be enhanced if waste lands had been cultivated or the holdings had been expanded. This had a subsequent impact on the revenue rate to be collected from the proprietor. Attestation involved considerable amounts of paperwork, bureaucracy and decision-making. There were 16,638 petitions, registered as objections under section 105 of Bengal Tenancy Act, and 984 boundary dispute cases.¹⁴¹ According to the report, this was an average volume of settlement work for a Bengal survey.

Disputes and petitions were instituted at all stages of the survey and settlement. Mr Harrison, former subdivision officer of Tajpur explained: ‘Raiyots combine very easily when they see a prospect of success, and will stop all payment of high rates when there is a chance of their being supported’.¹⁴² Anand Yang has discussed these everyday forms of agrarian

¹³⁸ Ibid., 92.

¹³⁹ Ibid., 95.

¹⁴⁰ Ibid., 98.

¹⁴¹ Section 105 described the publishing of the draft record in public. This procedure acted as an invitation for cultivators and proprietors to challenge the settlement, Ibid., 113

¹⁴² BL, IOR/L/PARL/2/268, Behar, John Boswell, Commissioner of Patna, to sec to board of revenue LP, No 223V, Banikpore 21st March 1889, 69.

resistance, especially the use of collective petitioning by ryots. Yang argues that usually ‘such occasions represented only momentary breaches in the systematic structures of control’.¹⁴³ The Bengal Tenancy Act enabled and facilitated these acts of resistance by providing legal frameworks for disputes and the assertion of rights. Mr Henry, formerly of Chumparun argued: ‘Mr Collin’s report shows how eagerly the raiyots come forward to receive what they deem authoritative evidence as to the area of their holdings and the rates of rent’.¹⁴⁴ Local officers like Henry and Harrison had experience of such forms of resistance and recognised the role of the survey and settlement in positively assisting cultivators.

It was in these procedures that the discretionary and experienced nature of the idealised revenue officer was most felt: ‘whenever a Revenue Officer pitched his camp in a village for the purpose of assessment he was inundated with a flood of petitions of this nature’.¹⁴⁵ It was for this reason that many had argued for the continuing role of the Collector and his Revenue Department in the work of settlement and survey. Their absence was keenly felt:

the people recognised the essential difference which must always exist between the functions of a Revenue Officer and of a regular tribunal. They were satisfied with the Settlement Officer’s decision as to actual possession, but they preferred to submit their claims to title to the ordinary Courts.¹⁴⁶

According to the Chittagong settlement report, the agriculturalists were satisfied with the on-the-spot decision-making unless it necessitated a serious change in socio-economic relations, for which they required the procedure of a court. The recourse to the civil court removed the dispute from the locality. In the courtroom the zemindar and ryot were no longer on an equal footing, as the zemindar could utilise his superior personal and financial resources. By comparison, in the field, any coercion could be undermined by investigating and questioning tenants around the estate.¹⁴⁷ The Bengal Tenancy Act did afford the revenue officer considerable discretion before recourse to the courts was necessary.

Throughout the Chittagong survey and settlement revenue officers were encouraged to exercise their discretion.¹⁴⁸ Surveyors were encouraged to consult with the Settlement Officers: ‘they will together decide on the proper course of action’.¹⁴⁹ The involvement of

¹⁴³ Yang, *The Limited Raj*, 211.

¹⁴⁴ *Ibid.*, 71.

¹⁴⁵ BL, IOR/V/27/314/39, Allen, *Final Report of the Survey and Settlement of the District of Chittagong*, 113.

¹⁴⁶ *Ibid.*

¹⁴⁷ Robb, *Ancient rights and future comfort*, 267.

¹⁴⁸ BL, IOR/V/27/314/39, Allen, *Final Report of the Survey and Settlement of the District of Chittagong*, 132.

¹⁴⁹ *Ibid.*, Appendix VI, lxi.

local revenue administration was strongly influenced by the belief that the opposition of the cultivators decreased in proportion to the presence of civil Settlement Officers. P.C. Lyon, Director of Land Records and Agriculture, Bengal, explained: ‘survey officers are not, and cannot be expected to be, as much in touch with the people as civil officers, or have the same power of exercising influence over them and securing their assistance’.¹⁵⁰ The idealised district officer, as the intermediary between the Government and the people, shaped the attitude of the Bengal Government towards the process of survey and settlement.

Chittagong presented the opportunity to demonstrate the importance of the discretion and knowledge of the revenue officer. Indeed, the overall success of the survey and settlement was attributed to Mr Slack, Collector and Settlement officer: ‘his patient scrutiny of detail, his exactitude and experience’.¹⁵¹ In a typical example of the ‘double-think’ of revenue policy, the outcome of the Chittagong settlement was a proposal to provide surveyors with khanapuri (record writing) training. Instead of recognising the appropriate work of the Settlement Officers, the Surveyors were awarded yet another specialised skill. P.C Lyon reported the progress of the newly trained establishment, stating, ‘we have at its head an officer who has long since learnt that accuracy in khanapuri is one of the essentials of the work of his subordinates’.¹⁵² Despite the crucial role of the Revenue and Settlement Departments, the work of record writing was once again wrenched from their experienced hands.

Conclusion

Finucane described the contradictory tension at the centre of the survey and settlement project:

Repeated injunctions have been imposed on settlement officers, in the settlement and survey rules and elsewhere, to give every assistance and support to survey officers; but yet complaints are received from the survey officers of “want of co-operation,” and these charges are indignantly repudiated by the settlement officers concerned.¹⁵³

¹⁵⁰ BL, IOR/L/PARL/2/268, Behar, Note by M. Finucane the Resumption of the Survey and Record of Rights of Behar, 164.

¹⁵¹ BL, IOR/V/27/314/39, Allen, *Final Report of the Survey and Settlement of the District of Chittagong*, 148.

¹⁵² Department of Land Records and Agriculture Bengal, No 829S to P.C. Lyon, Director to Sec to the Board of Revenue LP, 20th April, 1901 Calcutta, *Ibid.*, 2.

¹⁵³ BL, IOR/L/PARL/2/268, Behar, Note by M. Finucane the Resumption of the Survey and Record of Rights of Behar, 167.

This report, and the tensions it described, encapsulated the anxious and complicated work of settlement and survey in Bengal. There was an irresolvable conflict between the imagined revenue officer and the working realities of settlement and survey. The model district officer was defined by his autonomy, discretion, experience and paternalism. This persona drew on the official imagination and revenue policies, but was irreconcilable with the increasingly bureaucratised revenue administration.

The idealised imagined district official influenced the discussions regarding the work of survey and settlement. However, integrating this role into the practises of survey and settlement proved problematic. The ‘double-think’ of the Bengal Government simultaneously demanded adherence to legislation, privileged the professional Survey and yet insisted on the discretionary role of the decision making revenue official. The district officer’s discretionary expertise was considered essential to the practises of settlement and survey, but it also contradicted the modern administration and scientific enterprise.

Revenue officials were able to reassert their role in the settlements produced by the 1885 Bengal Tenancy Act. As the process of boundary demarcation demonstrated, legislation did support the discretionary decision-making process, and recognised the value of on the spot interactions. Furthermore, in Chittagong, the government was forced to admit the essential role played by local officials. The enduring commitment to the idealised revenue officer, despite the contradictions and anxieties which the role created, reveals that this persona was not eradicated by the growth of the bureaucracy. Instead, the official mind continued to endorse the imagined district officer in legislation and attempted to enable it to function in practise. The position of the district official in the survey and settlement of Bengal in the second half of the nineteenth century provides another insight into the uncertain and thorny functioning of Empire. However, it was in the role of Judge and Magistrate that the district officer was most able to use his experience to influence policy and practice.

Chapter Four ‘A very suitable form of punishment’: The Whipping Act and the District Officer

In 1837, Thomas Babington Macaulay and his fellow Law Commissioners drafted an Indian Penal Code.¹ The code was designed to function as a simple and consistent application of the law. In true Benthamite spirit it was envisioned to have universal appeal and the potential for implementation across the Empire. Macaulay was determined to impose a comprehensive and explicit legal structure on the existing quagmire of confused contingent practice in Company ruled India. The greatest fault of the existing system was the discretion of Court and the primacy of the Judge in what Macaulay called ‘court-made-law’.² For Macaulay personal discretion was the worst symptom of Oriental despotism.³ Macaulay believed the Civil, Criminal and Penal Codes would eradicate the discretionary practices which tainted and compromised the rule of law. With their detailed definitions, categories and clauses the Civil, Criminal and Penal Codes were supposed to leave little room for manoeuvre.

This chapter argues that the discretionary Judge continued to have a role in the legal system of British India. By focusing on the criminal work of the judicial branch of the ICS this chapter charts the construction, representation and contestation of the persona of the Judge or Magistrate. The role of Judge or Magistrate was one that often came later in the life-cycle of the district officer.⁴ Governing literature frequently referred to the bench as a last resort for aging district officers.⁵ Ashley Eden explained that a Civil and Sessions Judge required extensive experience of executive revenue matters.⁶ This experience was essential for the discretionary work of the judicial official.

While, the Magistrate’s work and role was defined through the process of codification in the 1860s, his enduring autonomy was visible in the law itself. Through an examination of the Whipping Act (Act VI of 1864), this chapter demonstrates how discretionary practice,

¹ BL, IOR/L/PJ/6/521, File 1952, 28 Sep 1899 Minute by the Hon’ble Mr Justice C.A Wilkins (14th August 1899).

Skuy, David, ‘Macaulay and the Indian Penal Code of 1860: the myth of the inherent superiority and modernity of the English Legal System Compared to India’s legal system in the Nineteenth Century’, *Modern Asian Studies*, 32, 3. (Jul., 1998), 513-557; and Cameron and Elliot, *The Indian Penal Code*.

² Wing-Cheong Chan, Barry Wright and Stanley Yeo, (eds.), *Codification, Macaulay and the Indian Penal Code: the legacies and modern challenges of criminal law reform* (Farnham, 2011).

³ Elizabeth Kolsky, ‘Codification and the Rule of Colonial Difference: Criminal Procedure in India’, 2005, 23, No 3, *Law and History review*, 639.

⁴ In 1875 the decision was made between the 10th and 12th year of service, in 1881 it was reduced to the 9th year. BL, IOR/L/PJ/6/418, File 660, April 1896, Home Department, No 1752, 11th December 1875, 3.

⁵ Stocqueler, *The Handbook of British India*, 205, and, Anonymous, *Pictures of Anglo-Indian Life*, 37.

⁶ BL, IOR/L/PJ/6/418, File 660, April 1896, Sir Ashley Eden, Resolution, 5th September 1881, 3.

personal experience and the default reliance on the district official as a strategy of governance subverted and contradicted the legal framework of the Raj.⁷ It was often in the moments of crisis and contestation that the district officer's judicial powers were increased and relied upon. First, this chapter will locate this discussion within the current historiography, followed by an examination of the prominence of the imagined benevolent and autonomous judge, then after contextualising the development of the Whipping Act this chapter will analyse the role of the district officer as empowered by the discretionary powers of corporal punishment.

'An intrinsic feature of imperial rule': Historiography

As Mark Brown argues, 'crime and criminality had, for most of the nineteenth century, played a central role, if not in shaping, then at least in drawing out many of the conflicts, principles, limitations, anxieties and aspirations of colonial rule.'⁸ This was certainly the case for the persona of the district official. The role of district level judicial process and violence have been notably absent from existing accounts of crime and punishment in India.⁹ Instead, the existing historiography on crime and punishment in Empire follows the Foucauldian narrative of the transition from bodily punishment to the reforming individualising discipline of the modern prison.¹⁰ As Carolyn Strange argues this account primarily focuses on histories of incarceration and 'the pace of historiography on physical punishment loses momentum'.¹¹ This chapter seeks to address the absence of both violent punishment and district level rule of law through an examination of the judicial functions of the district officer and the Whipping Act.

Recent efforts to address the neglect of modern violence in accounts of British India include Elizabeth Kolsky's work on colonial justice. Kolsky argues 'physical violence was an intrinsic feature of imperial rule. This is a fact widely acknowledged but narrowly explored, particularly in the Indian historiography'.¹² Kolsky primarily discusses how the British Indian

⁷ Traditionally, flogging referred to corporal punishment with a whip, specifically in the context of the army or navy, however whipping and flogging were used interchangeably in nineteenth century British India.

⁸ Elizabeth Kolsky, *Colonial Justice in British India*, (Cambridge, 2010), 1–2.

Brown, *Penal Power and Colonial rule*, 2.

Also see, Preeti Nijhar, *Law and imperialism: criminality and constitution in colonial India and Victorian England* (London, 2009).

⁹ The development of local policing is discussed in, David M. Anderson and David Killingray, (eds.), *Policing the empire: government, authority and control, 1830-1940* (Manchester, 1991).

¹⁰ David Arnold, 'The Colonial Prison: Power, Knowledge and Penology in Nineteenth-Century India' in, David Arnold and David Hardiman, (eds.), *Subaltern Studies VIII: Essays in honour of Ranajit Guha* (Oxford, 1994).

¹¹ Carolyn Strange, 'The 'Shock' of Torture: A Historiographical Challenge', *History Workshop Journal*, No. 61 (Spring, 2006), 141.

¹² Kolsky, *Colonial Justice in British India*, 1–2.

legal system was developed to protect the coloniser. Therefore, this chapter borrows from Kolsky's attention to the policies surrounding unofficial acts of violence, and expands it into the criminal law sphere. It is by interrogating policy, practice and procedure that this chapter reveals the role of the idealised district officer in the rule of law.

As Brown argues the Whipping Act became a focal point for debates regarding crime, punishment, the rule of law, race, local Government and the legislative process. There has been a limited discussion of the use of corporal punishment in British India.¹³ Steven Pierce's work on whipping in early twentieth-century Nigeria provides a useful comparison. Pierce argues that 'administrative approaches to flogging scandals thus juxtaposed apologies for flogging as a practice with a minute attention to procedural detail – record keeping, methods of administration, means to apply penalties properly to the various categories of person'.¹⁴ The same response occurred in British India in the late nineteenth century. Controversy was met with emphatic justifications based on a specific local understanding of the issue combined with a detailed attention to the legislative procedure. This is particularly evident in the attitudes towards child criminals. Satadru Sen has explored juvenile penal reform in nineteenth-century India.¹⁵ Sen has demonstrated that the Reformatory movement, which culminated in the 1876 Reformatories Act, must be understood as part of the simultaneous development of modern penal systems and the continuation of corporal punishment. Crucially Sen identifies the tension at the heart of the colonial discipline paradox:

what emerges is a bifurcated and hierarchical vision of juvenile delinquency and punishment that reproduces the colonial encounter with adult criminals: prolonged confinement, redemption, and rehabilitation for one set of boys; incorrigibility, flogging, and short sentences for another.¹⁶

It was the overlap between the treatment of the child criminal and the conceptualisation of Indians as the childlike race which informed the corporal punishment debate. Sen effectively uses the reformatory movement to assess the problematic issue of the child criminal in British India, but by focusing on whipping only as an alternative to imprisonment, Sen's argument is

¹³ Brown, *Penal Power and Colonial rule*, Taylor C Sherman, *State Violence and Punishment in India* (Abingdon, 2010), and Satadru Sen, 'A Separate Punishment: Juvenile Offenders in Colonial India', *The Journal of Asian Studies*, 63, 1 (Feb., 2004), 81-104.

¹⁴ Steven Pierce, 'Punishment and the Political Body: Flogging and colonialism in Northern Nigeria', in Steven Pierce and Anupama Rao, (eds.), *Discipline and the Other Body: Correction, Corporeality, Colonialism*, (London, 2006), 191.

¹⁵ Sen, 'A Separate Punishment: Juvenile Offenders in Colonial India'.

¹⁶ *Ibid.*, 100.

limited. By examining the debates surrounding juvenile punishment this chapter expands upon the tensions between an allegedly moral and benevolent Government and a violent legislative system. This paradox of colonial violence was resolved through the reliance on an idealised judicial official supported by a much deliberated body of law. It is this tension, between acts of violence, the rule of law and the discretion of the individual that is absent from current discussions.

While Brown acknowledges the role of the district official, especially in the context of the Punjab, he fails to understand the centrality of the persona to the development of governance. It is Taylor C. Sherman who has best identified the importance of local district officials in the function of violence within colonial law. By tracing the revisions of the Whipping Acts in the mid-twentieth-century, Sherman demonstrates that the discretionary application of violence was characteristic of the reaction to anti-colonial movements. Sherman draws particular attention to the autonomy of the district official: ‘requests or suggestions could be made to local officers from the higher levels of government, but ultimately it was not the place of provincial or national authorities to dictate how local officers acted. It was their duty, to stand in solidarity with the man on the spot’.¹⁷

By claiming that discretionary violence was specific to the context of the late colonial state, Sherman fails to clarify the unique context under which some officers were operating, for example, martial law in Amritsar. This chapter demonstrates that this discretionary capacity was embedded in to the governing practices of British India nearly a hundred years earlier and that the debates surrounding whipping nationalists and civil disobedients was the same rehearsed rhetoric which had informed the act in its original form in 1864. Fundamental to the autonomous exercise of corporal punishment and legal power was the conceptualisation of the district official as an independent decision maker. However, this was a persona which potentially contradicted a legal system which had been codified in the mid nineteenth century. It is this supposed conflict between the autonomous judge and the codified rule of law which requires further exploration.

‘We should trust to the discretion of the Magistrate’: The Judicial District Officer

In 1875, Mr Saunders, Resident at Hyderabad, complained that the judicial branch of district administration was ‘more fettered by law and regulation and necessity, affording less scope

¹⁷ Sherman, *State Violence and Punishment in India*, 30.

for the play and display of individual talent and energy'.¹⁸ The tensions described by Saunders defined the judicial aspect of the idealised district officer's persona. These anxieties were in many ways the product of the British Indian legal system. As Margot Finn explains: 'British jurists and administrators essentially invented a corpus of timeless Indian legal "traditions", a unified system of legal practice that was compatible with their own understanding of and commitment to the English Common law'.¹⁹ The British Indian legal system involved a series of categories or conceptualisations, like the Hindu joint family, on which the mechanisms of the law were based.²⁰ The exploration of the discretionary role of the judiciary has been limited to their role in the construction and contestations of 'traditional' and 'customary' categories.²¹

The codification of British Indian law fixed these categories into legislative practice. It is for this reason that legal governing literature was more formulaic and the texts were frequently limited to commentaries on matters of law and the business of the court. The Civil, Criminal and Penal Codes included example cases to illustrate the operation of each law. Each section had suggested specimens of cases and outcomes in order to guide the judicial officer towards the correct decision. The Commissioners stated 'the publication of this collection of cases decided by legislative authority will, we hope, greatly limit the power which the Courts of Justice possess of putting their own sense on the laws'.²² This prescriptive legislation and the attached case studies further cemented ideas about Indian legal tradition and customary society. While codification did harden some legal practices the judicial district official continued to be imagined, and frequently empowered, as an autonomous decision maker able to exercise discretion.

Autonomy in the decision-making process was central to the imagined and practised model judicial district officer. The figure of the benevolent paternalist was suited to the senior judicial officers in the latter half of their careers.²³ In his memoir Andrew Fraser, former Lieutenant-Governor of Bengal, expressed his disapproval of the formulaic application of the law. Fraser believed the legal system of the later nineteenth century had

¹⁸ BL, IOR/L/PJ/6/533, File 444, 22 Feb 1900, Mr Raleigh, 11

BL, IOR/L/PJ/3/1117, Captain G.H Trevor, officiating first assistant Resident, Hyderabad Residency, 3rd August 1875.

¹⁹ Margot C. Finn, *Law, Debt and Empire in Calcutta*, (Austin, 2000), 6.

For the limited impact of utilitarianism on British Indian law see Majeed 'James Mill's 'The History of British India' and Utilitarianism as a Rhetoric of Reform', 222.

²⁰ Wilson, *The Domination of Strangers*, 75-103.

²¹ Preeti Nijhar explores the retention of discretion in the legal treatment of criminal tribes, Nijhar, *Law and imperialism*, 106-7.

²² Cameron and Elliot, *The Indian Penal Code*, xvii.

²³ Gilmour, *The Ruling Caste*, 130.

removed the district officer from the locality and thereby compromised the fair exercise of justice: 'judges live apart from the people, and do not understand their circumstances'.²⁴ For Fraser, it was imperative that the judicial officer should personally investigate as often as possible:

When he is on the spot, sees the matter in dispute with his own eyes, and hears the evidence in regard to that matter in the presence of the villagers, themselves, he has some ground to hope that the evidence given before him is both truthful in itself, and also presented in a manner not calculated to mislead.²⁵

Fraser was not alone in this view, and the memoirs of district officials were peppered with proud anecdotes of personally conducted justice. There was an enduring perception that a judicial officer would get to the truth of the issue on the spot compared to in the deceptive environment of the court room.²⁶ As with the revenue work, the settlement or crime was better observed in the moment rather than misrepresented by pleaders and witnesses later. However, as feared by Macaulay, judgement on the spot was liable to serious bias and maladministration. Henry Cotton claimed in his early career he was 'encouraged then to exercise considerable executive interference with the ordinary course of justice'.²⁷ He recalled riding off to investigate cases on the spot, seizing papers from subordinate officials and giving evidence before himself in court. The problem with rendering the Judge as the autonomous decision maker was the subsequent size and nature of the sphere of his activities. As Henry Keene explained the district Judge was simultaneously:

head of the police, responsible for all the conduct and discipline of the force, and for the detection of all reported crime; sometimes sitting to hear cases in which he himself had directed the preliminary investigation and was represented in the prosecution of trials in which he was to act as judge.²⁸

A district Judge could find himself acting as investigator, prosecutor, judge, jury and executioner. This was exactly the kind of judge made law practice that Macaulay was determined to eradicate. However, these powers were not given up easily by the district officers. One judicial official disliked the new practice of recording evidence, a procedure

²⁴ Fraser, *Among the Rajahs and Ryots*, 199.

²⁵ *Ibid.*, 213.

²⁶ Gilmour, *The Ruling Caste*, 124-5.

²⁷ Cotton, *Indian & home memories*, 94.

²⁸ Keene, *A Servant of 'John Company'*, 176.

previously delegated to subordinate Indian officials, and he complained ‘this New Criminal Procedure Code makes everything so long’.²⁹ The new Civil, Criminal and Penal Codes required judges to evidence and record their decisions, thereby stripping away some of their independence.

This idealisation of the judge as an autonomously empowered decision maker reflected the attitudes of the Bengal Government. Demonstrable experience of independent decision-making was considered a necessary qualification for the judicial branch. Although the senior position of Sessions Judge was usually held by older officers, as Assistant-Magistrates trainee civilian officials were empowered to try civil and criminal cases on qualification. In 1867, the administrative personnel reports insisted that the junior district officials were not gaining sufficient experience in deciding original suits. Instead they were relying on appeal cases. For example, it was said of Mr Bright, of Midnapore: ‘he should endeavour to make time to try a fair proportion of original suits, as it is by doing so that his individual capacity will best be developed’, and so he would ‘acquire a practical knowledge of procedure’.³⁰ Avoiding original suits and relying on appellate court work was viewed as likely to undermine the independent experienced image of the judiciary.³¹ It was not just experience of the law that was considered important but also the practice of assessing offenders and evidence in person.³² This emphasis on practical experience as the best means for the development of autonomous and discretionary skills was reflected in the career ladder of the district official.

Henry Cotton recalled being empowered as a first class Magistrate early in his working life. Even as a junior officer he could award sentences of up to two years in prison, a fine of 1000 rupees, and inflict whipping up to thirty stripes.³³ These legal powers were part of the routine administration of India undertaken by district officers. On reflection Cotton felt that learning on the job in possession of these powers was grossly inappropriate, ‘I was, in fact, too young to have been invested with them, and to some extent, therefore, may plead to have been the victim of a bad system.’³⁴ At the time Cotton was encouraged to be harsh in his judgements, following the example of his senior officers he wanted to be a strong Magistrate,

²⁹ Ex-Civilian, *Life in the Mofussil*, 92.

³⁰ SAWB, Judicial, July 1867, No. 95, Extracts from the resolution of high court of judicature at Fort William in Bengal on the Annual Civil Statements of the District of Midnapore 15th March 1867, No 785, 75.

³¹ Misra discusses the inadequacy of legal training and the unpopularity of the judicial branch of the service, Misra, *The Bureaucracy in India*, 190-93.

³² Dinagepore 19th March 1867, *Ibid.*, 116.

³³ Stripes or strokes referred to the rattan cane, whereas lashes indicated the use of a whip.

³⁴ Cotton, *Indian & home memories*, 79.

severe in his sentencing and feared rather than loved.³⁵ Cotton candidly admitted in his memoir that he was zealous in the infliction of corporal punishment, ‘it is with shame and sorrow I record that I was addicted to it’.³⁶ This confession about the abuse of legal power and the desire to be a strong and severe judge was at odds with the image of a benevolent and moral district officer. Colonial violence was a paradox, simultaneously undermining and justifying the civilising and moral justifications of rule.³⁷ In order to explore the role of the district officer as the arbiter of violence, this chapter first discusses the origins of corporal punishment in British Indian legal practice.

‘The temper of the individual judge’: The origins of the Whipping Act

Macaulay claimed that in the early Company legal system the barbarity of Islamic and Hindu law had been primarily avoided by the ‘discretion and humanity of the judges’.³⁸ In Macaulay’s opinion the absence of a civilised coherent body of law necessitated the exercise of the Judge’s rational faculties.³⁹ The moral compromise involved in a legal system based upon Islamic or Hindu practices was deeply problematic for reformers like Macaulay. Radhika Singha explains during early Company rule that ‘the public infliction of pain and ignominy, through such rituals as the public execution, gibbeting, tashir, public flogging and labour in fetters on the roads, was accepted as a crucial component of deterrence’.⁴⁰ This was a period characterised by a more militaristic style of rule, so the strategic employment of violence and force was an effective means of deterring resistance and ensuring cooperation. Magistrates were expected to exercise discretion in the use of corporal punishment, and take into account the rank, caste and status of the offender.⁴¹ As Singha explains, it was not in the Company’s interests to punish and offend collaborators among high caste groups. This sensitivity to caste and rank continued to inform British Indian law.

³⁵ Ibid., 78-79.

³⁶ Ibid., 80.

³⁷ Pierce and Rao, (eds.), *Discipline and the Other Body*, 5.

³⁸ Kolsky, ‘Codification and the Rule of Colonial Difference’, 639.

Cameron and Elliot, *The Indian Penal Code*, xiii.

³⁹ Sandra Den Otter has explored the disjuncture between discretionary, customary and codified legal practice in British India, Sandra Den Otter. ‘Rewriting the Utilitarian Market: Colonial Law and Custom in mid-nineteenth century British India’, *The European legacy, toward new paradigms*, 6, 2 (2001), 177–188.

⁴⁰ Radhika Singha, *A Despotism of Law: Crime and Justice in early colonial India* (Calcutta, 1998), 231.

⁴¹ Ibid., 231.

In Britain, public flogging was practised until the 1830s, and it continued to be used as a judicial punishment throughout the nineteenth century.⁴² Therefore, while corporal punishment was familiar, it was rendered specifically challenging by the Indian environment. For example, in the eighteenth and early nineteenth century the number of lashes inflicted was often determined by the Islamic law employed in Company courts. During the 1830s discussions concerning the instrument of infliction were consistent with the desire to move away from the perceived barbarity of ‘Oriental’ law. The rattan was dismissed by some as it was considered an instrument of torture which permanently scarred the recipient. Whereas the cat o’ nine tails was rejected on the basis of the brutality of the public display it involved. Members of the Bengal Judicial Department objected to the length of time involved in using the cat: ‘the disgusting spectacle of continued punishment at our Courts, throughout a major portion of the day, would be held up to the eyes of the people’.⁴³ This was not the image of civilised Government the reforming generation desired to cultivate.

In 1834 the Governor-General William Bentinck settled the matter by abolishing whipping in British India.⁴⁴ The preamble to the regulation stated that the British Government should be based on enlightened principles:

and should endeavour by its own example, to encourage the native states to exchange their *barbarous and cruel* punishments of maiming, or torturing, or of loss of limb, for those of a more merciful and wise character, by which the individual may be reformed and the community saved from these *brutalising exhibitions*.⁴⁵

Bentinck’s beliefs about the civilising force of law and the reforming impulse of enlightened legislation fits pleasingly with a Foucauldean narrative of Utilitarian influence over the colonial legal system. However, Bentinck’s regulation flew in the face of governing opinion. and within ten years the Bengal Government insisted that whipping was resurrected as a punishment for petty larceny and juveniles. Bentinck’s regulation epitomised the colonial discipline paradox, ruling through violent means to establish a more civilised society was a problematic narrative in the benevolent civilising mission.

⁴² In Britain, corporal punishment was abolished for women in the 1820s. Juvenile whipping and prison corporal punishment endured into the 20th century, Ian Gibson, *The English Vice: Beating, Sex and Shame in Victorian England and after* (London, 1979).

⁴³ Singha, *A Despotism of Law*, 249.

⁴⁴ Whipping as a punishment for female offenders had been abolished in 1825, Clare Anderson, *Legible Bodies: race, criminality and colonialism in South Asia* (Oxford, 2004), 39.

⁴⁵ *Ibid.*, 250.

Macaulay refused to include corporal punishment in his project of codification. He believed that whipping was only resorted to by regimes with insufficient custodial institutions and that his reforms would facilitate alternatives: ‘we are inclined to think that the effect of a few days passed in solitude or in hard and monotonous labour would be more salutary than that of stripes’.⁴⁶ However, it was generally agreed in Bengal that incarceration was unsuitable for Indian criminals.⁴⁷ Racist discourses of the body insisted that Indians were contaminated by imprisonment.⁴⁸ In 1843, the Medical Board at Fort William argued that due to the Eastern manner and character: ‘it would highly conduce to the welfare of the country and to the happiness of the people to revert to Corporal Punishment and thus set at liberty to maintain themselves and their families perhaps about 20,000 individuals’.⁴⁹ The commitment to corporal punishment was strongly influenced by the belief that incarceration was significantly damaging to Indian health. The discourses surrounding imprisonment centred on the belief that Indians did not fare well mentally and physically when forced to remain indoors.

The contamination of the incarcerated body was twofold. The bodily health of the Indian prisoner was more fragile as a result of his traditionally outdoor lifestyle. Secondly, the criminal environment of a prison could have a corrupting and negative effect, especially for the young or first time offender. As David Arnold explains, Indian prisons were disease ridden and rife with corruption.⁵⁰ Grand centralised jails as envisioned by Macaulay and Bentham, like those at Agra, Salem and Multan, were considered unfit for purpose, the watchtowers were left without guards, and the solitary cells remained unpopulated.⁵¹ When compared with incarceration, whipping was considered an efficient, effective and beneficial measure. However, the perceived inadequacy of incarceration was not the sole factor in the decision to reintroduce corporal punishment. The district official and his exercise of judicial discretion occupied an influential position in the whipping debate.

In June 1880, William Macpherson, Legal Secretary to the Judicial Department at the India Office, wrote a memo summarising the official history of the Whipping Act. This was forwarded to Hartington, Secretary of State for India, who was about to face a question in the

⁴⁶ Cameron and Elliot, *The Indian Penal Code*, 105.

⁴⁷ Ranjan Chakrabarti, *Authority and violence in colonial Bengal, 1800-1860* (Calcutta, 1997), 97-125.

⁴⁸ Anderson, *Legible bodies*.

⁴⁹ BL, IOR/F/4/2066/94862, Papers regarding Act III of 1844, 31st March 1843, 3.

⁵⁰ David Arnold, ‘The Colonial Prison: Power, Knowledge and Penology in Nineteenth-Century India’ in, David Arnold & David Hardiman. (eds.), *Subaltern Studies VIII: Essays in honour of Ranajit Guha* (Oxford, 1994), 148-187.

⁵¹ *Ibid.*, 166.

House about the possibility of discontinuing whipping as a judicial punishment. In justification of the Act, Macpherson explained: ‘there was a great preponderance of Indian Official Authority in favour of the Bill, which was chiefly on the grounds of the state of gaols and the contaminating influence of prison life.’⁵² The Whipping Act was drafted in response to demands by local Governments who challenged the absence of corporal punishment in the new Penal Code. The failure to include corporal punishment was considered a serious error, and this omission was the cause of confusion and alarm. Hartington explained to the House that ‘from 1862 to 1864 the punishment was not inflicted. During that time complaints were made by all the local Governments of the difficulty experienced in this interval’.⁵³ The needs and opinions of the local Government were privileged in these discussions. District officials were considered best placed to report on the necessity of corporal punishment, and in the 1880s, Hartington believed this was sufficient justification to dismiss challenges to the Whipping Act. The necessity for the Whipping Act was consistently expressed in terms of the unsuitability of imprisonment for Indian subjects, and the demand for the powers of infliction by district officers.⁵⁴ In order to better understand the role of judicial discretion in corporal punishment this chapter now explores the content and function of the Act.

⁵² BL, IOR/L/PJ/6/16, File 910, W. Macpherson, 30th June 1880.

⁵³ BL, IOR/L/PJ/6/16, File 910

⁵⁴ HC Deb 01 July 1880 vol 253 cc1246-7 1246



Figure 11 – J.J. Cotton dispensing justice in Bengal, 1860s.¹

⁵⁵ Fig. 1 in David Gilmour, *The Ruling Caste*, 117.

‘The rod as an instrument of good’: The Whipping Act

The Whipping Act (VI of 1864) established the legal mechanisms for awarding corporal punishment.⁵⁶ It was a separate piece of legislation to the IPC and it detailed the specific offences which came under its cognizance. Whipping could be awarded for first offences of theft, extortion, house-breaking, trespass and receiving stolen goods, with subsequent offences receiving whipping in addition or in lieu of fine or imprisonment, a condition that also applied to second offences of fabricating evidence, assault, rape, unnatural offences, robbery, habitually receiving stolen property, forgery and house-breaking or trespass.⁵⁷ A further caveat focused on minor offences which were part of more aggravated or violent acts. Whipping could be awarded if house-breaking was the means of committing assault. The Act ruled that corporal punishment could not be inflicted on women or girls. Corporal punishment was conceptualised as an effective deterrent, and an appropriate punishment for petty offenses and crimes of aggression or physical force. Furthermore, it was considered an effective remedy for disorderly conduct, and an efficient means of establishing the rule of law. The Act could also be put into force in any wild or frontier tract of the country. This clause gave local Governments free reign to utilise corporal punishment as a means of implementing order and obedience in areas not technically settled by the British. Each province was left to determine the means and methods of corporal punishment. Considerable thought was given to the mode and process of infliction based on existing perceptions of pain and the impact of different instruments.

During the introduction of the Whipping Act the Government of Bengal debated the instrument of infliction. It was agreed that one stroke of the rattan was the equivalent of five lashes of the cat o’ nine tails.⁵⁸ The Governor-General in Council concluded that there would be few circumstances under which the maximum number of strokes or lashes would be awarded.⁵⁹ The only conceivable circumstances for maximum infliction would involve either a particularly hardened criminal or an outrageously violent crime. It was agreed that it was necessary:

⁵⁶ BL, IOR/L/PJ/6/533, File 444, 22 Feb 1900, The Hon’ble Rai Bahadur Ananda Charlu, 3.

Lyon, *The Law of India*, Whipping Act, 105-107.

⁵⁷ Lyon, *The Law of India*, The Whipping Act, clauses I-IV, 105-106.

⁵⁸ SAWB, Judicial, March 1864, No 146, From E.C Bayley Sect to the government of India, Home department, F.R Cockerell Offg Sect to the Govt of Bengal, 8th March 1864, 90.

⁵⁹ 30 strokes with a rattan and 150 with the cat.

to proportion the dimensions of the instrument to be used, and to regulate the mode of inflicting the punishment, that in no case shall any risk of serious or permanent bodily injury be incurred; and that, in its degree of severity.⁶⁰

The Lieutenant-Governor of Bengal decided upon a rattan not exceeding half an inch in diameter.⁶¹ It was also directed that the whipping should be inflicted on the breech, meaning buttocks and upper thighs, and that ‘precautions should be taken to prevent the blows from falling upon any other part of person’.⁶² Henry Cotton described the practice of corporal punishment, ‘the way of flogging was and is to tie a man up by his hands and legs to a wooden triangle so that he cannot move and then to inflict the punishment on his bare buttocks with a rattan’.⁶³ Cotton claimed to have seen men’s skin cut to pieces, men fainting as a result of the pain and even to have heard of men dying during the punishment. Cotton stated ‘the triangles in Bengal are an unpleasant feature outside every criminal court, and they used to accompany me into camp’.⁶⁴ Cotton’s own addiction to whipping was a source of serious regret and he spent the rest of his career campaigning against corporal punishment. The traumatising violence of whipping contradicted the image of a benevolent judge sitting under canvas and administering civilising justice to his people. Yet, the use of whipping triangles while in camp epitomised on the spot justice. The whipping triangles acted as a symbolic reminder of the preferred method of punishment and represented the discretionary power of the district Judge. The idealised district official was negotiated into this practice by recasting him not as the arbiter of violence, but as the man-on-the-spot, most able to understand and admonish the subject race.

The contradiction created by the insistence on violence was managed by integrating the persona of the Magistrate into the Act. The Act explicitly stated:

The punishment shall be inflicted in the presence of a Justice of the Peace, or of an Officer authorized to exercise any of the powers of a Magistrate, and also, unless the court which passed the sentence shall otherwise order, in the presence of a Medical Officer.⁶⁵

⁶⁰ SAWB, Judicial, March 1864, No 146, 90.

⁶¹ No. 147, J Geoghegan Under sect to Government of Bengal to All Commissioners, File 1690, 15th March 1864, *Ibid.*, 91.

⁶² SAWB, Judicial, February 1864, No 143–44, J. Geoghegan under sect to the Government of Bengal to all commissioners, File 1329, 29th February 1864.

⁶³ Cotton, *Indian & home memories*, 80.

⁶⁴ *Ibid.*, 80.

⁶⁵ H.T. Prinsep, *The Code of Criminal Procedure (Act XXV of 1861), and others laws and rules of practice, relating to procedure in the criminal courts of British India, with notes, containing the opinions delivered by all the superior local courts* (2nd edition) (London, 1868), 324.

The insistence on the presence of a judicial officer, or at least the representation of the judicial persona, during the infliction of the punishment was a combination of accountability and authority. The presence of a judicial officer justified corporal punishment. Primarily, by being physically present the Judge could ensure that the sentence was correctly administered. Secondly, the mandated presence of the judicial officer acted as a physical representation of the law. This was the realisation of the *rule* of law. The experience of monitoring the infliction of the whipping would enable the officer to make informed and appropriate sentences in the future. Practical experience was an essential skill for the idealised district official. This intimate experience of whipping added weight, and, value to the voice of the district officers, especially during calls for reform.

Fundamental to the idealisation of the discretionary judicial officer was the demonstrable confidence and belief in his own decisions. By witnessing the infliction of punishment the Magistrate or Judge was literally standing by his decision. In the first few years of the operation of the Act there was some discussion around the significance of the discretionary role and physical presence of the judicial officer. Although not empowered by the Whipping Act, Police Magistrates were authorised to give out sentences of corporal punishment under the auspices of the 1856 Calcutta Police Act.⁶⁶ The Magistrate of the Northern Calcutta police division stated that when he awarded corporal punishment he usually asked the offender to remove some clothing so he could inspect his state of health. If the accused appeared to be ill or frail the Magistrate would instead choose a sentence of imprisonment. The Magistrate of the Northern division had attended inflictions of the punishment in order to observe the ‘immediate effect on the person of the convict, to guide my judgement when passing sentence’.⁶⁷ However, he did not think it was necessary to always be present. The Magistrate of the Southern Calcutta police division concurred, and added in sentencing corporal punishment ‘common sense alone is my guide’.⁶⁸ He argued that his functions were merely judicial: ‘the carrying out of my sentence lies with the executive police’.⁶⁹ While both Magistrates clearly believed their personal discretion was relevant to the decision-making process they did not think it extended to the process of the punishment. Both men indicated that they thought it was the responsibility of a central department to ensure the police followed proper guidance.

⁶⁶ BL, IOR/P/433/11, Judicial, 5th Jan 1865, solicitor to government about the punishment of whipping, No. 146–147, V.H Scalch Commissioner of Police, Calcutta to Sec of Govt Bengal.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid, 157.

V.H. Scalch, the Calcutta Commissioner of Police, disagreed and believed it was indeed the duty of the Magistrates to observe that the punishment was carried out correctly. Scalch did admit this was partly a practical requirement, as they did not have a permanent medical officer for the purpose, but most importantly he concluded that it was ‘the duty of a Magistrate to satisfy himself that the punishment he orders to be inflicted is a fit and proper punishment’.⁷⁰ As was often the case in British India, provincial law often overlapped or even contradicted the central Government legislation. The Police Magistrates were compelled to follow corporal punishment practices as detailed in the Whipping Act.

No officer inferior to the position of Subordinate-Magistrate of the 1st first class could pass the sentence of whipping, unless specifically empowered to do so.⁷¹ As corporal punishment was considered essential to the everyday functioning of district administration it was a routine activity. Therefore, with the increasing Indianisation of the service, especially in the judicial branch, Indian officials were frequently empowered to award sentences of corporal punishment. In April 1896, Mr A. Forbes, the Commissioner of Patna, complained of the reluctance of Indian Magistrates in passing sentences of whipping. Forbes believed this unwillingness to inflict corporal punishment arose ‘partly from a feeling of not liking to inflict pain; but it is, I think, more often owing to the rule under which a sentence of whipping has to be carried out in the presence of the Magistrate who passes it.’⁷² Squeamishness was considered a specifically Indian weakness. The fear of pain was one of the fundamental rationales behind the Whipping Act. This was the result of the widespread belief that Indians feared pain more than the average British criminal. It was for this reason that whipping was both an appropriate punishment and an effective deterrent.

In his criticism of his Indian colleagues, Forbes was referring to a circular issued in January 1876. The new rule dictated that in instances where whipping was the sole punishment it should be inflicted immediately in the Magistrate’s office.⁷³ This order aimed at avoiding incarceration overnight, as had become a habit in district administration. The offender was usually sent to the jail, and the corporal punishment was carried out the following day by the jail superintendent. However, this contradicted the representation of whipping as swift and fair justice, and involved unjust imprisonment. The circular enforced the original requirements of the Act by insisting on corporal punishment being overseen by

⁷⁰ Ibid, 156.

⁷¹ Lyon, *The Law of India*, The Whipping Act, clause VII, 108.

⁷² SAWB, Judicial, April, 1896, No 41–42, File No 75G Camp Sasaram 28th January 1896, A Forbes Commissioner Patna to Chief sect to Govt Bengal, 377.

⁷³ No 48, H J S Cotton chief sect to govt of Bengal, Commissioner of Patna, No 733J Calcutta, 8th February 1896, Ibid., 387.

the Magistrate but it was also framed specifically with the appeal problem in mind. By ensuring that whipping was inflicted instantaneously an appeal could only ascertain the correctness of a sentence rather than prevent the punishment. This tightening of practice further bolstered the decision-making power of the judicial officer. It demonstrated the confidence of the Bengal Government in the district judges, and encouraged the use of corporal punishment as a means of practical on the spot justice.

Forbes' was frustrated at the reluctance of his Indian colleagues to embrace whipping as an effective punishment. He blamed the prevalence of juvenile and petty crime on Indian judicial officers' habit of preferring sentences of imprisonment to whipping. His solution was to order all judicial officers in his division to corporally punish all offenders²¹, thereby treating them as juveniles. This was in direct contravention of the law which defined a juvenile as a person under 16 years of age. Forbes' orders revealed how significantly racist discourses regarding age, bodily pain and character had shaped his understanding of corporal punishment. He argued that whipping was the most suitable punishment for the precocious youths of India. Forbes' belief that the corrective nature of pain was most useful when administered in early life was one shared by many of his contemporaries. Surgeon Lieutenant Colonel R. Maerae asserted 'the trial under the village tree that one reads of and the flogging and releasing on the spot seems to me the ideal system for juveniles'.⁷⁴ For Forbes corporal punishment was an effective deterrent and would act as a demonstration of force. He believed this was the best way of reducing petty crime in the locality.

As Forbes and Maerae demonstrated, this belief in on the spot governance informed judiciary practice throughout the period. The use of corporal punishment was a powerful act of instantaneous law giving. Forbes was censured for encouraging Magistrates to ignore the provisions of the law and for attempting to interfere 'with the discretion, vested in them by law'.⁷⁵ Forbes' efforts to circumvent the law were condemned but his recommendations were inspired by the belief in the autonomy of district justice. The appropriate exercise of this autonomy was central to maintaining the representation of corporal punishment as fair and swift justice. It is to the scope and impact of independent decision-making this chapter now turns.

⁷⁴ No 41–42, A Forbes, Commissioner of Patna Division to Magistrates, No 505G Bankipore 10th December 1895, Memorandum on the subject of judicial sentences of whipping juveniles and adolescents in lieu of other punishment at the Sadar stations of the districts of the Patna Division, Gaya District, Surgeon Lieutenant Colonel R. Maerae, *Ibid.*, 380.

⁷⁵ No 39, No 204J Calcutta 9th January 1896, H.J.S. Cotton Chief sect to Govt of Bengal to Commissioner of Patna Division, Mr A.M. Bose gives notice of the question, *Ibid.*, 375.

‘I went to the spot myself’: The case of Mr Monro

The British Indian Association consistently opposed the use of corporal violence and frequently drew attention to contentious cases.⁷⁶ By effectively reporting scandals the Association exposed malpractice, and hinted at the potentially despotic nature of British rule. For example on the 29 April 1867, an article appeared in the *Hindoo Patriot* detailing an incident in Jessore. The Magistrate, Mr Monro had passed the maximum sentence of thirty stripes for the petty theft of an umbrella. This appeared to be a harsh sentence for a minor crime. Furthermore, the Association claimed the offender was a respectable member of the community.⁷⁷ The punishment was inflicted as the case was being appealed and the Association lamented the futility of the appellate court in corporal punishment sentencing. Primarily the article condemned the use of the Whipping Act, arguing that it was not only a barbarous and unenlightened piece of legislation, but that it failed to either reduce the number of criminals or prevent jail overpopulation. The Association further claimed:

the exercise of the power to inflict it is notoriously liable to abuse in the hands of capricious or violent Magistrates, and when it is once unjustly inflicted it is past all remedy, not to say that the chances for such abuses of power are the greater in the Mofussil where the Magistrates are not under the wholesome check of public opinion or a vigilant press.⁷⁸

For the Association, corporal punishment exemplified the abusive tendencies of the Raj. Justice could only be considered civilised if it was fair and in accordance with the law. This critique of district judicial discretion was emphasised by raising the issue of accountability. District officials in more remote regions enjoyed greater autonomy. They were supposedly the best examples of the idealised role and thus the most trustworthy. It was not in the interests of the British Government for the Association to imply that distance from the centre of control resulted in abuse and enabled maladministration. The autonomy of the district official was not meant to be freedom from consequences, but a bond of trust, an expression of confidence, and the liberty to act with benevolent discretion.

⁷⁶ SAWB, Judicial, July 1867, J. Monro Magistrate of Jessore to Commissioner of Presidency, No 280, 18th May 1867, 142.

⁷⁷ SAWB, Judicial, May 1867, No 122, Baboo Jotendro Mohun Tagore assistant secretary British Indian Association to H.L. Dampier sect to Govt of Bengal, 16th May 1867, 83.

⁷⁸ *Ibid.*, 84.

The Association's accusations caught the attention of the Lieutenant-Governor of Bengal and the Governor-General of India. The Divisional Commissioner, R.B. Chapman, set about drawing up a report in order to clarify the situation.⁷⁹ H.B. Lawford, the Sessions Judge, who oversaw the appeal case, stated that there was an ongoing problem with shoes and umbrellas being stolen in the Cutcherry. The offender, Rojoni Kanth Nandi, was accused of stealing an umbrella from a veranda near the district courthouses. Chapman concluded there was limited evidence on which a conviction could have been made, as there was no clear understanding as to which veranda the umbrella had been originally left on. The umbrella was found either beside or between two men, who claimed to have no knowledge of how it had come to be next to them.⁸⁰

The second issue raised by the Association and by the investigation was that Rojoni Kanth Nandi was a respectable individual. Monro did not inquire into his character or caste. Monro did not know the accused and failed to ascertain if he was a habitual offender.⁸¹ The use of corporal punishment was supposed to be proportionate to the crime, and to the offender. This proportionality was dependent on the proper exercise of judicial discretion. The man-on-the-spot justice conducted while on tour was an exercise in understanding the character of different caste groups and communities. This experience and knowledge was essential in the practice of the law. Codification still relied on the local experience of the district officer, and his ability to exercise his knowledge in the process of interpretation of and discretion. The belief that the Magistrate had the capacity to determine the nature of an offender's character in the court room was demonstrative of the commitment to personal discretion in the judicial process.

In his defence, Monro argued that apart from his failure to use his personal judgement he had followed proper procedure. Monro was accused of being too hasty, as the whipping took place shortly after the trial, and the appeal was too late to prevent the infliction of the punishment. The appeal process was considered necessary only to establish the facts of the case rather than remedy the punishment. On this basis Lawford had to withdraw his accusation of undue haste. Nandi had been taken to the Civil Surgeon and deemed fit to undergo the punishment. The infliction was observed by a medical officer, Monro and the Joint-Magistrate. Monro stated 'the prisoner fell into no swoon but continued to make

⁷⁹ No. 124, E.C. Bayley sect to Govt of India Home dpt to Sect to the Govt of Bengal, File No 145, 10th May 1867, Ibid.

⁸⁰ SAWB, July 1867, Judicial, No 96-100, R.B Chapman Commissioner of the Presidency Division to Sect to gov of Bengal, File No 119, 20th May 1867, 138.

⁸¹ No.148-9, C.D Field Registrar of the High Court of Judicature, Fort William Bengal to H.L Dampier, Sect to Govt of Bengal, File No 828, 12th July 1867, Ibid., 178.

outcries during the infliction of the sentence; no part of his punishment was remitted by me, and he walked away from the triangles without assistance.’⁸² Monro also claimed he was unaware of the appeal until after his court had finished business for the day. He was notified the appeal was in process during a cricket match. Monro also insisted that he had evaluated the evidence correctly. He wrote:

I made the witnesses shew in action the facts which they related. I went to the spot myself and there made the witnesses go through the scene which they described, saw the position of the accused, his mat and the umbrella, and I came to the conclusion that the case was proved.⁸³

Monro’s defence centred on his practice of man-on-the-spot justice. Monro insisted on his personal experience and capacity as a Magistrate. He believed he was best equipped to understand and judge the case. Chapman supported him, and argued ‘the Officer who tries a case and has opportunity of seeing the demeanour of witnesses and prisoners, is likely to form a much more satisfactory judgment upon it than any Appellate Court, or than any authority criticising his proceedings’.⁸⁴ Monro’s personal judgement was privileged over the opinions of senior officials, and the correct functioning of the law. He was able to defend his actions by demonstrating he had followed the practice established by the idealised role of the judicial officer.

It was Monro’s reputation as a district officer which cleared him from any wrong doing. Monro was described by Champan, and the Lieutenant-Governor as a man of excellent character, hardworking and useful. The Lieutenant-Governor acknowledged, and emphasised, that Monro had committed a very serious and lamentable error. However, he concluded that it was not ‘incumbent on the Government to visit, nor, in a general view, even politic that the government should visit such an officer for a single error with the extreme punishment of degradation from an office which he fills with great efficiency’.⁸⁵ Monro’s actions were interpreted according to the potential they had to damage Monro personally, as well as his official role and public order more generally. The reputation of the district officer, and the Government, was more important than the impact of the mistake on Nandi. While Monro’s

⁸² J. Monro Magistrate of Jessore to Commissioner of Presidency, No 280, 18th May 1867, *Ibid.*, 142.

⁸³ *Ibid.*, 140.

⁸⁴ No 96–100, R.B. Chapman Commissioner of the Presidency Division to Sect to gov of Bengal, No 119 20th May 1867, *Ibid.*, 139.

⁸⁵ No 149, H.L. Dampier Sect to the Govt of Bengal to Sect Govt India Home Department, File No 4453, 22nd July 1867, *Ibid.*, 180.

decision resulted in a severe and unjust punishment, he had mostly followed the agreed practice and procedure. Monro was given the benefit of the doubt, his reputation as a district officer of merit and standing was too valuable. His misinterpretation of the function of the Whipping Act was forgiven, because overall his capacity and judgement were trusted. It was this commitment to the judiciary that continued to shape the operation of the Whipping Act.

‘A flogged back and an empty stomach’: Famine, Corporal Punishment and the District Officer

The trust in the judicial discretion at the district level was truly tested during the famines of the 1870s and 1880s.⁸⁶ This period of crisis only hardened the commitment to man-on-the-spot justice. On 28 June 1880, Mr T.C. Thompson put a question to the house regarding the offences behind the 72,650 floggings inflicted in 1877.⁸⁷ Thompson requested further information about the nature of the crimes which had caused such a substantial increase in the use of corporal punishment. Hartington, the Secretary of State for India, explained that ‘owing to distress among the people, petty crimes increased greatly, and the magistrates exercised largely their discretionary power of inflicting whipping instead of fine and imprisonment.’⁸⁸ Hartington justified the increase in corporal punishment by portraying it as a decision made on the ground by the best informed members of the Government. This answer publicly delegated the decision-making processes onto the district officers, as a result the India Office could deflect challenges in Westminster, and at the same time bolster the position of local administration in India.

Famine and whipping controversies were bedfellows throughout the nineteenth century. Although the Great Famine of the late 1870s was primarily restricted to the Madras Presidency, famines in Bengal and Bihar preceded and followed it.⁸⁹ It was during the early 1880s that Parliament’s attention was most consistently occupied by the whipping issue. In response to the determined MPs repeatedly lobbying about the whipping question, Hartington explained that whipping was preferable compared to fines or imprisonment, as these took the breadwinner away from the home. As well as keeping the main earner out of prison, whipping saved the offender from the demoralising effects of prison life and avoided injury

⁸⁶ Ibid., No 21, W.J. Herschel Magistrate of Midnapore to Commissioner of the Burdwan Division, File No 133, 14th November 1866.

⁸⁷ HC Deb 28 June 1880 vol 253 cc960-2 960.

⁸⁸ Ibid.

⁸⁹ Zook, ‘Famine in the landscape’, 107–132.

to caste.⁹⁰ Corporal punishment was represented as a benevolent and civilised act, a means of preventing further distress and asserting the rule of law. This same defence was repeated by the Secretaries of State for India throughout the period.⁹¹ The India Office consistently argued that the use of corporal punishment was best judged by the men on the ground. The Westminster debates about whipping in British India, despite statistical evidence and moral challenges, were consistently defeated on the grounds of the specificity of the Indian circumstances and the trust in the district judicial officers.

The confidence of these arguments was rooted in the success stories of established practice. In 1866, W.J. Herschel, Magistrate of Midnapore, took advantage of the clause in the Whipping Act which enabled the temporary use of corporal punishment to maintain law and order in an unstable territory. Herschel reported to the Commissioner of the Burdwan division that the results had been most satisfactory. Herschel dismissed the naysayers who had claimed a whipping was a mere ‘let off’ for dacoities or grain rioters.⁹² Herschel asserted that critics had not enjoyed the advantage of witnessing the effects of corporal punishment. Even the hardened criminal tribes of the Sonthals and the Koormees had been successfully deterred. Herschel elaborated:

A flogged back and an empty stomach are much more dreaded by the strong able bodied, but hungry men, who mostly commit these crimes, than good food and loss of liberty; and now that prices are falling to a reasonable level again, the punishment of imprisonment will have the greater terrors.⁹³

Herschel’s argument demonstrates that racialised understandings of the body justified the use of corporal punishment. His characterisation of the tribal Sonthal and Koormee people as hardened and less likely to be affected by corporal punishment was typical of the period.⁹⁴ For Herschel whipping was the most effective means of maintaining law and order, especially during moments of crisis or food scarcity. According to Herschel prison life was appealing due to the provision of good food. Yet, in the 1880s, MP Frank O’Donnell consistently raised the issue of diet scaling. This was a standard prison punishment which involved restricting access to food. Flogging was also used as a prison punishment, and the two could be

⁹⁰ NAI, Home, Judicial June 1905, No 243–246, 23rd March 1882, Hartington Secretary of State.

⁹¹ Earl of Kimberly, HL Deb 06 July 1883 vol 281 cc581-5 581 and HC Deb 28 April 1890 vol 343 cc1515-6 1515. St John Brodrick, HC Deb 28 April 1908 vol 187 cc1083-4 1083.

⁹² SAWB, July, 1867, Judicial, No 21, Herschel, File No 133, 14th November 1866.

⁹³ Ibid.

⁹⁴ See Nijhar, *Law and imperialism*.

practised in combination.⁹⁵ This commitment to the belief that criminals were seeking an easy prison sentence continued to justify the use of whipping during famine. District officers argued that corporal punishment acted as a deterrent, it discouraged petty crime by being a painful experience and by removing access to the supposed comforts of prison. The successful use of whipping in Midnapore, and similar contexts, influenced the policy during the famines of the later nineteenth century.

Eventually, the India Office's justifications regarding the famine and corporal punishment issues were seen as inconsistent with the practice of benevolent government. Shortly after the Secretary's response to Mr T.C. Thompson, Mr A. Sullivan queried 'whether people in an emaciated condition were considered fit subjects for flogging'.⁹⁶ This image of violence and poverty began to challenge the idealisation of district administration as men on the ground sympathetic with the people. The attention the issue received in the Commons demanded at the very least recognition of the significant increase in the use of corporal punishment. On the 20 July 1880, Sir Ashley Eden, Lieutenant-Governor of Bengal, issued orders instructing the judiciary to review the awarding of sentences of whipping and ordered an enquiry into the use of corporal punishment in prisons.⁹⁷ Eden desired to discourage the overreliance on, and habitual use of, corporal punishment. In addition to this appeal for restraint, in March 1882 the Indian Code of Criminal Procedure called for the abolition of the cat o' nine tails.⁹⁸ The rattan was to be the only instrument used going forwards, but the maximum infliction of stripes remained at 30. Eden's reaction and the subsequent shifts in attitude, and policy were necessary in order to avoid contradicting the allegedly civilised nature of the rule of law. However, these changes ultimately had limited impact on the discretionary powers of the district officer. By continually emphasising the specificity of the famine environment the judiciary were protected from the reaches of drastic reform. Eden's circular encouraged the greater application of discretion and experience, casting the solution not in legislation, but in the trust and responsibility given to the judicial officer. Despite legislative changes and Eden's appeal for leniency the issue continued to haunt Westminster.

In 1883, Lord Truro read out to the House of Lords a list of offences which had been punished by whipping in British India. They were all petty crimes, involving the theft of

⁹⁵ HC Deb 08 June 1882 vol 270 cc478-80 478.

⁹⁶ HC Deb 28 June 1880 vol 253 cc960-2 960.

⁹⁷ BL, IOR/L/PJ/6/79, File 1275, Jul 1882, Enquiry into flogging of 11,000 prisoners in Bengal jails between January 1879 and March 1880; condemnation of Sir Ashley Eden, Lt-Governor of Bengal, 'under whose tenure of office these floggings took place'

⁹⁸ SAWB, March, 1882, Judicial, No. 242, Secretary State India Office 2nd March 1882 to Governor General.

small and inexpensive objects. The majority were punished severely with sentences of 20 stripes or even in once instance 50 lashes. Truro's list included the case of a 12 year old boy who received 12 strokes for stealing a bottle of eau de cologne.⁹⁹ For Truro, these acts represented grave misconduct and threatened the integrity of the Empire. However, he received the same rehearsed response from the Secretary of State, Lord Kimberly. Kimberly explained that when local Governments had been asked about the use of corporal punishment they returned a unanimous reply, and asserted:

the propriety and necessity of retaining whipping as a form of punishment. The inhabitants of India had always been familiar with that form of punishment, and in the opinion of the Indian Government the advances made by the people in civilization were not yet such as would justify the Government in abolishing flogging.¹⁰⁰

The condemnation of corporal punishment at Westminster was consistently bypassed by responses based on the collective voice of the district officials. The issue did not disappear and it remained an awkward and contradictory narrative. By framing the problem as specifically Indian, the British Government cast itself as the benevolent guiding hand, cultivating the subject race into the capacity to experience a liberal legal system. This representation reimaged whipping as necessary in the process of civilisation. The belief that India was not ready for a justice system free of corporal punishment was intimately tied to the principle of tutelage that informed the racial discourses of the period. The characterisation of whipping as an appropriate punishment for uncivilised people was contingent upon the representation of Indians as childlike.

'The supposed difficulty of ascertaining a boy's age': The Age Debate

Whipping in India was justified by the necessary authority of the district officer and childlike status of the colonised subjects. As W. Stokes asserted 'I cannot help thinking that whipping is an excellent kind of punishment for people who, like the natives of India, are in many respects like children'.¹⁰¹ C. Bernard, Officiating Secretary to the Government of India concurred, and added 'I should expect that a revision of the Flogging Act would stir up a good deal of agitation, in which many excellent (though perhaps misguided) people both in

⁹⁹ HL Deb 06 July 1883 vol 281 cc581-5 581

¹⁰⁰ cc584-585, Ibid.

¹⁰¹ NAI, Judicial, August, 1878, No 19-21, 5th June 1878.

India and in England would take part'.¹⁰² Bernard's claim that misguided people would be influenced by foolish sentiment was the basis for the constant dismissal of the whipping question in Whitehall.¹⁰³ Bernard and others could recognise the moral incentive behind the desire to reform corporal punishment, but they believed it was misplaced as India was not ready for modern liberal government. During attempts to reform the Whipping Act the district officer frequently emerged as the trusted arbiter of the rule of law. The Raj was the stern father ready to admonish and improve the erring Indian child. It is the fundamental tension between the juvenile criminal and the childlike race that this chapter now considers.

In 1894, several amendments were proposed to the Whipping Act on the basis that certain terms were too vague and offered a range of interpretations. This was symptomatic of the increasing codification of policy and practice of the late nineteenth-century. Central to the debate was the definition of the term juvenile. These discussions focused on the role of the Magistrate in determining the age of the offender. The existing clause stated that juveniles who committed any offence not punishable by death could be awarded a sentence of corporal punishment in lieu of any other punishment.¹⁰⁴ It was proposed to add an explanatory clause to the Act in order to fully define the meaning of the term juvenile.

This debate focused primarily on the ability of a judicial officer to determine the age of an offender based on his experience. Existing practice dictated that the decision lay with the court, and specifically with the presiding Judge or Magistrate. It was generally agreed that 16 years of age marked the transition from childhood to adult life in British India. J. Knox-Wright, Additional and Sessions Judge 24 Parganas, saw no problem with the existing clause. Knox-Wright argued that as the decision lay with the Court it did not matter whether or not a doctor was able to determine the exact age of the offender.¹⁰⁵ Medical opinion was not necessarily required as the judicial officer was trusted to be experienced and knowledgeable enough to determine the age of an offender. There was a prevailing opinion that age could not be solely determined by medical assessment. Age was contingent on other factors which a doctor could not take into account.

F.H. Harding, District Judge of Mymensing, suggested that if the decision regarding the age of the offender was challenged the opinion of a more senior Sessions Judge could

¹⁰² 6th June 1878, Ibid.

¹⁰³ BL, IOR/L/PJ/6/533, File 444, 22 Feb 1900, Sir Alexander Miller, 13.

¹⁰⁴ Phillips, *Manual of Indian criminal law*.

¹⁰⁵ BL, IOR/L/PJ/6/376, File 1199, J. Knox-Wright Additional District and Sessions Judge, 24 Parganas to chief sect to govt of Bengal, No 197 Alipore 26th April 1894

determine whether or not the individual was a juvenile.¹⁰⁶ Similarly to Knox-Wright, Harding was more willing to privilege the opinion of senior district officials rather than rely on medical tests. An amendment was agreed upon which clarified that the final decision lay with the Court: ‘In this section the expression “juvenile offender” means an offender who in the opinion of the Court is under sixteen years of age, the *decision* of the Court on such matter being final and conclusive’.¹⁰⁷ The Lieutenant-Governor supported this outcome by quoting C.A. Wilkins, District Judge of the 24 Parganas. Wilkins claimed ‘manifestly strict proof of the fact should be unnecessary; for, if whipping is the proper punishment for an offender whose age is just below 16, it would also be the proper punishment for an offender who has passed that age by a few days or months’.¹⁰⁸ Adulthood was not a fixed concept or achieved after a definitive period of time. The age of an Indian was subjective and only validated by the opinion of a British judicial officer. It was for the Judge to decide when an Indian had achieved maturity.

This debate continued and remerged during the subsequent revision of the Whipping Act in 1899 and 1900. This discussion demonstrated that the British found the concept of childhood a difficult issue in India. The British Government in India faced the same problem regarding imprisonment. As Sen has demonstrated the Indian reformatory movement was offered as a potential solution to the problem of juvenile corporal punishment.¹⁰⁹ The Indian reformatory was developed as both punitive and reforming, as it separated the child from the criminal influence at home, and avoided the hardening effects of an adult prison. Sen’s argument frames flogging as the preferred alternative, after reformatories were deemed expensive and impractical. In theory, corporal punishment simultaneously corrected both hardened criminals who only recognised violence, and petty, or first time, offenders who would be swiftly reprimanded, and discouraged from the criminal life. Metropolitan commentators, and colonial officials, constantly disagreed over which class of criminals belonged to which set, and juveniles added a further dimension to this debate. The need for preventative measures was even greater in children, but the children of criminal tribes and other low caste groups were considered hardwired towards a life of crime, and therefore most deserving of corporal punishment.

¹⁰⁶ F.H Harding District Judge of Mymensingh to under-sect to the Govt of Bengal judicial department, No 552, Mymensingh, 11th April 1894, Ibid.

¹⁰⁷ BL, IOR/L/PJ/6/392, File 306, 6 Feb 1895, Select Committee's Report on the Bill to amend the Penal Code and Whipping Act, Section 5, 6.

¹⁰⁸ C.A. Wilkins District Judge of the 24-Parganas, No 592, Alipur, 13th April 1894, Ibid.

¹⁰⁹ Sen, ‘A Separate Punishment’, 81-104.

Many argued, especially in the context of children, a sentence of whipping would avoid the degradation of prison, and act as a swift, but fair corrective. E.P. Chapman, Registrar of the High Court, expressed the popular view that prison had a significant, sometimes irreparable, contaminating influence on juveniles and corporal punishment had a chastising but not a humiliating effect.¹¹⁰ However, while many agreed that a quick reprimand in the form of corporal punishment was preferable to the impact of a prison sentence, the issue of age once again caused controversy. A presiding school of thought believed there was an alternative progression to adulthood in India. This perception stemmed from the British interpretation of various cultural practices. The Hon'ble justice Rees argued:

it may happen that the whipped boy is a married man – at such an early age do striplings in this country take upon themselves the pains and pleasures of manhood. The higher caste, the earlier the marriage – and the less suitable corporal chastisement for a culprit.¹¹¹

To subject a respectable high caste 15 year old to a caning was not ideal and had the potential to sour the feeling in the district. Although Indian juveniles achieved social, cultural and even economic maturity at an earlier age than their British counterparts, they were still considered childlike. Cultural practices, like child marriage, were considered further proof of the backward and uncivilised nature of Indian society. Denzil Ibbetson believed that a boy who physically resembled a 16 year old must have the same mental capacity.¹¹² For Ibbetson, and others, if a juvenile resembled an adult in his social position, physique and acts then he should be treated like an adult. The British were conscious of balancing recognition of the achievement of adulthood, in the context of Indian society, while remaining committed to the improving effects of corporal punishment.

This issue was brought to the fore in 1899. An amendment was proposed which would bring local and special laws under the cognisance of the Whipping Act. These local and special laws ranged from Railway regulations to Forestry rules. The proposal suggested that corporal punishment could be awarded to any juvenile breaking a local or special law. This amendment would offer district officers greater discretionary powers. District judicial officers would have the ability to shape the rule of law to fit their experience and locality. Again, the fear of abuse in the hands of overzealous Magistrates was discussed. F.J.

¹¹⁰ BL, IOR/L/PJ/6/521, File 1952, 28 Sep 1899, Offg Registrar High Court, E.P. Chapman, 2156 21st June 1899.

¹¹¹ BL, IOR/L/PJ/6/533, File 444, 22 Feb 1900, 10

¹¹² Ibid., 19.

Monahan, Chief Commissioner of Assam, gave the following example ‘a Magistrate, who saw children playing with fire-works on the highway, caused them to be locked up for the night, convicted them himself, on his evidence the next day, and then inflicted corporal punishment on them with his own hands.’¹¹³ This act of on the spot justice took the idea of paternalistic punishment too far. The policy amendment was not designed to give the judicial officer free reign but rather allow him to determine which local and special laws should be included as whipping offences.

Those who were not in favour of the inclusion of local and special laws drew attention to offences which would be incompatible with corporal punishment. Mr Rees raised the possibility of a young farmer keeping a gun to ward off tigers and failing to renew his license.¹¹⁴ Whipping would be most unsuitable as a punishment for this kind of infraction.¹¹⁵ Critics believed that by allowing whipping to be used as a punishment for nearly all juvenile crimes, it would take the meaning out of the punishment. It would act less as a deterrent, and seem more of an inevitable consequence of any wrong doing. The most significant contention over the extension of the whipping to local and special laws was that it was a passive rule. The responsibility to decide which local and special laws were deserving of corporal punishment remained in the hands of the district officers. It required the local officers to highlight the specific instances where whipping would be severe or inappropriate. The issue with this passive enactment was that any abuse of corporal punishment would only be revealed after the fact. These exceptions would not be exposed unless the local Government actively intervened, and the Act would ‘continue to operate in cases where its application may ultimately be found to be improper’.¹¹⁶ Woodroffe had limited faith in the discretion of his colleagues, and he believed they were inclined to error if left without strict guidance. He stated that many Judges and Magistrates lacked common sense, and punished ‘without rhyme or reason, ignorantly and sometimes even improperly? Is it advisable to permit them to wander without a guide amidst this maze of “other laws”’.¹¹⁷

Woodroffe concerns reflected general anxieties regarding the autonomy of the judiciary. This desire to codify and guide the Magistrate was symptomatic of the power he was perceived to possess. The amendment to extend the powers of the Whipping Act to special and local laws passed. This turn-of-the-century legislation embodied the contradictory

¹¹³ BL, IOR/L/PJ/6/523, File 2155, 26 Oct 1899, Secretary to the Chief Commissioner of Assam, F.J. Monahan Shillong 26th September 1899.

¹¹⁴ BL, IOR/L/PJ/6/533, File 444, 22 Feb 1900, 10.

¹¹⁵ Ibid.

¹¹⁶ Ibid., 8.

¹¹⁷ Ibid., 7.

tensions of British Indian governance, as through further codification they upheld the autonomy of the district official. Just as with determining the age and social position of an offender Magistrates were trusted to discern which local and special laws were suitable for corporal punishment. The local and special laws amendment trusted in the expertise and discretion of the district officer. Furthermore, it expanded his decision-making powers. While the amendment regarding special and local laws had clarified the legislation, the method of infliction was still under debate. Ibbetson claimed he could not:

understand the assertion that a moderate whipping, inflicted upon a young lad under proper conditions, must necessarily harden and degrade him. It would not do so if inflicted by his father, or by his schoolmaster: and I fail to see why it should do so merely because it was by the order of a Magistrate.¹¹⁸

By representing the whipping of juveniles as the act of a paternalistic official the Government of British India avoided accusations of over-dependence on corporal punishment in the legal system. Comparing this punishment to the improving chastisements of a teacher or parent rendered it more palatable and relatable.¹¹⁹ However, even if it had been established that the offender met the definitions of juvenile and that whipping was an appropriate punishment, there were further decisions to be made about how the punishment should be carried out.

‘The most degrading form of punishment’: Juveniles and the Whipping Act

On the 18 June 1893 Deputy-Magistrate Opendra Chandra Mazundar gave Durga Chan Nandi 26 strokes with a rattan on the palms of his hands.¹²⁰ Throughout the case Nandi’s age remained an issue, and the court was unsure whether he was a juvenile or not. He was given a good character reference by one witness, but he was accused of being a licentious drunkard by another. The Commissioner of the Division, J. Luttmann-Johnson censured Mazundar and stated that the strokes should have been inflicted on the buttocks. By striking the hands the punishment rendered the boy disabled and unable to pursue his work.¹²¹ This incident sparked a debate in the Legislative Council. The members focused the discussion on the term school discipline, which referred to the punishment of juveniles in clause X of the Whipping Act. In theory, the term distinguished an effective reprimand from an unnecessarily cruel or injurious

¹¹⁸ Ibid., 19.

¹¹⁹ See Buettner, ‘Fatherhood Real, Imagined, Denied’, 178–190.

¹²⁰ BL, IOR/L/PJ/6/523, File 2155, 26 Oct 1899, S.S. Skinner, Subdivisional Officer of Karimganj, No 1410 Karimganj, 25th August 1899, 3

¹²¹ NIA, Home, Judicial Department, July, 1894, No. 46-53.

act. It also encouraged judicial officers to interpret the awarding of a whipping sentence in the same context as school discipline. In practice, officers were being likened to teachers and parents.¹²² Drawing on their own experiences the Legislative Council members debated what school discipline entailed:

If when a small boy at a private school, I got twenty cuts on the hand before breakfast at 8.45am, I had to do my work in the school room from 9am to 12 noon immediately afterwards. My first headmaster, however, used a cane (hard enough) and not a cudgel.¹²³

One member of the Legislative Council claimed the skin on his left hand was thicker than that of the right due to the ‘pandyings’ he had received at school.¹²⁴ British officials frequently referenced their own experiences of childhood corporal punishment when discussing the law and practice in India. Mr Woodroffe argued that Indian opinion had to be recognised and reflected in the propriety of the punishment. He explained that ‘the disgrace attendant upon a whipping in this country is not looked upon in the light of a tunding at Winchester or similar punishment at our public schools.’¹²⁵ When summarising the operation of the act in a memo to the Secretary of State, W. Macpherson referred to what was probably a shared experience of corporal punishment amongst the Civil Service: ‘I do not know whether you know the swishing broom at Eton – kept in the cupboard ... as formidable as anything used in our own prisons on natives of India’.¹²⁶ Despite the fears expressed regarding a lack of *esprit des corps*, the competition generations still had enough shared experiences in one area to shape a common opinion. These personal memories meant corporal punishment was framed according to racist understandings of the Indian body and character. In the Nandi case, the Legislative Council condemned Mazumdar’s practice of securing the arms of the offender. In comparing the sentencing of an Indian criminal and the experience of a British schoolboy one law member recalled: ‘my arm used not to be held. I suppose it is not the fashion for the juvenile native of India to take his caning, as a matter of honour, without flinching’.¹²⁷ This belief that Indian children were unable to endure the pain of corporal punishment, compared to the character building effects it had on the British

¹²²¹²² Deane explores the transformation of education and childhood as metaphors for imperial authority, Deane, *Masculinity and the new imperialism*, 115-146.

¹²³ NIA, Home, Judicial Department, July, 1894, No. 46-53, S.H.J. 13.6.94, Ibid.

¹²⁴ A.E.M. 15/6/94, Ibid.

¹²⁵ BL, IOR/L/PJ/6/533, File 444, 22 Feb 1900, 13.

¹²⁶ BL, IOR/L/PJ/6/16, File 910, 30th June 1880.

¹²⁷ NAI, Home, Judicial Department, July, 1894 No. 46-53, S.H.J. 13/06/94.

constitution, shaped attitudes towards policy and practice. Mazumdar was reprimanded for inflicting the punishment on the hands of the offender, and the general opinion was that the thighs or buttocks were preferable sites in the administering of the whipping, as was the tradition in British public schools.

Beatings were a routine aspect of British Victorian childhoods especially amongst the boys of the middle and upper classes.¹²⁸ The corrective nature of bodily punishment was widely accepted and advocated. Lord Curzon, later Viceroy of India, wrote about his own experiences of physical punishment at the hands of a particularly sadistic Nanny:

She spanked us with the sole of her slipper on the bare back [read bottom], beat us with her brushes, tied us for long hours to chairs in uncomfortable positions with our hands holding a pole or blackboard behind our backs, and shut us up in darkness.¹²⁹

Winston Churchill had a harrowing experience at his preparatory school, St George's Ascot. He recalled witnessing classmates being dragged off into a room 'and there flogged until they bled freely, while the rest sat quaking'.¹³⁰ The birch rod at Eton, mentioned by Macpherson, measured 4ft in length.¹³¹ For some the memory of childhood chastisement encouraged compassion. F.A. Robinson a Judge in the Chief Court of the Punjab believed that thirty stripes of a rattan on a boy's thighs would cause grievous injury.¹³² For the majority these personal experiences appeared to have reinforced the commitment to juvenile judicial flogging in India. In 1894, after the Legislative Council had discussed the relative meanings of school discipline, the Lieutenant-Governor decided the definition should remain in the power of the court rather 'than impose on Government the responsibility of framing general rules'.¹³³ The Government of Bengal did not want to enact prescriptive legislation, and felt the on the spot decision was the better method. The mode of inflicting corporal punishment on a juvenile was then, a truly personal decision.

¹²⁸ Joyce, *The State of Freedom*, 273-280.

¹²⁹ Gibson, *The English Vice*, 52.

¹³⁰ *Ibid.*, 68.

¹³¹ Gibson, *The English Vice*, 99.

¹³² BL, IOR/L/PJ/6/525, File 2250, 9 Nov 1899 F.A. Robertson, Judge, Chief Court, Punjab.

¹³³ NAI, Home, Judicial Department, July 1894 No. 46-53, Gov of Bengal, 15th May 1894.

‘Make the provisions of the law more explicit’: Whipping as the instrument of the Rule of Law

The debate regarding the term juvenile was part of a broader re-examination of the Whipping Act in 1894.¹³⁴ Several amendments were proposed on the basis that certain phrases in the Act were too vague and offered a range of interpretations. These calls for reform encapsulated the tension between the desire for clarity and the expansion of codification. The explicit mapping out of the law clarified the decision-making process, and acted as a means of legitimising policy and practice. However, there were concerns that by demanding exact meanings and definitions from the law, the process of autonomous interpretation could become circumscribed. The discussions surrounding the Whipping Act reforms revealed the space between codification and autonomy in the rule of law.

During the debate leading up to the 1894 reforms, district officials complained that they could not inflict whipping on adult offenders who had committed a similar but not identical crime on the second offence. One reforming lobby wanted the capacity to award corporal punishment on second offences for similar crimes, but Macaulay’s code had rigidly divided offences into component parts, and varying types. Henry Cotton explained that if a man was convicted of theft as a clerk (section 380 or 381 IPC) he could not be punished with whipping in addition to any other penalty if he had previously been convicted of simple theft only (section 379 IPC). Cotton, on behalf of the Bengal Government, argued ‘it is very desirable that this anomaly should be removed; but the proposed amendment goes very much further than this.’¹³⁵ While the Government recognised that the existing act was restrictive it did not want to give complete free reign to the judiciary.

This was an anxiety shared by several district officers. W.H. Grimley, Commissioner of Chota Nagpur, was concerned that although a second offence may be similar to the first, it may be a minor offence and therefore whipping would be too severe a punishment.¹³⁶ The limits and boundaries of similar offences needed to be clearer. Some district officers felt disabled by the inflexibility of the existing definitions. Mr Bompas, Magistrate of Puri and Balasore, wanted the Whipping Act to function more effectively as a deterrent, with an increase in the severity of the punishment proportionate to the crime: ‘it is even more

¹³⁴ BL, IOR/L/PJ/6/525, File 2250, 9 Nov 1899, No. 495J, 2.

¹³⁵ BL, IOR/L/PJ/6/376, File 1199, No. 495J –D. From H.J.S. Cotton Chief Secretary to the Government of Bengal to the Secretary of State for India (legislative department) Darjeeling, 20th May 1894, Following remarks from Lieutenant Governor

¹³⁶ W.H. Grimley Commissioner of Chota Nagpur Division, to chief sect to Bengal govt, No 112J, Ranchi, 30th April 1894, Ibid.

desirable, for the more complicated nature of the subsequent crime tends to show an increase in criminality.¹³⁷ This desire to fit the punishment to the crime, rather than base the sentence on the quantity of crimes was shared by other district officers. R. McCleod was convinced that the criminal classes might take advantage of the second offence loophole. McCleod suggested that criminals would commit a serious or violent first offence and a minor second offence in order to avoid the lash.¹³⁸ The logic and experience of district officers was utilised in this debate to point out the flaws in the potentially restrictive legislation.

W.H. Page, Sessions Judge at Tirhut, was staunchly opposed to the amendment. Page argued that whipping was already used excessively as a punishment.¹³⁹ Page claimed Magistrates were under the impression that superior courts would not approve of any other sentencing. This reflected Cotton claims that severity in sentencing was encouraged. Also, Magistrates did not want to see their decisions overturned, and sentences of corporal punishment avoided that eventuality. Like Grimley, Page suspected that minor second offences would receive harsh whipping sentences which would not reflect the nature of the crime. Therefore, he proposed a clear defined list of cognate offences. Page concluded: ‘ignorant, perverse and unscrupulous Magistrates are apt to disregard the intention of the Legislators, and I should object to any changes in the law which made this easier’.¹⁴⁰ Page suspected that widening the scope, and meaning, of second offences, would leave the Act open to abuse. A.E. Staley, district Judge of Backergunge, was concerned that the amendment phrasing was too general, as it failed to define what constituted a minor offence.¹⁴¹

Autonomy of interpretation formed the central tension in this discussion. District officers appeared to either need greater clarification as to how to apply the legislation, or were concerned that too much independence of action would have negative consequences. The Government resolved the issue by following Page’s suggestion and grouped the offences into categories of similar crimes.¹⁴² This solution provided the guidance requested, but also recognised the ability of the official to identify similar crimes and exercise appropriate

¹³⁷ H.G. Cooke Commissioner of the Orissa Division to sect to govt of Bengal, No 243J, Cuttack, 23rd April 1894, Ibid.

¹³⁸ R. Macleod Legal Remembrancer to Govt NWP, Naini Tal, 18th April 1894, Ibid.

¹³⁹ W.H. Page Sessions Judge Tirhut, to chief sect to Govt Bengal, No 514C, dated Muzaffarpur, 30th April 1894, Ibid.

¹⁴⁰ Ibid.

¹⁴¹ No 270, Barisal, 11th April 1894, opinion shared by Henry H. Fowler [India Office, London 12th July 1894, Legislative Dpt, No. 23, to his hnble gov general in council], [Secretary to Government NWP and Oudh to Sect to Govt of India legislative department Naini Tal 27th May 1894] and Mr Pope [H. Luttman-Johnson, Commissioner Dacca Division to Chief Sect to the Government of Bengal No. 889J Dacca 7th May 1894]. Ibid.

¹⁴² BL, IOR/L/PJ/6/392, File 306, 6 Feb 1895, Select Committee's Report on the Bill to amend the Penal Code and Whipping Act.

discretion in the awarding of sentences. This debate revealed that while the discretion of the Magistrate was paramount, it was increasingly exercised within set parameters. The 1894 reforms of the Whipping Act demonstrated that expanding codification in British India did not necessarily curb autonomy, frequently it merely further defined it.

The decisions to extend the discretionary powers of district officials were a vindication of the man-on-the-spot made law, and a distinct rejection of Macaulay. In 1899, encouraged by the autonomous powers granted to the district judiciary, it was suggested that rioting with a deadly weapon should be added to the list of offences punishable with whipping.¹⁴³ It is unsurprising that this clause was proposed at a time of increasing nationalism, protest and the accompanying violence.¹⁴⁴ As with the challenges of famine, it was the idealised judicial district officer who maintained order and shaped policy.

At the turn of the twentieth-century, the pressure from anti-imperial and nationalist groups encouraged the Government to extend the scope and power of corporal punishment. Similar to the use of whipping in frontier regions, this expansion of the Act was intended to establish law and order in an unstable environment. It was the district officer, as representative and enforcer of Government, who could utilise the spectacle of corporal punishment to discourage resistance. J. Sanders Slater, Chief Presidency Magistrate at Bombay, recalled how effective he believed a sentence of whipping on a juvenile rioter had been. The punishment was carried out in the court, in front of Sanders Slater and:

in the presence of a considerable number of the class of people who were attracted to the Court by the trial – probably including many sympathisers with the rioters, if not actual, but undetected rioters – and I feel confident that the punishment so inflicted carried home a lesson to others besides the actual sufferer.¹⁴⁵

Sanders Slater's awareness of the symbolic impact of the punishment of whipping acts as an awkward reminder of the brutality of the spectacle. This was the ideal enactment of on the spot justice in full sight of the intended audience. Corporal punishment when administered this way was a demonstration of power, and it acted as a warning, this was the consequence for resisting the rule of law.

¹⁴³ BL, IOR/L/PJ/6/523, File 2155, 26 Oct 1899, Papers relative to the Bill to further amend the Whipping Act, 1864.

¹⁴⁴ This is explored further by Sherman, *State Violence and Punishment in India*.

¹⁴⁵ BL, IOR/L/PJ/6/525, File 2251, Letter from J. Sanders Slater, Chief Presidency Magistrate and Revenue Judge, Bombay, No 1404, August 1899.

However, it was the opposition of the Bengal district officers which prevented rioting with a weapon being added to the list of punishable offences. A. Porteous, Deputy-Commissioner of Sylhet, argued that such an amendment was only relevant to urban rioting. Porteous explained that by including it in the Whipping Act, routine disputes of local landholders would be subjected to an inappropriate and harsh punishment. Porteous explained that it was normal amongst the agriculturalists of his division to carry a lathi, fish spear or other implement that could technically be considered a weapon. He was keen to emphasise the difference between hired lathials and rural disagreements. Porteous argued 'it is difficult to conceive how any one with the smallest judicial experience of mufassil rioting cases could soberly suggest whipping as a "suitable" form of punishment'.¹⁴⁶ Echoing the concerns regarding the inappropriate whipping of high caste juveniles, Porteous warned the Government that bringing rural disputes under the cognisance of the Whipping Act could threaten the stability of many collaborative relationships. This was a view supported by the Government of the NWP, Sir Anthony McDonnell insisted that whipping as a punishment for rural rioting would alienate the cultivators, and the zemindari class from the Government.¹⁴⁷ The resounding message was that it would be an insult to the landowning classes to, by corporal punishment, group them with hardened criminals and rapists. Local officers like Porteous were communicating to the central Government that they knew when a legislative change could damage the rule of law, and the Government listened. The amendment failed. The failure of the amendment was a validation of the reliable knowledge and discretion of the local officers.

Conclusion

In 1910, Henry Cotton, as a representative of the Humanitarian League, sent a pamphlet to the India Office. He stated:

nothing is commoner in India than for the higher authorities to encourage whipping as a punishment. This is occasionally done in published reports and resolutions, and district officers frequently enjoin the practice on their

¹⁴⁶ BL, IOR/L/PJ/6/523, File 2155: 26 Oct 1899, A. Porteous, Deputy Commissioner of Sylhet, No 1456 6th September 1899

¹⁴⁷ BL, IOR/L/PJ/6/527, File 2393, 7 Dec 1899, L.M. Thornton on behalf of Sect to Govt NWP to Sect Govt India Legislative Department. Naini Tal 26th October 1899

subordinates. A subordinate magistrate who refrains from sentences of whipping is regarded as a weak and squeamish officer.¹⁴⁸

Cotton explained that the punishment of whipping was perceived as a tangible exercise of power. Any reluctance towards corporal punishment was routinely interpreted as weakness rather than compassion. It was a demonstration of the capacity of the judicial officer to enforce the rule of law and confirm not only his authority but his innate ability to understand and determine the appropriate use of violence. The debate surrounding the Whipping Act provides a crucial perspective on the role of the district Magistrate, the rule of law, and the systematic violence of colonialism.

The Whipping Act became the site of discussions focused on autonomy, interpretation, violence, justice and the rule of law. This legislation and the efforts to shape it reflected the attitudes towards governance in nineteenth-century British India. The district officer emerged from these debates as a man-on-the-spot, dispensing justice in order to maintain the rule of law and develop civilisation. The Government in British India overcame the paradox of violence by integrating the language of reform into the logic of corporal punishment. By arguing that corporal punishment had a corrective function, especially in the context of juveniles, the representation of the benevolent district official was strengthened even in the face of criticisms. The opinions of district officers were privileged in these debates and their claims to experience, knowledge, and responsibility enhanced their position and influence. The conceptualisation of the judicial officer as a paternalistic figure who was best placed to understand the function of the law served as a platform from which district officials were able to shape policy and legislation. This ability to mobilise an idealised representation, in order to further benefit the district officer, was a demonstration of the power of the role and the support and confidence of the Government in the district official. However, this confidence was frequently tested by those district officers who failed to live up to the idealised role.

¹⁴⁸ BL, IOR/L/PJ/6/1046, File 4153, Humanitarian League; copy of the pamphlet *Corporal Punishment in India* by Sir Henry Cotton, Received 17th November 1910

Chapter Five ‘Ignorance of law excuseth no man’: Incompetence, debt, corruption and the District Officer

In his 1876 history of the district of Backergunge, Henry Beveridge stated that it had ‘been from the earliest time what a friend of mine once called it, “the dustbin of Bengal”, and that no officer was sent to it except as a punishment, or because he was not thought good enough for a better district’.¹ The civil servants of Backergunge were often incompetent, inefficient, and in a few instances corrupt. They usually had a career history of mistakes and ineptitude in the Dacca or Chittagong divisions. These were the men who had failed to live up to the idealised role.

This chapter addresses the absence of misconduct and incompetence in accounts of nineteenth-century British Indian Government. Through a better understanding of the failings of the ICS this chapter argues that the Government of India and the ICS were not characterised by stability and coherence. By exploring the policies regarding official conduct, this chapter reveals the enduring but anxious commitment to the idealised district officer. The regulations regarding incompetence, debt and dismissal helped to define the boundaries of the model district official. Furthermore, the idealised persona shaped, and dictated, the nature, impact, and meaning of transgressions. Policy concerning official behaviour gradually transitioned from an effort to preserve the good character of the district officer, to a more rigid insistence on professional conduct.

The increasing emphasis on professionalism at the end of the nineteenth century exposed the conflict between the desire for an independent decision maker and the fears about the impact of unregulated autonomy. The escalating desire to codify and regulate this persona exposed the intentions and ambitions of the official mind. This man-on-the-spot was trapped between the vision of independent and personal rule, and a new modern bureaucratic and scientific government. This chapter first explores the historiography regarding incompetence and misconduct in British India. This is followed by an analysis of the role of the conduct manuals and governing literature. This chapter then explores the problematic relationship between the private and public life of the district officer. This tension between public and private persona is further examined through a discussion of indebtedness in the

¹ Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, i. Beveridge, *The District of Bakarganj*, 327.

ICS. This is followed by an account of working practices, first through a discussion of management and office conduct, and, second, by an exploration of judicial incompetence. By investigating the development of more rigorous rules regarding communication and public image, this chapter charts an increasingly anxious ICS, and a more strictly regulated idealised district officer. Finally, this chapter examines the rarely utilised procedures for dismissal. The characteristics and limits of the anxious and contradictory district officer were tested and occasionally compromised by human error. It was through these moments of failure, that the persona of the district official was contested, re-imagined and reconstructed.

‘Exceptions, complications and inconsistencies’: The historiography of corruption, incompetence and debt

Clive Dewey argues that punishment posts like Backergunge were necessary because ‘unless they committed serious breaches of discipline, Civilians were virtually unsackable’.² The systematic reluctance to dismiss civil servants has received limited attention in the historical accounts of the ICS.³ Rendered either a romanticised elite or a modern bureaucratic force, the ICS has escaped the scrutiny which has been focused on the early Company period. This chapter also demonstrates that the tensions which emerged in the early twentieth century were not merely a response to the threat of nationalism, but the product of historic concerns about the management of the ICS.⁴ As William Gould argues ‘the public and private activities of the “public servant” have perhaps been avoided as outdated relics of an older historiography’.⁵ The absence of misconduct in the historical narrative has obscured the complex and contradictory nature of the Raj. The idealised district officer provides a crucial perspective on the anxious governance of British India, as his ‘professional conduct formed part of a national project’.⁶

There has been considerable discussion of the excesses of the EIC during the eighteenth century.⁷ Nicholas Dirks argues that the Asiatic corruption of the early Company

² William Gould, *Bureaucracy, Community and Influence in India: Society and the state 1930 – 60* (London, Routledge, 2011), 172.

Dewey, *Anglo-Indian attitudes*, 5.

³ Gilmour, *The Ruling Caste*, 135-58.

⁴ For a discussion of these issues, see, Gould, *Bureaucracy, Community and Influence in India*.

⁵ Gould, *Bureaucracy, Community and Influence in India*, 24.

⁶ *Ibid.*, 47.

⁷ Dirks, *The Scandal of Empire*; P. J. Marshall, *The Impeachment of Warren Hastings* (London, 1965); Mithi Mukherjee, ‘Justice, War and the Imperium: India and Britain in Edmund Burke’s Prosecutorial Speeches in the Impeachment Trial of Warren Hastings’, *Law and History Review*, 23, 3 (Fall, 2005), 589–630; and Robert

period resulted in a legacy of scandal. The perceived threatening influence of the EIC in Whitehall, and the immoral conduct of the Government of India, left an enduring impression in the British political consciousness.⁸ The extravagance of the Nabobs had to be rectified through the moral civilising mission of the early nineteenth century.⁹ As a result of the conscious rebranding of British India in the 1830s, scandal transitioned to ‘a feature of generic Indian custom rather than personal English excess’.¹⁰ There was a conscious distancing from Company extravagance throughout the nineteenth century, as the Conclusion of this thesis will discuss.¹¹ A significant part of this moral and civilising work was correcting the previously blurred racial and cultural boundaries, specifically around the problems of inter-racial relationships.¹²

The scandal of sexual encounters has dominated the historical account of early colonial India. Ann Laura Stoler argued that sex was a marker of colonial dominance and that categories of coloniser and colonised were frequently secured through sexual control.¹³ As a result of Stoler’s conclusions, there has been considerable historical attention on the role of inter-racial relationships in social and political life in British India.¹⁴ Durba Ghosh successfully challenged the existing narrative that mixed race relationships were accepted until the arrival of British women in the early to mid-nineteenth century.¹⁵ However, Ghosh does establish that these relationships, and especially the children that they produced, were a source of considerable anxiety to the Company.¹⁶ This anxiety was partially resolved by the institutional interventions of the Company, and for a time the definition of ‘family’ was

Travers, ‘Ideology and British Expansion in Bengal’, *Journal of Imperial and Commonwealth History*, 33, 1 (November, 2008), 7–27.

⁸ Dirks, *The Scandal of Empire*, 13.

⁹ Nechtman, *Nabobs*.

¹⁰ *Ibid.*, 13.

¹¹ For a discussion of the evangelical origins of the civilising mission see Alison Twells, *The Civilising Mission and the English Middle class 1792 – 1850: The ‘Heathen’ at Home and Overseas* (Basingstoke, 2009); Nupur Chaudhuri and Margaret Strobel, (eds.), *Western Women and Imperialism: complicity and resistance*, (Bloomington, 1992); and Hall, *Civilising Subjects*.

¹² Burton, *Burdens of history*.

¹³ Frederick Cooper and Ann Laura Stoler, (ed.), *Tensions of empire : colonial cultures in a bourgeois world* (Berkeley, 1997); and Ann Laura Stoler, *Carnal Knowledge and Imperial Power. Race and the Intimate in Colonial Rule* (Berkeley, 2010).

¹⁴ See, Sudipta Sen, *Distant sovereignty: National Imperialism and the Origins of British India* (New York, 2002); Betty Joseph, *Reading the East India Company, 1720-1840: colonial currencies of gender* (Chicago, 2004); Nadini Bhattacharya, *Reading the splendid body: gender and consumerism in eighteenth-century British writing on India* (London, 1998); and Burton, *Burdens of history*.

¹⁵ This traditional interpretation was established by Kincaid and Ballhatchet. Kenneth Ballhatchet, *Race, sex and class under the Raj: imperial attitudes and policies and their critics, 1793-1905*, (London, 1980); and Dennis Kincaid, *British social life in India, 1608-1937* (London, 1973).

¹⁶ Durba, Ghosh, *Sex and the Family in Colonial India: The Making of Empire* (Cambridge, 2006).

broadened to encompass mixed race children.¹⁷ Indeed, the enduring pension, widow and orphan funds in the ICS had their origins in the mechanisms envisioned for supporting Anglo-Indian children. While these histories of sexual encounters have provided fertile ground for investigation, they have dominated our approach to scandal in British India. This thesis does not dismiss the complexity and anxiety surrounding inter-racial relationships, but this issue does not appear to have seriously concerned the official mind, or governing literature, in the mid to late nineteenth century. It is not the aim of this chapter to make comparisons between attitudes to inter-race sexual encounters and other types of scandal. Instead, this chapter seeks to draw attention to an issue which has not received similar historical investigation, indebtedness.¹⁸ The fear of the debt ridden district officer was a consistent problem in governing literature, and it is this alternative scandal that this thesis wishes to explore.

The British Government in India increasingly viewed indebtedness as a threat to the representation of the ICS as a moral organisation. Excess and responsibility defined the policies surrounding insolvency. Margot Finn argues that ‘contemporaries clearly understood character to constitute an essential form of social capital’, and credit relations were intimately tied to the maintenance of this social capital.¹⁹ Finn explains that from the late eighteenth century ‘a wide range of solvent and insolvent customers enjoyed generous (and flexible) credit terms’.²⁰ However, by the mid-Victorian period Finn states that the individualising commercial state with its emphasis on personal liability was encouraging the reimagining of ‘the innocent debtor as a culpable legal agent’.²¹ The social capital of credit lost its flexibility and as networks of friendship faded away the district officer was simultaneously more accountable for his financial conduct, and more vulnerable to the corrupting influences of India.

India and Indians were increasingly considered a corrupting and degenerative influence. It was argued that the traditional practices and values of India were incompatible with the

¹⁷ Ibid., 13.

¹⁸ Erika Rappaport has considered the role of debt in private domestic life, Erika Rappaport: “‘The Bombay Debt’: Letter Writing, Domestic Economies and Family Conflict in Colonial India’, *Gender and History* 16:2 (2004), 233-60.

¹⁹ Finn, *The Character of Credit*, 20. Also see, Peter Robb, ‘Mr Upjohn's Debts: Money and friendship in early colonial Calcutta’, *Modern Asian Studies*, 47, 4 (July 2013), 1185-1217.

For discussions of indebtedness in Britain see Hugh Barty-King, *The Worst Poverty: A history of Debt and Debtors* (Stroud, 1991).

For a discussion of financial corruption in British politics, Moore, James, & Smith, John, (eds.), *Corruption in urban politics and society, Britain 1780 - 1950* (Aldershot, Ashgate, 2007).

²⁰ Finn, *The Character of Credit*, 98.

²¹ Ibid., 152.

modern administrative British Government, and, therefore, corruption was inevitable.²² This account of a modern rational Government coming into conflict with a customary society requires further unpacking. As the interface between colonised and coloniser the district officer was frequently at the centre of these conflicts. By explaining away inconsistencies and embarrassments as a result of the challenging environment, the Indian Civil Servant could maintain his integrity. Not only did the specificity of the Indian experience absolve the district officer from guilt, it was also the basis for his claims for the legitimate exercise of independent decision-making. Gould explains that the late colonial state was pragmatic, and that ‘representing certain forms of rule breaking as “petty”, and “customary” allowed the Raj to go about its business undisturbed, as to protect the interests of its principal allies and to maintain an image of stability, control and legitimacy’.²³ In short, the corrupt nature of Indian society necessitated an independent decision-making idealised district officer.

Furthermore, as Akhil Gupta has argued, a discourse of corruption necessitates a discourse of accountability.²⁴ The accountability of the Indian Civil Servant to the Government will be explored throughout the chapter, but it is worth noting, as Gupta does: ‘expectations of “right” behaviour, standards of accountability, and norms of conduct for state officials, in other words, come from social groups as well as from “the state”’.²⁵ The development of a more rigid regime of conduct management was utilised by nationalists, landowners, and even agriculturalists. This resistance, or even the possibility of resistance, made adherence to a more professional code of conduct even more necessary. Accountability was enforced through policies detailed in governing literature. As Gould explains, ‘texts employed a more subtle terminology to describe activities of ambiguous legality that had to be adjudicated by asserting the paternalistic authority of the district officer’.²⁶ This chapter now considers the conflict in these texts, and the ambiguous practices of the district officer.

‘A compact set of rules’: Conduct Manuals

The conduct manuals, civil service regulations and professional policies of the mid to late nineteenth century revealed that the process of determining ethical behaviour was confused

²² Vinod Pavarala, ‘Cultures of Corruption and the Corruption of Culture: The East India Company and the Hastings Impeachment’, Emmanuel Kreike and William Chester Jordan, (ed.), *Corrupt histories* (Rochester, 2004), 298.

²³ Gould, *Bureaucracy, Community and Influence in India*, 11.

²⁴ Akhil Gupta, ‘Blurred Boundaries: the discourse of corruption, the culture of politics and the imagined state’ *American Ethnologist*, 22, 2, (May 1995), 375–402.

²⁵ *Ibid.*, 388.

²⁶ Gould, *Bureaucracy, Community and Influence in India*, 80–81.

and inconsistent.²⁷ Codes of conduct were somewhat incompatible with an idealised autonomous experienced district officer. The legitimacy of this model persona was supposed to be his inherent morally superior character. However, the increasing, and not wholly unjustified, paranoia of the Government of India resulted in a sustained effort to regulate, confine and shape the model district official according to an agreed set of standards and practices. This set of shared values was initially set out in the covenant signed by all members of the covenanted ICS. On qualifying members of the Indian Civil Service were required to make a legal declaration, a promise of their good conduct. Henry Beveridge's 1857 pledge asked him to swear to be 'a faithful honest and diligent servant', and it contained individual clauses about financial conduct, the preservation of documents and information, as well as promises about refraining from violent conduct.²⁸ This initial promise set the tone for expectations surrounding official behaviour. These expectations were reinforced through the private and official conduct guides and civil service rules.

In governing literature, the measuring, codifying and managing of personal and professional conduct shifted from advice designed to cultivate inherent character to a rule bound regime dictating the duties of a professional. In 1904, the British Indian Government issued *The government servants' conduct rules*:

the form of the orders has thus become obscure and confusing and the Government of India have thought it desirable to reproduce their substance in the shape of a compact set of rules which are now issued for the Guidance of Government Servants.²⁹

The production of a text which explicitly collated rules about conduct was the culmination of a gradual trend. The conduct manual had been an essential item throughout the period under consideration. Ranging from domestic etiquette guides, to civil service regulations, to professional handbooks, these texts were overt in the regulating of the ideal district officer's persona. They aimed to provide concise information on the plethora of rules regarding ethical government and professional behaviour, which increased considerably after 1880. The contradictions and limits of the model district officer were imagined within an evolving and responsive set of rules.

²⁷ BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules* (Simla, 1904), 1.

²⁸ MSSEUR C176, 21st August 1857

²⁹ Ibid.

The official civil service regulations went through several editions in the late nineteenth century.³⁰ As Government authorised texts, they were issued to district libraries and civil servants. Although they claimed to be nothing more than a record of existing practice, the development of these books marked a departure from the general trust in the district officer. These manuals also committed to text the codified limits of the district official. Despite the zeal for official Government manuals there were still privately authored alternatives. In August 1887, *The Englishman* reviewed I.C. Bose and G.D. Pudmujee's conduct manual thus: 'We have no motive for advertising it, but in these days every public servant should provide himself with a copy of this pamphlet in self-defence'.³¹ This text was more than an informative guide, it was a defence against the machine of Government and the mystery of the regulations.

As indicated by the 1904 conduct rules, regulations had been in place throughout the period under consideration, but they had been created through a reactionary and pragmatic process. There was a need to consolidate, clarify and emphasise the policy on the management of conduct. Yet, the conduct guide was the antithesis of the autonomous man-on-the-spot. This was the source of a fundamental tension in the official mind. The urge to codify and control was a response to increasing fears about the impact of autonomy at the district level. The continuous effort to consolidate practice regarding incompetent or corrupt officials indicated an irresolvable anxiety at the core of the governing project.

The investment in policy and procedure regarding conduct and professional behaviour was considered a safeguard. The rules and regulations were designed to maintain the prestige, and therefore the symbolic power, of the district official and avoid the exposure of incompetent individuals. The rhetoric of conduct focused on a public self, which could not be separated from private behaviour. This interaction between character, vocation, and professionalism defined attitudes to policy and procedure. Conduct in the home, and in society was considered of equal significance to the professional attitude in the office. The boundaries of the private self and the public official persona were often confused or ill-defined. The private life and acts of a district official were often as constructed and contested as the working practices of his office.

³⁰ BL, IOR/V/27/212/1 India, Home Department, *A manual of rules and regulations applicable to members of the covenanted civil service of India [with correction slips]* (Calcutta, 1885); C.H Sampson, *A manual of the rules and regulations applicable to Members of the Indian Civil Service* (Calcutta, 1891); J.L Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service* (Calcutta, 1897); Bose, and Pudumjee, *A Compilation of Orders of the Government of India: and* BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules.*

³¹ Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, i.

‘Unfortunate in domestic relations’: Private Conduct

Unofficial and official conduct manuals provided guidance on private, social and domestic life.³² The idealised district officer was not just a job, it was a persona. This role existed beyond the office and the court house. It was this space, between social pursuits and official duties, which caused anxiety about personal conduct. The idealised persona had been constructed on a framework of moral authority and good character, and these attributes were also forged in the personal life of district officer. This attention to social and domestic conduct reflects the increasing regulation of behaviour exercised by the Government over its servants in the later nineteenth century.

The duties of a civil servant often extended into the blurred line between semi-official functions and social activities. J.H. Stocqueler advised that the Collector acted as ‘head of the society of whatever place he may be stationed at, while the juniors are regarded, as much from their position as their generally superior attainments, with deference and respect’.³³ Indian Civil Servants were supplied with information and advice about moral and social conduct in India. This was due to the specificities of the social environment in India, but also due to the cultural expectations and standards the British in India were expected to maintain.³⁴ Bradshaw explained, ‘the MORAL BEHAVIOUR of all classes of Europeans should be extremely discreet, not only to preserve that inestimable blessing-health — but to command the respect of the native community’.³⁵ Bradshaw was drawing attention to the necessity of preserving a morally upright reputation. Failure to adhere to the moral or racial standards of British colonialism brought the entire project into disrepute. Even in his private affairs the district officer was made increasingly aware of his public responsibilities.

Many of the guidebooks explored the differences between social conduct in India and Britain. Hull dedicated several chapters to the rules of social etiquette and in particular the paying of calls: ‘one of the first objects of the new comer to an Indian station, who wishes to make himself a comfortable social position, will be to become acquainted with some of the older residents.’³⁶ In such an intimate and claustrophobic social circle like a district station, or even in some of the presidency towns, social faux pas like failing to observe the proper mode

³² BL, IOR/L/PJ/6/2 File 67, Claims against Mr W.A. Howe for debt, 12th January 1880, 2.

³³ Stocqueler, *The Hand-Book of British India*, 96.

³⁴ Sen, *Distant sovereignty*, 85-118.

³⁵ Bradshaw, *Bradshaw's Hand-Book to the Bengal Presidency*, 4.

³⁶ Hull, *The European in India; or Anglo-Indian's Vade Mecum*, 169-170.

of ‘calling’ could put a black mark against a civilian for his entire career.³⁷ Addison described the hierarchical complexities in Indian society: ‘much more fuss is made about artificial rank than in circles where real and hereditary right of assumption exists’.³⁸ Dinner parties, balls, picnics and tennis matches were all regulated by strict adherence to precedent.³⁹ Kerr gave advice on how to avoid bad company during social interaction. He proposed a series of coping mechanisms for when another civilian’s ill manners threatened one’s own social advancement: ‘give to such, a simple curry, and tell them in a joking manner, that you are too poor to afford “lall shrub” or “hodgson”’.⁴⁰ The competition wallahs were criticised for failing to keep up the generous hospitality of the previous generations. Hull argued it was a public duty of the district official to provide hospitality to fellow Europeans.⁴¹ A.B. Birks justified the reluctance of his colleagues to provide food and lodging to strangers by arguing it was an expensive custom, and in a larger less intimate society it was an unnecessary burden.⁴² However, as heads of society, and frequently, as managers of civil service domestic residences, district officers were publicly and officially responsible for the provision and maintenance of Home.

Beyond the official provision of an actual building, which was not guaranteed, the civil servant was left to his own devices. Hull recommended that a quiet and unostentatious bachelor ‘may manage to get his curry and rice cooked, his bed made and his shirts washed, by no more than ten or eleven men, and at a cost not exceeding sixty or eighty rupees a month’.⁴³ This number of servants was a considerable escalation from what a young middle class man may have previously experienced in their own homes. Furthermore, the majority would have had limited contact with domestic life having been sent to school at seven, followed by university or a tutor at seventeen and then straight to India in their early twenties.

Conduct manuals dedicated considerable attention to the management of servants. Each role was described carefully, including duties and pay. Bradshaw listed twenty-one different types of servant ranging from valet, to water carrier, to punkah wallah. Bradshaw insisted: ‘it is mere folly for a European to leave the supervision of his domestic establishment to an Indian butler, for he only fleeces him a hundred-fold: but he should divest himself of all

³⁷ Ibid.; and Gilmour, *The ruling caste*, 76-78.

³⁸ Lieut-Colonel Addison, *Traits and Stories of Anglo-Indian Life*, 253.

³⁹ Sinha, Mrinalini, ‘Britishness, Clubbability, and the Colonial Public Sphere: The Genealogy of an Imperial Institution in Colonial India’, *Journal of British Studies*, 40, 4, At Home in the Empire (Oct., 2001), 489-521.

⁴⁰ Kerr, *A few words of advice to Cadets*, 30

For a discussion of food in British India see Fhlathúin, *British India and Victorian Literary Culture*, 69-75.

⁴¹ Hull, *The European in India; or Anglo-Indian's Vade Mecum*, 178.

⁴² BL, IOR/L/PJ/3/1117, A.R Birks, Assistant Commissioner, Donabyoo, 29th July 1875.

⁴³ Hull, *The European in India; or Anglo-Indian's Vade Mecum*, 77.

lethargic feeling and caste prejudice and inspect everything himself'.⁴⁴ These texts reflected substantial anxieties about the selection and management of servants. In particular, these concerns focused on the fear of the racial other in the home.⁴⁵ The intimate knowledge servants possessed was a tool with which they could dominate a master, and any abuse of this power could have serious ramifications. Officials were advised against beating or maltreating servants.⁴⁶ To be managed by one's servants was shameful as it compromised the inherent authority of the civilian. Authority over servants mirrored the administrative arrangements of power in the district, and this parallel was frequently indicated in the advice given.⁴⁷

The task of creating a Home in Empire without the experience, knowledge or cultural value of a Victorian woman was challenging.⁴⁸ One solution was to find a wife to manage the home and absorb many of these responsibilities. Bhattacharya claims that 'proper female agency domesticates the colony by re-appropriating it as a home from improper agents'.⁴⁹ The establishment of 'home' in 'Empire' countered the inherent dislocation of imperial rule and maintained the distance from the 'other' through the re-fashioning of the ruler in his imperial domestic space. This was 'the ideological work performed by gender in the construction of empire'.⁵⁰ Therefore female agency was essential to this public domesticity, as it was the British woman who upheld the management of private social spaces.

According to one satirical novel it was the duty of the junior district officer 'to marry the spin of the station if she is under thirty, and to flirt moderately with her if she is on the further shore; and so step through the paths of self-sacrifice and devoted heroism, in the interests of his country, to qualify for a Collector.'⁵¹ As this quotation indicates, even marital connections were fundamental to the assumption of the role of the idealised Collector. Qualities like self-sacrifice and duty were located in social etiquette as much as under the mango tree or on the district tour.

The management of conduct was extended to private acts and personal life because character, duty and vocation were contingent on private and official life. In 1864, a petition

⁴⁴ Bradshaw, *Bradshaw's Hand-Book to the Bengal Presidency*, 2.

⁴⁵ See Buettner, *Empire Families*.

⁴⁶ East India Company Directors dispatch 4th July 1838, Kerr, *A few words of advice to Cadets*, 198.

Also see Gilmour, *The Ruling Caste*, 145-8.

⁴⁷ Hull, *The European in India; or Anglo-Indian's Vade Mecum*, 77, and Stocqueler, *The Hand-Book of British India*, 198.

⁴⁸ Nadini Bhattacharya, *Reading the Splendid body: gender and consumerism in eighteenth-century British writing on India* (London, 1998), 120.

⁴⁹ *Ibid.*

⁵⁰ Susan Zlotnick, 'Domesticating imperialism: Curry and Cookbooks in Victorian England', *A Journal of Women Studies*, Vol. 16, No. 2/3, Gender, Nations, and Nationalisms (1996), 51.

⁵¹ Anonymous, *Adventures of Thomas Brown*, 199.

was forwarded to the Government of Bengal, from the district of Bancoorah in West Burdwan, regarding the unusual and concerning behaviour of the Judge, Mr G.C. Fletcher. The petitioners claimed he had been showing signs of insanity. They recounted one occasion, which took place at the house of the Moonsif of Oundah, during which Mr Fletcher ‘entered the interior apartment, took away all the gold and silver ornaments of the females, and with these on his person, walked the entire way back to his house. Even now he puts on these ornaments and sometimes decks the persons of his Amlah and Vakeels’.⁵² Mr Fletcher was known to eat in the market, and have Muslim food served at his house. He smoked a hookah in court, and delivered ‘whatever judgement strikes his fancy without at all perusing the papers’.⁵³ Fletcher was further accused of offering nepotistic promotion to the principal Sudder Amin. He was infamous for ignoring proper procedure in court, and disposed of twenty cases in one day. The petitioners claimed an investigation had taken place, but the Commissioner had only interviewed the uncovenanted officials under the influence of Fletcher. The High Court at Calcutta was aware of his unusual judicial conduct, and concluded that he had ‘shewn persistent inattention throughout the past year, until December, to their repeated admonitions regarding his insufficient work and utter disregard to the proper administration of justice.’⁵⁴

Mr Fletcher was censured for his incompetent judicial conduct. Fletcher’s flamboyant and intimate behaviour with his subjects and subordinate officials went unremarked upon. He was approaching the end of his career, so perhaps his eccentricities were passed off as being characteristic of an old civilian, soon to be sent home.⁵⁵ Although details are not given of the consequences of Fletcher’s actions, in his correspondence he described himself as the late Judge of Burdwan. In their final remarks, the petitioners implored the Government of Bengal: ‘we, the people of this District, pray that an Officer of judgement and ability may be sent to this District’.⁵⁶ Fletcher had failed to live up to the idealised model of a district officer. He had transgressed the racial distance and aloof conduct expected of a district officer. In the petition, Fletcher’s private conduct and over-familiarity with his subjects was connected with his incompetence as a Judge. The petitioners expected competence. They wanted an officer of

⁵² SAWB, March, 1865, Judicial, No. 3, Translation of a Petition of Shama Churn Samunto and others, West Burdwan

⁵³ Ibid.

⁵⁴ No 1, H T Prinsep Registrar of High Court of Judicature Fort William to Sect Govt Bengal, No 397, 7th February 1865, Ibid.

⁵⁵ Fletcher listed in, ‘College Examination: June 1839’, *Asiatic Journal and Monthly Register*, 29, 116, 318.

⁵⁶ SAWB, March, 1865, Judicial, No 3, Translation of a Petition of Shama Churn Samunto and others, West Burdwan

good judgment and ability instead of Fletcher. The residents of Burdwan had attempted to hold George Fletcher accountable to a perceived standard of governance.

As George Fletcher's misconduct demonstrated the most compromising activities were not violent but intimate.⁵⁷ Any intimate moral compromise of the district officer in his personal life was inexcusable. In 1873, Richard Gwatkin Melvill, the officiating deputy commissioner of the Sirsa district, was discovered to be in a relationship with a married woman. Under the guise of his official duties, Melvill was conducting an affair with Haidari Begum, a teacher at a local school. However, the scandal was not merely limited to an extramarital affair: 'while he was engaged in this intrigue he made public profession of the Mahomodean faith, and went through the form of marriage with the daughter of Haidari Begum, a girl not ten years of age'.⁵⁸ The outrage was exacerbated by the information that the marriage to the girl had been attended by four Indian Government officials, including the District Record Keeper and the Head of the Municipal Commission.⁵⁹ Melvill's behaviour violated moral decency and entirely compromised his professional status. Condemnation of his actions was further intensified by his rampant disregard and apparent ignorance of the seriousness of his conduct. He stated 'I don't suppose it is an official matter, and I certainly hope you wont consider it necessary to take any notice of my conduct officially'.⁶⁰ It is highly unlikely that he was unaware of the severity of his transgressions.⁶¹

The Government of India was horrified, and unequivocally stated that 'his open disregard for public decency, and of his incapacity to appreciate the ordinary standard of right and wrong compel us to determine that he is no longer fit for employment'.⁶² Mr Melvill's actions constituted an absolute violation of the moral, benevolent and paternalistic persona of the idealised district officer. The official condemnations of Melvill's behaviour were severe in tone, and the judicial proceedings against him for the extramarital conduct were swift and

⁵⁷ Frederick Cooper and Ann Laura Stoler, (eds.), *Tensions of empire: colonial cultures in a bourgeois world* (Berkeley, 1997); and Gilmour, *The Ruling Caste*, 152-8.

⁵⁸ BL, IOR/L/PJ/3/1113, File 4171, No.46, Papers regarding the conduct of Richard Gwatkin Melvill, late Officiating Deputy Commissioner of the Sirsa District, and recommendation for his removal from the Bengal Civil Service, No 8 of 1874, Home Department Public to SoS The Duke of Argyll, Fort William 30th January 1874, 1.

⁵⁹ No 350, C. Muree 11th October 1873, T.H. Thornton sect to Govt of Punjab to A.C. Lyall Sect to Govt of India, Ibid.

⁶⁰ Demi Official from R G Melvill to Lieut Colonel C.A McMaron, Ibid.

⁶¹ For a discussion of interracial relationships in British India see Betty Joseph, *Reading the East India Company, 1720-1840: colonial currencies of gender* (Chicago, 2004).

⁶² BL, IOR/L/PJ/3/1113, File 4171, No 8 of 1874, Home Department Public to SoS The Duke of Argyll, Fort William 30th January 1874, 2.

damning.⁶³ Melvill's case was one of the few instances of clear, direct, public and absolute condemnation regarding the behaviour of a civil servant.

While Melvill's case can be considered unique, it was revealing of the anxiety surrounding personal conduct, and of the view taken by the British Government. The rules regarding personal relationships were not explicitly codified, it was considered unnecessary to explain to the ICS why intimate contact with Indian women would be unacceptable. Melvill's misconduct was only brought to the attention of his superiors by his colleague. The integrity of the ICS relied on the collaboration of its members in the maintenance of the idealised identity. The persona of the idealised district officer had to be consistent in its core attributes of benevolence and moral character. There were mutually agreed standards of conduct, and any infringement of these core values necessitated breaking the bonds of civilian brotherhood. There was a continuing effort to regulate and discourage anything which might threaten the benevolent and moral public role of the ICS. Yet, the overlap between personal acts and public identity was often inconsistent and confused. Concerns around private behaviour resulted in legislation focused on the public persona of the district official.

'Their influence with the community': Public conduct

As the representative of Government in the locality, district officers had to exhibit a uniform official public identity.⁶⁴ In the public spaces outside of the office or court he was expected to demonstrate a moral, benevolent and paternalistic persona. The potential overlap between private actions and public consequences resulted in increased management of conduct. This regulated and rule bound culture marked the transition from the inherent morality of the gentlemanly administrator to the professional bureaucrat.

The management of official conduct particularly focused on the role of the district officer in ceremonies and public events. The rules around public engagement in a ceremonial setting were rigidly enforced.⁶⁵ It was a problematic area, the conceptualisation of India as a customary society meant that civilian officials, especially in the Political Department, were expected to engage in ceremonial exchanges. In 1875, officials were instructed that they could receive a gift, but that it would be immediately taken in to Government possession. The

⁶³ Ibid.

⁶⁴ Home Department No 11 (Public) 699-88 18th March 1890, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 175.

⁶⁵ BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, Appendix. Young, *The Revenue Handbook*, 2nd edition, 12th October 1854, 233.

expense of a return present would be covered by the Government. There was a minor concession, however, ‘any Government servant may accept a complimentary present of flowers or fruit or similar articles of trifling value. The practice of giving such presents should however be discouraged’.⁶⁶ This severe tone was typical of conduct management regulations. In the later nineteenth century district officials were no longer trusted to exercise discretion in the management of customary interactions. By 1887, the Government of India demanded ‘exact obedience to these regulations’.⁶⁷ Removing the district officer from the space of customary exchange and denying him public recognition severed a crucial site of contact between the official and his people. At the end of the twentieth-century, the public role of the district officer was visibly more professional, and the Government of India was uncomfortable with the style of personal rule which had formed the foundations of this idealised persona.

The presence of a district official at a public event, outside his strict professional capacity, became unacceptable. This was especially the case in any political context. In 1890, civilian officials were advised that they did not have ‘the same liberty of action as private individuals, and are bound to hold themselves aloof’.⁶⁸ The Government of India wanted the district official to fully assume his idealised persona, extinguish his personal interests and rule from a distance. Yet, this model district official was based on local experience and the specificity of an individually curated knowledge. Although aware of this contradiction, under the increasing pressure of anti-colonial sentiment, the official mind resorted to policies which attempted to create a more easily managed and codified professional civil servant.

Government servants were further forbidden from taking part in or subscribing to any political movement in India relating to Indian affairs. They were not allowed to attend any meeting at which their presence was ‘likely to be misconstrued or to impair his public usefulness.’⁶⁹ The main concern was that the presence of a civil servant could create ‘a false impression in the minds of ignorant persons that such movements have the countenance of

⁶⁶ Foreign department circular 20th June 1875, BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 1904, 1

The rule was reissued in 1885, see, Home Department Resolution No 19/746-62, 22th May 1885, prescribing rules for the receipt of testimonials and addresses by servants of Government, Sampson, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 142.

⁶⁷ Proceedings of the Government of India, Home Department (Public), No 29/ 1629-45 under date Simla, the 22nd July 1887, Ibid.

⁶⁸ Circular letter from the Secretary to the Government of India Home Department to all Local Governments and Administrations, No 11 (Public) 699-88, 18th March 1890, Ibid, 148.

⁶⁹ Home Department No 11 (Public) 699-88 18th March 1890, BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 1904, 7.

Government'.⁷⁰ The regulations surrounding political contact with Indians reflected a wider general concern about inappropriate interactions with the subject race. Regulations and rules about the conduct of the ICS had always been framed with an India public audience in mind. However, as the nineteenth century progressed, legislation regarding the management of conduct was influenced by the perceived judgement of a more politically conscious and potentially hostile population.

Regulations regarding conduct management made the district officer accountable to the British Government, but also to the Indian people. Knowledge of governmental processes could be utilised by Indians against the British administration. In November 1906, W.L. Scott, the Subdivisional Magistrate in Backergunge, dismissed a case which had been brought against J.C. Jack, the Settlement Officer. Scott noted that during the proceedings the pleader for the prosecution 'made an earnest appeal to me to forget the "colour" and the "high position" as he put it, of Mr Jack'.⁷¹ The pleader was calling attention to the symbolic power of Jack, and challenging Scott to enforce fair and accountable procedures. Throughout this case, the district officials were held to account and measured against their own standards and procedures.

In May, J.C. Jack had been conducting a settlement in Backergunge. He believed the tenants of an estate in Patuakhali were being exploited by the land agents of an absentee landlord. Jack had been informed that a group of lathails, posing as Government officers, had evicted the village, and so he proceeded to the spot to investigate. J.C. Jack was accused of committing mischief in a boat, verbally abusing, beating and arresting Baikuntha Nath Gupta, Amodali Manjhi and others.⁷² Scott concluded the episode was 'a concocted story. He makes the mistake of saying that Mr Jack gave his orders in Hindustani.'⁷³ Jack did not speak Hindustani. Although the accusations of violence were dismissed, Jack had unlawfully arrested the men.⁷⁴ Gupta and Manjhi were aware that Jack, as a Settlement Officer, was not empowered to arrest them, and had felt confident enough in this fact to bring a case against him. Indeed, the Government of Bengal concluded that Jack had acted injudiciously, but with a proper motive.

⁷⁰ Home Department No 11 (Public) 699-88 18th March 1890, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 175.

⁷¹ BL, IOR/L/PJ/6/797 File 351, Letter dated 17th January 1907, H.H. Risley sec to govt India to Arthur Godley under sec, 7.

⁷² H.H Risley to Arthur Godley 3rd August, 1906, Simla, *Ibid.*, 12.

⁷³ File 351, Letter dated 17th January 1907, H.H Risley sec to govt India to Arthur Godley under sec, *Ibid.*, 2.

⁷⁴ BL, IOR/L/PJ/6/775, File 2697, 2nd August 1906, 2.

The Government of India were relieved to conclude that ‘the matter has no connexion to the Swadeshi movement or the partition agitation but arises solely out of disputes between Hindu landlords and Mohammedan tenants’.⁷⁵ H.H. Risley subsequently argued that district officers had to be constantly on the watch for oppression of Muslim tenants in the region, thereby recasting Jack as the benevolent man-on-the-spot.⁷⁶ Gupta and Manjhi had unsuccessfully attempted to challenge Jack’s authority and hold him accountable to an increasingly vigilant system of Government. The accusation was an act of resistance enabled by an increasingly rule bound regime of district governance. As Akhil Gupta has suggested, by the turn of the twentieth-century the ICS could not avoid being accountable to the society it allegedly served and protected.⁷⁷ The increasing Indianisation of the civil service, the pushes for local self-government, and the development of anti-colonial movements all put pressure on the model persona.

In the increasingly tense and accountable atmosphere of the late nineteenth century violent or coercive actions posed a threat to the stability of the British Raj. The legitimacy of the Government in India relied on a vision of moral and benevolent rule, in which the idealised district officer played a crucial role. As the century progressed, the district official found himself gradually more accountable for his private and his public actions. An issue which blurred the boundaries between private and public misdemeanours was indebtedness.

‘The rope of debt around your neck’: Indebtedness and the district officer

The spectre of the debt ridden Indian Civil Servant loomed large in policy and governing literature.⁷⁸ The British Indian Government abhorred the public consequences of this private transgression. The attitudes towards debt also reflected the transition from the district officer being a man of gentlemanly honour and character to a more professionally guided and regulated official. Company policy regarding debt was first consolidated in 1815. Junior officers were discouraged from the practice of getting into debt as would:

not only prove a source of great personal embarrassment to them as individuals but are likewise entirely incompatible with that independence and freedom of

⁷⁵ Ibid., 3.

⁷⁶ BL, IOR/L/PJ/6/797 File 351, H.H Risley to Arthur Godley 3rd August, 1906, Simla, 12.

⁷⁷ Gupta, ‘Blurred Boundaries: the discourse of corruption’.

⁷⁸ Kerr, *A few words of advice*, 82.

action, which is essential, on public grounds, that persons succeeding to responsible offices should enjoy.⁷⁹

The combination of personal embarrassment and public conduct characterised the attitude towards debt during the period. As Margot Finn argues, while financial matters were still private they were intimately linked with public character.⁸⁰ This early legislation indicated that the idea of an autonomous, responsible, and moral public character developed in tandem with concerns about embarrassments and personal failings. The memories of Indian corruption and Company extravagance lingered awkwardly around these policies, but concerns primarily focused on the inability of civil servants to manage their own finances. District officers lacked financial experience, especially in domestic arrangements. The solution for this inexperience was to ensure clarity, and regularly reissue legislation. For Bengal, the defining policy regarding indebtedness was enacted in 1823. It stated that all officers exercising the powers of Collector were:

prohibited, under pain of dismissal from office, from borrowing money from, or in any way incurring debt to any zemindar, talookdar, ryot or persons possessing real propriety or residing in or having a commercial establishment within the city, district or division, to which their authority may extend.⁸¹

This regulation was the basis for all future rule surrounding debt and civil servant. The role of Collector was specifically emphasised within these regulations. As the head of the district he was the guardian of the moral integrity of the district officials. This specific emphasis on preventing financial connections within the district officer's sphere of activity was a necessary act of distancing. The district official had to maintain appropriate distance and avoid financial or personal associations, but yet simultaneously have experience and knowledge of his people. This was the fundamental contradiction of the aloof but benevolent paternalistic district officer. Furthermore, this policy further severed reciprocal financial relationships by making it illegal to become the creditor of a public officer.⁸²

The enforcement of Act VII of 1823 was confused. It was continually cited anecdotally in the guides and handbooks, but always with the presupposition of an unaware audience. In

⁷⁹ Papers relating to East India affairs. Regulations passed by the governments of Bengal, Fort St. George, and Bombay, 1815, 1814-15 (39) VII.10.

⁸⁰ Finn, *The Character of Credit*, 152.

⁸¹ Papers relating to East India affairs: viz. regulations passed by the governments of Bengal, Fort St. George, and Bombay, in the years 1825 and 1826m 1828 (129) XXIII.15.

⁸² *Ibid.*

James Lyons' handbook he explained, that the British Government was 'required to impress upon their Servants the discredit attaching to a resort to the Insolvent Court'.⁸³ The 1850s appears to have marked a moment of consolidation in policy regarding indebtedness. In 1854 the Government of India issued the following circular: 'a declaration of insolvency as is involved in a resort to the Insolvent Debtor's Court for relief is quite incompatible with the maintenance of that high character for independence, which we regard as essential in those filling offices of trust and authority in the service.'⁸⁴ This policy essentially reiterated the existing 1823 enactment, and it was evidently in response to the advent of the competition system. The Government of India wanted to emphasise the importance of moral character, trust and responsibility to its new generation of civil servants. While there was still emphasis on the role of trust, responsibility and independence, which were personally cultivated attributes, the enactment of further legislation acted as a safeguard.

The character of the debtor, the nature of the debt, and the means by which it was incurred continued to shape the attitudes of the British Government. In 1854, shortly after the reissuing of the regulations, Mr Campbell Limond was forced to resort to the insolvent debtors court. The Board reported: 'we do not find in the circumstances attending this insolvency any thing affecting the personal honour of Mr Limond.'⁸⁵ Limond's debts were simply larger than his assets, and therefore his debts were considered discreditable but crucially not dishonourable. If debts were not the consequence of extravagance the transgression was forgivable. Indebtedness was incompatible with the authority and responsibility of a Government official. However, if the debtor could demonstrate the money owed was the result of unfortunate circumstance, rather than unrestrained moral weakness, he could be excused. The leniency afforded to Limond reflected the ideals of gentlemanly conduct of the mid-century. It was Limond's personal duty to repair his moral reputation. However, the British Government in India was increasingly reluctant to leave the responsibility of moral reputation in the hands of its district officers.

In his 1871 handbook, Edmund Hull commented 'indebtedness among Anglo Indians officials has of late years attracted the attention of the Government'.⁸⁶ Hull further concluded 'that such a condition must interfere with the morale and spirit of untrammelled

⁸³ Lyons, *The Civil Auditor's Manual for the Madras Presidency*, 16.

⁸⁴ Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, Home Dpt, No. 18 of 1854, Gov Gen in Council, 173.

⁸⁵ BL, IOR/E/4/832, Public Department, Bengal, 5th September 1855, letter dated 1st May 1855, Judicial Administration of India, Courts, Insolvent Debtors, Civil Servants resorting to, to be suspended and case reported, 10-11.

⁸⁶ Hull, *The European in India; or Anglo-Indian's Vade Mecum*, 68.

independence which ought to characterise its servants'.⁸⁷ The definition of this independence and the interpretation of freedom of action caused tension in the late nineteenth-century Raj. As the Government increasingly cast itself in the role of manager of conduct the meaning of independence shifted. During an investigation into his debts A.G. Walker, an Assistant Commissioner in Oudh, asserted 'I have come to the conclusion that you are not justified in interfering in my private affairs'.⁸⁸ Walker's conceptualisation of his independence was at odds with the official mind. He had run up a multiplicity of debts in Calcutta including, hotels, wine merchants and other extravagant expenditures. In the opinion of the Government he left them 'unpaid so systematically as to show that he incurred them without any apparent intention of paying them'.⁸⁹ Walker's disregard for the rules, indifference to the Government and serial habit of pecuniary obligations 'rendered his retention in the service a public scandal and a source of weakness to the Administration'.⁹⁰ Walker was unable to see the connection between his private spending and his public persona. The Bengal Government believed that he was no longer a model of high character and responsibility. For Walker, this was an invasion of his privacy, but for the Government it was a necessary intervention in order to preserve the moral reputation of the ICS. In his final, albeit obstinate, defence, Walker argued 'if there is no promotion in the Commission, it really is not surprising that a man with a large family should be in debt'.⁹¹ Walker's wine bill was somewhat inconsistent with his claims about an expensive family, and this was clearly an attempt to recast his spending in a more moral and honourable light.

The constant unstable blur between personal and public was the fundamental issue for the governing of conduct. The debtor was a problem precisely because he occupied the space between public office and private finance. Thus far this chapter has primarily discussed indebtedness as a product of personal private expenditure. With the eradication of private profiteering, and the increasing codification of misconduct, the British Government in India was forced to create policies around other forms of income.

⁸⁷ Ibid.

⁸⁸ Gonda 8th November 1875, A.G Walker Assistant Commissioenr Gonda to Offg Sec to Chief Commissioner Oudh, BL, IOR/L/PJ/3/1118 No.78, Conduct of A G Walker, of the Bengal Civil Service, 1.

⁸⁹ BL, IOR/L/PJ/3/1118, File 4726, No.78, Conduct of A.G. Walker, of the Bengal Civil Service, No 22 of 1870 Home Department Public to Marquis of Salisbury, Fort William 7th April 1876, 1.

⁹⁰ No. 4051, Fyzabad, 10th August 1873, Commissioner of Fyzabad Division to Offg Sect of Oudh, Ibid., 1.

⁹¹ Gonda, 8th November 1875, A.G. Walker, Assistant Commissioenr Gonda to Offg Sec to Chief Commissioner Oudh, Ibid., 1.

In 1885, the Government issued orders reminding district officials that they could not hold land or property within their province beyond that which was required for residence.⁹² Not only was it inappropriate for district officers to be landowners or landlords, there was also a concern that too much time would be dedicated to property management instead of official duties.⁹³ Three years later, the same rules were applied to any ‘property held by, and managed by wives of officers or other member of their families living with, and in any way dependent on, them’.⁹⁴ As the nineteenth century progressed, the sphere of public office extended to encompass the family not only as economic agents but as fellow moral flagbearers.

The tone of the regulations regarding business and public finances relied on a commitment to transparency and irreproachability. In particular, the conduct manuals of the late nineteenth century emphasised the strict protocol of any pecuniary relations. If a civilian official wished to sell or transfer ownership of any valuable property such as a bungalow, elephant, horse or carriage to an Indian he was required to ‘report his intention to the Local Government to which he is subordinate, stating the facts and circumstances and the price offered for the article to be sold’.⁹⁵ Less valuable items like furniture, live-stock or household goods were subject to less stringent rules, but the transaction had to ‘be open and patent to everybody on the spot’.⁹⁶ Conduct manuals frequently insisted that district officers should demand and retain receipts from all local tradesmen in order to avoid accusations of being indebted on leaving a district.⁹⁷ Financial conduct at the district level was of particular concern, but the Government of India was also hyper-vigilant about officials carrying on business whilst on the job.

In 1873, the Government of India issued a warning that ‘habitual speculation by officials has always been held to be a habitual evil and the Government has reserved itself full power to deal stringently with the practice whenever it appears’.⁹⁸ Market profiteering was incompatible with the idealised district officer. It was reminiscent of Company corruption, and did not fit with the model of a benevolent and simultaneously disinterested

⁹² Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, Simla, 13th May 1885, A Mackenzie sec to Govt India Home department 162.

⁹³ *Ibid.*, 161.

⁹⁴ Simla 11th September 1888 A P MacDonnel sec to Govt Home Dpt, *Ibid.*, 65.

⁹⁵ Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 32.

⁹⁶ *Ibid.*, 32-33.

⁹⁷ Kerr, *A few words of advice to Cadets*, 27-28.

⁹⁸ Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, Simla 13th May 1885, A Mackenzie sec to Govt India Home department, 162.

official. As Government employees it was not appropriate for district officials to privately speculate on the Indian economy. However, the Government of India had:

No objection to Government servants holding shares in mining or any other companies (including agricultural companies) having for their object the development of the resources of the country.⁹⁹

District officers were prohibited from managing financial schemes which benefited India but they could invest and participate. The Government of India faced a contradiction between the rights of individuals to exercise financial independence and the potential threat to the moral reputation of the ICS. By investing in beneficial agricultural or mining schemes the district officer was echoing his own role, investing in the community and assisting India towards a more stable and civilised future.¹⁰⁰ Therefore, the awkward taints of profiteering and speculation were rendered more palatable by re-imagining investments as projects of improvement.

These policies necessarily permitted freedom of financial action, but in doing so created the potential for the abuse of independence, at the expense of trust and moral authority. In March 1894, Mr N. Warde-Jones attempted to coerce a local zemindar into giving him the tenancy of a village and adjoining lands. The Bengal Government explained that these actions were ‘a direct breach of the most definite rules governing the conduct of Deputy Collector’.¹⁰¹ Warde-Jones had forced the zemindar to give him the land at a discounted rate in return for past favours and official assistance. He claimed ignorance of the rules regarding ownership of land, but insisted that he had meant to inform the Government before proceeding further. Yet, he had already taken possession of the village and ‘paid a professional man to bore for coal’.¹⁰² Warde-Jones continued to assert his ignorance of the policies surrounding speculation and land, and in his defence he railed against the testimony of the zemindar:

I never dreamed that the word of a responsible Government officer was no longer considered enough, to controvert the combined allegations of even an entire

⁹⁹ Ibid., 161.

¹⁰⁰ For the role of district officers in agricultural development see Thomason, ‘Little Tin Gods’, 145-160.

¹⁰¹ BL, IOR/L/PJ/6/506, File 633, Memorial from Mr N. Warde Jones, late a Deputy Magistrate and Deputy Collector in Bengal, appealing against his dismissal, 16 Mar 1899, 1st April, 4.

¹⁰² Ibid., 5.

population of a race whose earliest traditions are redolent of chicanery and deceit.¹⁰³

Warde-Jones confidently believed in his unimpeachable authority. However, he was not immune, and his Commissioner reminded him of his accountability by pointing him towards the rules. Once again, Warde-Jones attempted to avoid the consequences by feigning ignorance: ‘I am much obliged to you for your kind reference to the rules, which I found, after some tribulation, in a loose slip at the end of my office copy of the Revenue Officer’s Manual’.¹⁰⁴ Warde-Jones had overstepped his autonomy. He abused his influence, and disregarded policies governing conduct. His attempts to shift the blame onto the zemindar, and alleged ignorance of regulations revealed an official out of touch with the increasing accountability of his position. This breach of the rules was unacceptable as it violated the position of trust which was so crucial to the district officer both practically in the exercise of his work and in the representation of his benevolent character. Therefore, Warde-Jones was dismissed from the service.¹⁰⁵

Throughout the nineteenth century the approach of the British Indian Government to insolvency was characterised by inconsistency. In 1887, the Home Department declared: ‘that there are no uniform executive orders on the subject of the pecuniary relations of Government officers with persons who are subject to their authority’.¹⁰⁶ The majority of policies regarding indebtedness were haphazard and pragmatic. There was a consistent concern about the impact of the debtor on the image of the idealised civilian official, and the subsequent implications for an allegedly benevolent Government. The enlarged scope of policy which eventually encompassed even daily financial transactions diminished the ideals of trust, gentlemanly character, and responsibility. The sporadic issuing of policy surrounding conduct and professional behaviour revealed the uncertainty in the official mind, and the inefficient relationship between local, provincial and central Government. Incompetence, indebtedness and corruption undermined the idealisation of the district officer and his centrality to the Raj. Similarly the necessity of policy and procedure which regulated and codified a supposedly autonomous individual sat awkwardly with the desire to preserve the independent decision-making capacity of the district officer. This conflict between independence, authority,

¹⁰³ Ibid., 7.

¹⁰⁴ BL, IOR/L/PJ/6/506, File 633, Memorial from Mr N. Warde Jones, Gobindpur Manhum, 25th July 1895, 1.

¹⁰⁵ Minute paper, Ibid.

¹⁰⁶ 14th October 1887, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 158.

discretion, and increasing accountability to procedures and rules was similarly evident in the daily working practices of the district official.

‘Close, constant and personal’: Management and supervision

The desire to regulate and manage personal conduct was part of a broader trend in codifying and regulating the district official persona.¹⁰⁷ Central to this shift was the reconceptualization of working relationships. There was a transition from the idea of the benevolent paternalistic senior officer to the stratification of the working environment and the evolution of a management culture.¹⁰⁸ The 1866 rules for Revenue officers insisted ‘Commissioners and Collectors are expected to exercise a general control over Assistants, influencing them in what is right and endeavouring to reform any thing that is objectionable in their conduct’.¹⁰⁹ This emphasis on the responsibilities and duties of care and supervision were part of the imagined system of governance. Commissioners and Collectors were supposed to instruct the Assistant-Collectors in the ways of the idealised district officer, and in the administrative work of British India.¹¹⁰

In his handbook Young advised, ‘Collectors should occasionally perform, personally, the duties of the nature of those ordinarily as trusted to their subordinates’.¹¹¹ This emphasis on personally engaging with the work of subordinates typified the imagined paternalistic role of the idealised district official. However, this gradually transitioned away from personal management to more mechanical and bureaucratic monitoring. By the late nineteenth century the Government of India established procedures for checking the work of subordinates. The 1888 Revenue manual described the process of inspection:

¹⁰⁷ Extract from a letter from the Secretary to the Government of Bengal, in the Revenue Department, to the Officiating Secretary to the Board Revenue LP, No 1238 17th September 1851, Young, *The Revenue Handbook*, (1855), Appendix IV, xvi.

¹⁰⁸ For a discussion of the development of management culture see Alistair Mutch, ‘The institutional shaping of management: In the tracks of English individualism’, *Management & Organizational History*, 1, 3 (2006) 251-271.

¹⁰⁹ Board of Revenue, Bengal, *Rules for the Guidance of Officers engaged in the Administration of the Revenue*, Chapter VI, rule 1.

¹¹⁰ George Graham described his mentor, Mr Coldham, as a caring Collector, *An Ex-Civilian Life in the Mofussil*, vol 1, 73.

¹¹¹ Young, *The Revenue Handbook* (1855), 23.

with a view to ensuring a more careful supervision by District Officers of the details of office management the Board have directed that every District Officer shall make a half-yearly inspection of all branches of his office.¹¹²

The policy and procedural language of inspection, supervision and management reconfigured the ideals of trust into a recordable fact rather than an honourable relationship. Assistant and Deputy Collectors were expected to present diaries detailing their activities and decisions to the Collector. This accountability was enforced by making the Collector ultimately responsible for the behaviour of his subordinates.

These policies of accountability were the product of legitimate anxieties about management and inadequate supervision. The emphasis on autonomy and independent decision-making was a solution to the limited number of men on the ground. However, leaving these powers unchecked could be the cause of serious embarrassment and maladministration. The Government of Bengal had to rely on senior officers to ensure processes and procedures were followed. Until the widespread use of the telegraph, the Board of Revenue, High Court and provincial administration could only intervene after an incident had occurred.¹¹³ The successful nurturing of a junior official by a wise benevolent Collector or Judge bolstered the commitment to the idealised district officer. However, any failures exposed the fragility of the enterprise and necessitated regulations, inspection, and close monitoring emphasised in the conduct manuals.

The efficiency of the district was contingent on the Collector. Therefore, the mismanagement of junior and Indian staff was a source of considerable anxiety. Failing to sufficiently train junior covenanted civilians was as problematic as over reliance on subordinate officers. Young presented a damning image of a Collector stationary at his court and office, avoiding the necessary personal contact of district work, and ‘employing himself exclusively in the easiest and most mechanical parts of Collectorate duty, whilst all original work of any difficulty, or requiring any trouble and revenue knowledge to do it, is made over by him to his native Deputy Collectors.’¹¹⁴ This dependency on junior Indian staff jarred with the image of a paternalistic and benevolent Collector. The exercising of appropriate authority and racial distance was crucial to the administrative work of Empire. Young advised

¹¹² BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*, (1888), 19.

¹¹³ Former Lieutenant-Governor of Bengal Andrew Fraser discussed this problem, Fraser, *Among the Rajahs and Ryots*, 47.

¹¹⁴ Extract from a letter from the Secretary to the Government of Bengal, in the Revenue Department, to the Officiating Secretary to the Board Revenue LP, No 1238 17th September 1851, Young, *The Revenue Handbook*, (1855), Appendix IV, xvi.

‘excessive suspicion of the Native subordinates is as fatal as excessive confidence.’¹¹⁵ The conduct of the office and the management of the district bureaucracy reflected on the capabilities of the district officer. The subordinate uncovenanted officials had access to local information and networks beyond the scope of the district officer. The potential possessed by these officers to undermine or even override the Collector or Judge was one of the chief anxieties in governing literature.

Racial and cultural suspicions of certain groups, primarily high caste Hindu Bengalis, resulted in laws restricting access to subordinate official positions: ‘the several Courts are required to introduce all Classes into public employ so as to leave no special one predominantly’.¹¹⁶ In order to further prevent the dominance of any particular Indian group, the various subordinate clerks and village officials who had worked with a Deputy Collector were dismissed, and prevented from travelling with him to his new role.¹¹⁷ The regulations surrounding the employment of Indian subordinates revealed the extent to which they were considered suspicious and liable to dishonesty.

The increasing scale and scope of district work, and the introduction of a multiplicity of departmental functions, resulted in routine work being handed over to Indian subordinate officials. The 1888 Revenue Manual warned: ‘Collectors are to be careful that no Native officer, especially no serishtadar, is permitted to evade his obligations, particularly in the way of authenticating books, documents, accounts and etc., by his signature’.¹¹⁸ The size and complexity of the administration, even at the district level, could allow subordinates to evade detection or observation in the conduct of their routine duties.

In Backergunge in 1877, it was discovered that the late mohurir, Kisto Kumar Dass, had embezzled upwards of 4,619 RS. The investigating officer, Mr H.C. Sutherland, reported that between 28 June 1870 and 16 of June 1874, Dass had successfully forged 14 cheques amounting to 2,733-8 RS signed by Mr G.G. Morris, 4 cheques amounting to 1,671-11 RS signed by Mr A.T. Maclean and 1 cheque amounting to 175-5 RS signed by Mr Tottenham.¹¹⁹ R.L. Mangles, the Officiating Secretary to the Bengal Government explained that Dass ‘wrote out cheques for the payment of money in deposit to fictitious decree-holders, and, after obtaining the signature of the presiding judge on these cheques he drew the money from the

¹¹⁵ Ibid., 27.

¹¹⁶ Lyons, *The Civil Auditor's Manual for the Madras Presidency*, 39.

¹¹⁷ BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*, (1888), 43.

¹¹⁸ Ibid., 16.

¹¹⁹ BL, IOR/P/922, Judicial Proceedings, Bengal, 1877, No. 41-47, 14th February Bursisal, 1877, file 12A HC Sutherland, district judge of backergunge Backergunge, embezzlement of judge Kishan Coomar Das, April, 351.

treasury and appropriated it'.¹²⁰ Dass died in prison, and the money could not be recovered. He had been able to abuse the routine procedure of officers affixing their signatures to official papers. It was an established practice to sign documents collated by other departments and junior officials. Furthermore, it was a necessary timesaving activity, due to the volume of paperwork involved in the daily running of a district. However, the Bengal Government was not prepared to overlook the mistakes.

The Lieutenant-Governor insisted that 'officers who sign cheques for the payment of money without holding any inquiries, and through whose carelessness and neglect of duty frauds become possible, should be held personally responsible for any embezzlements which may be committed'.¹²¹ As far as the Bengal Government was concerned such lack of attention to detail was inexcusable. Dass had exploited the lapse in proper supervision for four years. Tottenham, Maclean and Morris all protested their innocence, and objected that they were being held accountable without access to the records. Morris, Maclean and Tottenham were excused from paying compensation due to the historic nature of the fraud, the belief Dass had utilised especially deceptive practices and, the previously efficient and honest character of the officers.¹²² For the official mind this case illustrated why vigilance over the work of the Indian subordinate official was so vital. The potential for personal financial accountability was an even greater pressure on the district officer.

The Government of Bengal continued to struggle with the tension between the ideal of an experienced and paternalistic district officer who personally knew his staff and oversaw their duties, and the bureaucratic impulse to regulate activities and responsibilities into various divisions. This professional de-centralisation of the district officer split his responsibilities into different departments, and while his staff and the complexity of his work grew, he was still ultimately responsible for key decisions. Inspection manuals and supervisory policies tested the district officer, and expected him to uphold an increasingly professional managerial persona. The meaning of responsibility shifted to encompass accountability and the district officer was encouraged to follow the rules rather than trust his instinct when it came to junior officers. Although he was still a crucial decision maker the autonomy of those decisions was being challenged or at least redefined. This was particularly the case in the judicial branch of the service.

¹²⁰ R.L Mangles, officiating sec to the Gvt of Bengal, Calcutta 10th March, to Register of High Court, Backergunge, Ibid., 357.

¹²¹ Calcutta 16th April, J. Crawford, under sec to gov to bengal, to G.G Morris, High Court, Ibid., 361.

¹²² Darjeeling 26th June, S.C Bayley, sec to gov of bengal to sec to the gov of india financial depart, Ibid., 361.

‘He is the upright and inflexible judge’: The Judicial Branch

One of the principle criticisms made by authors of legal and juridical manuals was that despite codification, British Indian law remained complicated and was often unfathomable to Civil Servants.¹²³ Governing literature revealed tensions surrounding the navigability of the law, the prescriptive nature of codification and the constant shifting of legal procedure. The mere presence and popularity of legal handbooks and guides revealed that codification had failed to simplify legal procedure. Furthermore, the majority of these texts also continued to endorse an idealised Judge, an experienced man-on-the-spot utilising his familiarity with the people and the country to arrive at the correct judgement. In his 1858 manual, William Morely argued: ‘there is a large body of living doctrine, which appears to mature itself by degrees in the minds of experienced judicial officers, but which is not to be met with in any definitive form’.¹²⁴ Court made law determined that the Judge was ultimately responsible for the rule of law, and had greater autonomy in the exercise of his powers. This freedom of action was supposedly discouraged after 1861, but the idealisation of personal experience and the importance of practical training as an Assistant-Magistrate endured throughout the period.

Criticisms were targeted towards ‘the overscrupulousness and timidity of some judges and the unscrupulousness and ignorance of others’.¹²⁵ The concern was that codification was too restrictive upon the rational and moral mind of the district officer, and likely to undermine his personal and practical experience. The British Indian Government was compelled to regulate, codify and prescribe practice, but, when the idealised decision maker was threatened by automated processes, governing literature responded by praising the merits of experience and independence. The best antidote was, as Morely suggested, the natural process of private judgements developing into standard practice, and individual experience contributing to the entirety of the legislative machine.¹²⁶ This depended on the continuing ability of the civil servant to exercise independent decision-making and gain the required experience rather than beginning his career by adhering to prescribed dictations as set out in legal texts. However, the emphasis on the continued freedom of the autonomous decision maker in court made mistakes, corruption and incompetence more likely.

¹²³ Stocqueler, *The Hand-Book of British India*, 50.

Phillips, *Manual of Revenue and Collectorate Law*, iii and Howard, *Magistrates Hand Book of Criminal Procedure*, i.

¹²⁴ Morely, *The Administration of Justice in British India*, 334.

¹²⁵ An Anglo Indian Official, *The Judicial System of British India*, 7.

¹²⁶ Morely, *The Administration of Justice in British India*, 334.

In 1865, W.B. Buckle, Judge of Moorshedabad, was reported as unfit to arrive at correct and independent judgements, especially during appeals and trials by jury. The High Court investigated his case decision history, and received a series of unflattering anecdotes as to Buckle's incompetence. The Registrar of the High Court, F.B. Peacock reported from Fort William:

in the greater number of cases in which Mr Buckle has erred, it has been from inexperience and ignorance of the Laws of Evidence or the Codes of Procedure with which till lately he has never during the whole of his official career come in contact.¹²⁷

Buckle was a civil servant of nearly 26 years' service during which his court rulings had been the product of his personal interpretations of the law. Peacock believed that the radical changes instigated by codification were overly complex for men like Buckle. With such a dramatic transition in policy, and limited training it was not a surprise that older civil servants made some mistakes. This problem was exacerbated in Peacock's view by the practice of bestowing immediate seniority to officials entering the judicial branch of the service.¹²⁸

Buckle insisted the majority of the mistakes were made at Backergunge, and that at Berhampore he was only corrected once on a technicality. The technicality involved Buckle convicting a man accused of murder based on the precedents of Scottish law. He promised that he would confine himself to 'illustrating the Law to the Indian Penal Code and not refer to the dicta of English or Scotch Law'.¹²⁹ Backergunge was known as a difficult and unruly district, so Buckle claimed his mistakes were not the result of a lack of experience but an inability to implement that experience due to his workload.¹³⁰ Buckle even attempted to appeal to the humanity of his superiors: 'surely at the end of a long fatiguing day a Judge may be pardoned for such slight irregularity'.¹³¹

However, the Lieutenant-Governor rejected this defence, he concluded that any officer 'unable to sift and weigh evidence or correctly point out its bearing to a Jury must be unfit

¹²⁷ BL, IOR/ P/147/7, Judicial proceedings, January – February, 1865, No. 114-150, 19th Jan, unfitness of Mr W.B. Buckle to be a district judge, No. 115 From F.B. Peacock, officiating registrar of the high court of judicature at fort William in Bengal to the hon'ble A. Eden sec to Govt at Bengal, (No.510 dated the 1st of 1864)

¹²⁸ Ibid., 122.

¹²⁹ Buckle, 1st September, referring to a case on the 26th May 1864, Ibid., 126.

¹³⁰ Ibid.

¹³¹ Ibid., 127.

for the office of Judge'.¹³² The Lieutenant-Governor recommended that Buckle resigned as he was clearly incapable of office. While Buckle was evidently incompetent, this was understandably the product of his experience of the haphazard and pragmatic development of the British Indian legal system. Buckle had failed to keep up with the shifting dynamics of British justice, and considering his supposed experience this was disappointing. The fact that he was removed to a district without a jury system was indicative of the concern felt by the Bengal Government. Rule by law simultaneously demanded adherence to the codes and the ability to make independent decisions. Yet, codification frequently preserved or at least allowed space for discretion. This room for manoeuvre within the letter of the law did not always result in the impartial judgement desired from the ideal district officer.

In 1882, Mr C.J. O'Donnell was transferred from his appointment as Joint-Magistrate at Jessore, deprived of the power of trying summary cases, and moved to Mymensingh.¹³³ The Collector, Mr Barton, had found O'Donnell to be insubordinate and disloyal, he 'would neither do the work entrusted to him, nor obey the orders that he received'.¹³⁴ On returning from his tour of the district, Barton discovered that O'Donnell had been ignoring petitions from the ryots of the Chanchra Estate. The cultivators had accused the zemindar of oppressing them, the issue was further complicated by the fact that O'Donnell lived with the manager of the Chanchra estate. O'Donnell's antagonistic and unprofessional attitude necessitated his removal from the district. It was in his judicial capacity that his disregard for process and abuse of discretion was fully realised.

O'Donnell was known to dismiss complaints without proper enquiry. He frequently sent cases to the civil court in order to avoid work, and most problematic of all, he 'unwarrantably stretched his powers by trying summarily cases to which the summary procedure was inapplicable'.¹³⁵ The summary procedure empowered a Judge to reduce a case to a brief written record. This process was intended for minor issues with limited evidence and testimony. It was designed to enable swift judgements for small complaints, not as a means to avoid the process of judgement. The Government of Bengal had to concede that technically O'Donnell was acting in accordance with the literal wording of the law:

¹³² No.117, Reply from Eden, 11th August 1864, Ibid., 123.

¹³³ BL, IOR/L/PJ/6/75, File 985, The case of C J O'Donnell, Bengal Civil Service, No 20 of 1882, Government of India, Home Department, Public, to Right Honourable the Marquis of Hartington, SoS, Simla, 18th April 1882.

O'Donnell was known as 'the *enfant terrible* of the ICS', he wrote pamphlets criticising policy and was constantly censured by the Government, Gilmour, *The Ruling Caste*, 141-44.

¹³⁴ BL, IOR/L/PJ/6/75, File 985, No 20 of 1882, 2.

¹³⁵ Ibid, 7.

but it was certainly not contemplated by the authors of the Criminal Procedure Code, nor is it in accordance with the spirit of the Code itself, that the record of the complaints' examination should be so brief as in the cases instituted before Mr O'Donnell.¹³⁶

O'Donnell had manipulated the system to his advantage, and was able to elude or pass on work. O'Donnell had already been briefly degraded to a junior position, and relocated from district to district with alarming regularity due to his insubordinate behaviour. The Lieutenant-Governor concluded that O'Donnell had received a lenient punishment, and generally in the conduct of his career he had 'shown a want of ordinary discretion'.¹³⁷ Even in the codified legal atmosphere of the 1880s O'Donnell was still able to manipulate regulations and exploit his discretionary powers. This embarrassment caused the Bengal Government to reflect on how it managed incompetent officials. Cockerell, secretary to the Judicial, Political and Appointment Department, raised the issue of 'the general reluctance of senior Civilians to report unfavourably of young officers in the Service'.¹³⁸ When it came to reporting incompetence, there did appear to be an enduring commitment to *esprit des corps*, and a desire to protect the image of the service.

The anxieties around the idealised role of the district officer were focused on the preservation of a benevolent and paternalistic image. This was a shared commitment, the maintenance of this persona depended on a united front. The idea and the rhetoric surrounding it had to be consistently reinforced and shared amongst the men of the ICS. The model of the ideal district officer had to be actively projected beyond the daily working practices of the office, and the personal life of the official.

'A garbled currency': Private and Public Communication

As with conduct management more generally, the British Indian Government extended its reach over the public image of the district official.¹³⁹ Advances in technology caused concerns, and the district official was subjected to stricter rules about how he communicated

¹³⁶ Ibid, 3.

¹³⁷ Extract of letter from C.J O'Donnell C.S to the Secretary to the Government of Bengal, Judicial Department, Ibid., 9.

¹³⁸ Horace A. Cockerell, Secretary to the Government of Bengal, Judicial, Political and Appointment Department to the Sect to the Govt of India, Home Department, Calcutta, 25th January 1882, Ibid., 20.

¹³⁹ Proceedings of Govt of India, in Home Dpt, No. 22A 3rd June 1885, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 66.

in the workplace and in public. The introduction of forms, rulebooks and specific divisional responsibilities was envisioned as a means of achieving greater efficiency, but there remained an emphasis on the personal communication between the district officer and his subordinates. However, there already existed a barrier to efficient and clear communication: language.

Linguistic ability or lack thereof, was an overwhelming concern. Dependency on India officials was proportionate to the language skills of the district officer. Linguistic ineptitude exposed and compromised the depiction of the ideal Collector-Magistrate. The model district officer was a man who could happily and easily converse with his local population. Trainee officials were expected to pass a series of verbal tests as part of the Higher Standard examinations. Recommendations stated that the Indians selected to be conversed with should be ‘not only be of different degrees of intelligence, but also be distinguished by peculiarities of pronunciation and by differences in the character of the language spoken by them, e.g one might be a vernacular clerk, one a ryot and one a fisherman or cooley’.¹⁴⁰ The civilian not only had to understand what was being said to him but be able to make himself understood.

However, this led to concerns surrounding the authority of the British civilian official who might be forced to communicate in a manner below his station: ‘to adopt such phraseology must necessarily bring the party thus identifying himself with the most ignorant portion of the community, into contempt’.¹⁴¹ The district official encountered a contradiction within these texts. He was expected to be familiar with his subjects in order to provide the most effective rule, but yet he had to maintain racial authority and a degree of distance. The prevailing fear was that poor language skills would lead to injustice: ‘in vain the innocent implore the protection of his judge, who comprehends not one syllable he utters, and yet fears not to pronounce his sentence’.¹⁴² Therefore, the move towards written English communication was a guarantee against linguistic errors.

Young insisted ‘the communication between a Collector and a native Deputy Collector should be close, constant and personal; not confined to sending official orders and reports from one to other’.¹⁴³ In the mid-nineteenth century, district officers attempted to capture informal vernacular discussions by producing long written reports. However, this resulted in unworkable volumes of paperwork, information and decisions were hidden in letters and case histories. So in 1888, correspondence by formal letters between a Collector and his

¹⁴⁰ *The Indian Civil Service Manual (Madras)*, 15.

¹⁴¹ Kerr, *A few words of advice to Cadets*, 41.

¹⁴² *Ibid.*, 18–19; and Johnson, *The Stranger in India*, 277.

¹⁴³ Extract from a letter from the Secretary to the Government of Bengal, in the Revenue Department, to the Officiating Secretary to the Board Revenue LP, No 1238 17th September 1851, Young, *The Revenue Handbook* (1855), Appendix IV, xvi.

subordinates in the same station was prohibited. District officers were encouraged to keep an order book, with a list of orders issued, and the responses received.¹⁴⁴ The order book was a concise record of the decision-making process, it made the independent judgements of the district officer accessible and accountable. The Board of Revenue further declared ‘it is a primary rule that all useless correspondence is to be avoided.’¹⁴⁵ There was a tension between the desire for personal verbal communication and efficient formulaic records. Verbal communication liberated the district officer from his desk, it maintained his independence but it left a limited record. The enduring preference for personal interaction challenged the image of an overly bureaucratic, impersonal and paper driven administration.

Official emphasis on clear and concise communication was usually focused at the district level, but it was also necessary between the periphery and the centre. The Bengal Government insisted: ‘it is the duty of every officer making a report to a superior authority to state the case concisely in his own language, avoiding all unnecessary prolixity’.¹⁴⁶ While the machine of Government was often seen as the source of decisions, it did not seem to share the same accountability as the district officer.

In 1861, H. Richardson complained that he had been degraded from the role of Collector-Magistrate to Joint-Magistrate without fair warning. Richardson pleaded ‘this severe punishment has been awarded me for faults I never knew I had committed and of the nature of which I am not even yet aware’.¹⁴⁷ In 1859, Mr Elliot, Richardson’s superior, reported that he was dissatisfied with his work. As a result, Richardson improved the efficiency of his office and oversaw several large settlements. This hard work was met with approval in his new district. Therefore, the decision two years later to dismiss Richardson was a shock. This decision had been produced by the centre without justification, which felt deeply unfair to Richardson. On receiving news of the decision, G. U Yule, Commissioner of Bhaugulpore, wrote in support of Richardson. He stated he was unaware of any criticisms and there were no reports from the Board of Revenue to substantiate the demotion. Yule argued that the only record of the decision he could find was in the Lieutenant-Governor’s official reply to the 1860 Annual Report. Yule added:

¹⁴⁴ BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers* (1888), 52.

¹⁴⁵ *Ibid.*, 50.

¹⁴⁶ BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers* (1888), 50.

¹⁴⁷ SAWB, Revenue, March, 1861, No 107 – 9, Letter from H.C. Richardson late Magistrate and Collector of Bhaugulpore soliciting a reconsideration of the orders of Government degrading him to a joint magistrate, H. Richardson Magistrate and Collector of Bhaugulpore to W S Seton-Karr sect to govt of Bengal, 19th February 1861, 86.

no caution was ever given to Mr Richardson. He never noticed the Lieutenant-Governor's letter, and one may easily understand how he overlooked it, for it comes at the end of the book after the Board's conglomeration of figures which no one, I imagine, ever does look at.¹⁴⁸

The Bengal Annual Report, and the accompanying reply from the Lieutenant-Governor, was made public and issued to district officers for the first time in 1860. Yule's confident supposition that it was a document usually ignored by district officers revealed the attitude towards superfluous paperwork.

Yule asked the Lieutenant-Governor to reconsider his decision. Mr Richardson pleaded with the Government, as due to the unexpected pay cut he was unable to take furlough. Richardson concluded that he had been 'disgraced before the whole Service'.¹⁴⁹ Mr Richardson's predicament revealed how inconsistent and haphazard the channels of communication could be between the district and the provincial Government. His own personal intercourse with his superiors was perceived as fair. However, some miscommunication or private discussion at the central offices of the Board and the Bengal secretariat resulted in severe consequences. These incidents aided in the perception of an oppositional construct between the men-on-the-spot and the machine of Government. The reporting and interpretation of decision-making from the district level to the centre became increasingly formulaic. While district officers were encouraged to make autonomous decisions the subsequent accountability was rigorous. The juxtaposition of personal judgement and official opinion was most evident in cases of inter-colleague criticism.

In 1865, Mr Shawe, Judge at Sylhet, accused the Collector, Mr Drummond, of being listless, apathetic and chronically dilatory.¹⁵⁰ C. T. Buckland, Commissioner of the Division, was appalled at these charges, and claimed Mr Drummond was the most hardworking officer under his supervision. Buckland further argued 'it is my belief that the sole interest and pleasure of his life lies in the performance of his public duty'.¹⁵¹ Buckland had to concede that Drummond was a slow worker, and his decision-making was a laborious process, resulting in

¹⁴⁸ No. 108, G. U Yule Commissioner of Bhaugulpore Division to Sect to Govt of Bengal, No 259Ct. 25th February 1861, *Ibid.*, 87.

¹⁴⁹ H. Richardson Magistrate and Collector of Bhaugulpore to W S Seton-Karr sect to govt of Bengal, 19th February 1861, *Ibid.*, 86.

¹⁵⁰ SAWB, Judicial, March, 1865, No 26, Imputation by Mr Shawe against Mr Drummond, C T Buckland Commissioner of Dacca Division to Sect to Govt of Bengal, No 14, 20th February 1865, 21.

¹⁵¹ *Ibid.*

reports which described every detail.¹⁵² Furthermore, he was a man overly ‘anxious to do every thing himself; who is not disposed (nor without reason) to trust any of his Omlah’.¹⁵³ Drummond was the epitome of James Young’s overanxious and suspicious district officer. Regrettably, Sylhet was a complicated district with a considerable workload, and Drummond’s habits were unsuited to the demands of the office. Buckland was forced to conclude that Drummond was not the right man for Sylhet, and his zealous approach would be better suited to a quieter district.

Yet it was Mr Shawe who received the most severe condemnation for his actions. The Lieutenant-Governor asserted Shawe had been motivated ‘rather by prejudice against Mr Drummond than by a desire to promote the interests of the public service’.¹⁵⁴ Subsequently, Shawe was encouraged to retire from the public service as he had already been suffering from ill health. The main critique of the competition system was that it would destroy the *esprit des corps* of the ICS. Openly criticising colleagues was evidently discouraged, private remedies were preferable to public exposure. This emphasis on cohesion and the effort to preserve the impression of camaraderie was most evident in the conduct rules surrounding discretion and information.

The maintenance of the public image of the service featured prominently in conduct manuals throughout the period. In 1843, the Foreign Department published the following orders: ‘the practice of making use of official information in carrying on personal controversies is a course highly prejudicial to the public interests’.¹⁵⁵ Throughout the nineteenth century the Government tried to establish the boundaries of discretion and public discussion. There were particular concerns relating to official documents appearing in newspapers and injuring the British Government in India.

Initially, it appears that the Government trusted in the discretion of its civil servants. District officers were advised that ‘a Government servant may contribute anonymously to the Press, but must confine himself within the limits of temperate and reasonable discussion’.¹⁵⁶ Officials were only permitted to become proprietors of newspapers or publications if they were devoted to non-political matters. Subject to the approval of Government they could edit

¹⁵² Ibid., 22.

¹⁵³ Ibid., 23.

¹⁵⁴ No 27, A Eden Sect to the Govt of Bengal to M A G Shawe, Sessions Judge of Sylhet, No 1392 6th March 1865, Ibid., 23.

¹⁵⁵ General Order Foreign Department 15th March 1847, republishing Notificatoin 30th August 1843, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 164. Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 19–20.

¹⁵⁶ Extract from the Proceedings of the Government of India in the Home Department (public), No 19 – 1134, Simla 8th July 1875 BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 7.

and manage an arts, science or literature publication.¹⁵⁷ Civilian officials were permitted to ‘undertake occasional work of a literary or artistic character, provided that his public duties do not suffer thereby; but the Government may, in its discretion, at any time forbid him to undertake or require him to abandon any employment which in its opinion is undesirable’.¹⁵⁸ Governing literature clearly fell under the acceptable categories dictated by this regulation.

In 1878, the Governor-General confidently asserted that no particular orders were necessary regarding the disclosure of official information, and that these matters were ‘necessarily be left to the discretion and intelligence of officers holding places of trust, and in charge of duties more or less important.’¹⁵⁹ Cotton commented that he and civil servants often supplemented their incomes by writing for the press, and that the Government of the 1870s was unconcerned by their activities.¹⁶⁰ The trust in the district official to manage his reputation, as well as that of the service and Government more generally was acceptable until later in the nineteenth century.

Professionalism, especially in Government employ, was a new rhetoric which turned the innate gentlemanly attributes of honour, trust and responsibility into managed skills. Instead of being inherent abilities, trust and discretion had to be educated into a new middle class cohort of civil servants. This transition reflected anxieties around class and communication technologies, and betrayed the ebbing confidence of the British Government. In 1885, the Governor-General circulated new orders regarding the publicity of Government business. He stated that:

in former days when India was comparatively isolated, when there were no telegraphs, and when newspapers were neither numerous nor widely circulated, the mischief arising from such violations of official reticence may have been less apparent.¹⁶¹

The Governor-General explained that in the new technologically advanced age the potential for embarrassment was serious. It was increasingly difficult to keep information restricted to the Indian governmental sphere. This shift marked a new tone in the conduct guidance for

¹⁵⁷ Ibid.

¹⁵⁸ Home Department, No 21-797.806 13th May 1885, BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 1904, 7.

¹⁵⁹ Extract from the Proceedings of the Government of India in the Home department (public), No 1 C.H, 16th December Lahore 1878, Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 20 – 21.

¹⁶⁰ Cotton, *Indian & home memories*, 108.

¹⁶¹ Proceedings of Govt of India, in Home Dpt, No. 22A 3rd June 1885, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 66. Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 22 – 24.

district officers. The 1885 circular described the role of professional reticence, and explained the parallels to other professional conduct:¹⁶²

Officers of Government are bound to be as reserved in respect to all matters that may come within their cognisance during the discharge of their public duties as lawyers, bankers or other professional men in regard to the affairs of their clients.¹⁶³

This new language of professionalism placed the district officer in the same category as a professional career, and not a duty of service. The ideals of trust, character and integrity were being subverted under the new ethos of professionalism. The district officer was no longer trusted to exercise his discretion. By the end of the century, the conduct rules surrounding public image and information disclosure were strict and unyielding: ‘a Government servant may not convey to the public in his own name whether in writing or in a speech or otherwise, any opinion upon any principle approved or action taken by the Government’.¹⁶⁴ This strict and unyielding rule, and the implied consequences, acted in conflict with the enduring image of the autonomous ideal district official. The increasing codification of the district officer necessitated an expansion of the procedures regarding dismissal. These policies were equally focused on individual responsibility within the greater machine of Government.

‘The duty of exact obedience’: Dismissal

During the nineteenth century, dismissal and reappointment procedures transitioned from an opportunity to defend character, to a means of ensuring accountability. Disciplinary processes were often viewed as arbitrary or clumsy, and the inconsistent application of policy reflected the reluctance of the Government to condemn civil servants. In the majority of cases, the British Government in India was determined to prevent a district official from resorting to formal proceedings.¹⁶⁵ In order to preserve the reputation of the ICS, the process of removal and appeal was designed to enable the Government to selectively support those cases which were most likely to have a positive outcome.

¹⁶² Proceedings of Govt of India, in Home Dpt, No. 22A 3rd June 1885, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 67.

¹⁶³ Ibid.

¹⁶⁴ Secretary of State Despatch, No 144, Public, 6th October 1898, BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 9.

¹⁶⁵ Sampson, *A manual of the rules and regulations applicable*, 142.

Although rarely resorted to, official channels and appeals to Government did provide an avenue for vindication. These procedures recognised the right of the civil servant to exercise his authority, defend his character, and seek redress. Maintaining the integrity and accountability of autonomous decisions was fundamental for the persona of the idealised district officer. For a formal public inquiry to take place, accusations had to be drawn up into distinct articles of charge.¹⁶⁶ Officers who were subject to criminal charges were immediately suspended, and were not reinstated until fully acquitted.¹⁶⁷ The support of the local Government was contingent on the perceived innocence of the official, 'if the conduct was clearly wrong from the first he will be left to defend the action at his own charge'.¹⁶⁸ As with insolvency cases, if the Government withdrew its support the burden of proof lay with the accused.¹⁶⁹

The anxious and clandestine attitude towards the incompetent district official was reflected in the regulations. In 1851, the Board of Revenue stated: 'when officers removed for inaptitude or other causes not involving disgrace, the word "dismissal" should not be used'.¹⁷⁰ Allegedly, this phrasing was used to distinguish the ICS from Indian subordinates, who if dismissed were prevented from reemployment in other districts or provinces. For British civilian officials the word removal was preferable to dismissal, it sounded less severe and could be interpreted as a decision unconnected with incompetence.¹⁷¹ The general blunderers were hushed up and discreetly sent home. Removals from service were often rephrased as early retirements or for reasons of health. The British Indian Government was aware that it had to be seen to punish serious misdemeanours, but the middling failures could be tidied away in private.

Concerns around public opinion, at home and abroad, defined the more vigilant attitude of the later nineteenth century. In 1890, the Government of India decided that without the approval of local Government, civilian officials could not have 'recourse to any Court or to the press for the vindication of his public acts or character from defamatory attacks'.¹⁷² This

¹⁶⁶ For the regulating of Inquiries into the Behaviour of Public Servants, President of the Council of India 1st November 1850, Bose, and Pudumjee, *A Compilation of Orders of the Government of India*, 39.

¹⁶⁷ BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*, (1888), 44.

¹⁶⁸ Young, *The Revenue Handbook*, (1855), 21.

¹⁶⁹ Sampson, *A manual of the rules and regulations applicable*, 142 and BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 8.

¹⁷⁰ Young, *The Revenue Handbook*, 2nd edition, (1861), 221.

¹⁷¹ BL, IOR/V/27/311/92, Board of Revenue, *A Manual of the Powers, Duties, Practices and Procedure of Revenue Officers*, (1888), 43.

¹⁷² Home department No 30-public / 1676-85, 5th September 1890 and Home Department Circular No 1365-74 29th May 1900, BL, IOR/V/27/212/71, Home Department, *The government servants' conduct rules*, 9.

policy could strategically silence disgruntled employees and keep embarrassments in the governmental sphere. Yet, the Government claimed that this rule did not affect the right of any official to ‘vindicate his private acts or character’.¹⁷³ As a result of this policy, the options open to a civil servant through which he could defend his actions were increasingly limited.

By the end of the nineteenth century, the Government of British India was explicit about the management of the official persona: ‘his official reputation is in the charge of the Government he serves, it is for that Government to decide in each case whether the institution of proceedings to vindicate his public acts or character is necessary or expedient’.¹⁷⁴ The persona of the model district officer had transitioned from being cultivated and exercised by the individual to being managed by the Government. While this shift involved greater codification and more bureaucratic processes, it was still a clear commitment to a method of governance through a symbolically powerful district official. The desire to regulate and manage the persona and official conduct was in response to anxieties surrounding the accountability of the district officer. These changes were in fact efforts to maintain and secure the district officer for future governance, rather than extinguish the autonomous decision maker.

Conclusion

This chapter has challenged the coherent and stable narrative which has been previously ascribed to the ICS. The absence of incompetence, corruption, and debt from histories of the British Indian Government neglects the considerable impact that these activities, and the anxieties they produced, had on the official mind. During the nineteenth century the culture of character, gentlemanly honour and trust gave way to a professional persona. Conduct and character transitioned from the personal responsibility of the district officer to the management and preserve of Government. This shift occurred alongside the development of the governance of conduct. The increased presence of civil service regulations and codes of conduct in the late nineteenth century reflected the desire to remedy a problem that was perceived as significant in official life. Governing literature revealed the conflicted attempt within the British Indian Government to prevent abuse through an irreconcilable combination of moral autonomy and increasing professionalisation.

¹⁷³ Ibid.

¹⁷⁴ Govt India, Home Dpt, 30/1676-85, Simla, 3rd September 1890, Milne, *A manual of the rules and regulations applicable to Members of the Indian Civil Service*, 175.

The management of conduct was a problem borne from the idealised persona of the district official. In essence, the idealised district officer was a universalised model of the personal style of rule, but as a practised role it conflicted with the expanding bureaucratic government of British India. The continued investment in this problematic role meant that the ICS had to find ways of resolving the problems of human error and incompetence. In order to maintain the idealised district officer the Government of India had to respond pragmatically to issues of debt, violence, fraud, incompetence, personal misconduct, public embarrassment and official mistakes.

The persona of the district officer was constructed through moments of contestation. This role was fashioned through the rejection or modification of incompatible ideas and behaviours. A combination of the scrutiny of the British Government and the Indian public shaped the policies surrounding the management of conduct. This idealised role was created reciprocally, and the boundaries of activity were defined by undesirable conduct as much as by successful practices.

Conclusion

On 2 August 1922 during a debate about impending changes to the pension rules of the ICS, Lloyd George argued:

As I said once in this House, there are men governing huge territories there whose name is hardly known. Even when they retire, and you meet them, they are introduced to you as members of the Indian Civil Service, and you have never heard of them, although they have been governing, perhaps, tens of millions of people for a very long period, their every word a command, every sentence a decree, accepted by these people, accepted willingly, with trust in their judgment and confidence in their justice and their fairness, which ought to be the pride of our race.¹

Lloyd George's choice to invoke the idealised district officer in his passionate plea on behalf of ICS pensioners reveals the enduring legacy of this imagined and practised persona.² The retired men of the 1920s were the competitioners of the 1880s. They had been the civil servants of the Raj in the high noon of Empire. In British India the district officer was imagined and also practised as an autonomous decision maker at the centre of projects of governance. Yet, on his return home, he was rendered anonymous.

The closing discussion of this thesis argues that the process of retirement threw into sharp relief the significance and status of the idealised district officer's persona. For the men of the ICS the retirement experience was characterised by disillusionment and alienation.³ A loss of racial prestige combined with a shift in quality of life made the return to Britain a disappointment for many. The alienation and disappointment felt by the pensioners of the ICS reflected the power and influence they had experienced in their working lives.⁴ Buettner has explored the role of 'home' in the transient lives of British Indians.⁵ For the men of the ICS and their families the idea of Britain and home 'united what were often highly idealized understandings of the nation, family intimacy and domesticity'.⁶ As Buettner explains, after careers of frequent relocation within India and infrequent visits home, retiring and returning

¹ HC Deb 02 August 1922 vol 157 cc1495-525.

² The Simon Commission (1930) concluded that civil administration in India depended "on the man, rather than on the machine", in O'Malley, *The Indian Civil Service*, 172.

³ Buettner, *Empire families*, 207.

⁴ Gilmour, *The Ruling Caste*, 301-28.

⁵ Buettner, *Empire families*, 18-24.

⁶ *Ibid.*, 190.

was the conclusion to an existence defined by permanent impermanence. However, returned British Indians could not shake the feeling of transience, and sought companionship in communities of shared experience. Buettner explores Bayswater, Cheltenham and Bedford as places favoured by retirees, wives and children. These communities offered suitable schools, the ability to maintain middle class identity, and existing familiar networks of other British Indians. The next generation, on seeing their parents' reduced circumstances often longed for India encouraged by the nostalgia and experiences of childhood. Buettner has demonstrated conclusively that Empire was a family business, and young men were incentivised to apply for the ICS based on their family background and social circle. This often meant that families never enjoyed the quiet domesticity they had long craved, as each return incentivised another departure.⁷

Retirement and pensions were as rigorously codified as all other aspects of Indian Government. In 1804, the Bengal Civil Fund was created with the intention of maintaining widows and orphans, as well as providing a small subsistence for medical leave. The EIC Directors agreed that its employees were 'often reduced to the necessity of a temporary return to Europe by ill health, originating in, or increased by, a zealous discharge of their official duties an ungenial climate'.⁸ Rules surrounding medical leave became increasingly complex, and by 1889, explicit certification was required before it could be granted. The certificate was required to clearly state the illness, its symptoms, causes and likely duration, as well as estimate the amount of medical leave required and the recommended location for recovery.⁹ In 1808, it was agreed that the Bengal Civil Fund would also act as a pension.¹⁰ Despite this existing provision in 1824, a Bengal Annuity Fund was also organised 'for the grant of annuities to the civil servants of the said Company, on their retiring from the service'.¹¹ Subscribing to the Civil and Annuity funds was initially encouraged, but eventually it formed a compulsory part of the Civil Service Covenant. These subscriptions were collected through

⁷ Buettner's study of the Talbot family is particularly revealing, *Ibid.*, 192-5.

⁸ 'Plan for Civil Fund, 1st October 1804 Bengal,' No 44 in, BL, IOR/V/27/213/5, Westland, J, *Collection of original papers relating to the Indian Civil Service Family Pension Funds* [1875], 26.

⁹ BL, IOR/V/27/212/6, India Finance and Commerce Department, *The civil service regulations embodying the civil service pay and acting allowance; leave, pension, and travelling allowance regulations* [1st edition, with correction slips] (Calcutta, 1889), rule 893-903, 238-239.

¹⁰ The East India Company agreed to contribute £2,500 per annum to the fund in addition to the subscriptions of the Civil Servants. 'Extract from a Public General Letter 26th February 1808', No 48 in IOR/V/27/213/5, Westland, *Collection of original papers relating to the Indian Civil Service Family Pension Funds*, 35.

¹¹ 8th December 1824, 'East India (Bengal, & etc) Annuity funds, A bill to make provision for the transfer of the assets and liabilities of the Bengal and Madras Civil Service Annuity Fund, and the Annuity Branch of the Bombay Civil Fund, to the Secretary of State for India in council', HoC, 1872 (182) I.469.1-2.

a four percent salary deduction.¹² In 1862, the Secretary of State for India assumed control over the funds, but the business of subscription, application and distribution remained in the hands of a committee of managers, as had always been the arrangement.¹³ However, just ten years later the Pension Code was enacted ‘which rendered the continuance of the machinery of the Bengal, Madras and Bombay Civil Annuity Funds unnecessary’, and the various funds were absorbed into the Government.¹⁴

The period between the 1860s and 1880s was characterised by frenzied and anxious encoding emanating from the Finance Department.¹⁵ This culminated in the Pension Act (1871) and its realisation as the Pension Code (1872). By exploring the debates, controversies and revisions of the Pension Code Poorva Rajaram reveals a fascinating paranoia around fraud, efficiency and aging.¹⁶ Although mainly focusing on Indian uncovenanted claimants, Rajaram demonstrates that ‘constant changes within the code were an indication that some of the ideas and procedures that came embedded in the code did not get instant epistemological or operational traction in the functioning of the workplace’.¹⁷ Like other legislative frameworks in British India, the Pension Code also facilitated space for interpretation.

Retiring civilians received a pension based on the rules in force at the time of resignation, and not those on commencement of service.¹⁸ Pensions could be withheld or withdrawn by the Government if the recipient committed a crime or was found guilty of grave misconduct.¹⁹ The specific regulations affecting the Covenanted Civil Service were contained in a supplementary appendix of the 1872 Code. The salient principle of the Covenanted Civil Service pension was as follows:

An officer who has been twenty-five years in the service counting from the date of his covenant, or from the date of the despatch of the Secretary of State announcing his appointment (whichever may have been earlier), and who has rendered

¹² [N.D] estimated 1862, No. 89 in, BL, IOR/V/27/213/5, Westland, *Collection of original papers relating to the Indian Civil Service Family Pension Funds*, 60.

¹³ ‘No 66 Extract from despatch from the Right Hon Sir C Wood, Bart, 25th November 1862’, No 193, *Ibid.*, 49.

¹⁴ East India (Bengal, & etc) Annuity funds, 1872 (182) I.469.1–2.

¹⁵ I am grateful to Poorva Rajaram for allowing me to cite her PhD research, Poorva Rajaram, ‘The Civil Pension Code of 1872: Institutionalizing Bodily Decay’ (M-Phil 1st semester, Seminar Paper, PhD Candidate, Jawaharlal Nehru University, 2013), 3.

¹⁶ Rajaram, ‘The Civil Pension Code of 1872: Institutionalizing Bodily Decay’.

¹⁷ *Ibid.*, 3.

¹⁸ BL, IOR/V/27/212/6, India Finance and Commerce Department, *The civil service regulations embodying the civil service pay and acting allowance*, Rule 7., 2

¹⁹ Rule 383.–385., *Ibid.*, 93–4.

twenty-two years active service, is entitled, on his resignation of the service being accepted, to an annuity of £1,000.²⁰

The promise of an annuity of £1,000 became one of the chief incentives for pursuing an Indian career. However, in 1862 complaints were raised that neither the four percent subscription nor the government contribution provided the full £1,000.²¹ The petitioners claimed that the state donation to the fund was only £361 per annum, and that in order to save up the full pension realistically a district official would have to retire at 28 years' service rather than 25.²² One of the reasons cited for the shortfall in contributions was the expense of living in India.

By analysing the rise in the cost of food, rent, conveyances, clothes, medicine and education over a period of 20 years the Salaries Commission Report demonstrated that in 1886 the cost of living had significantly increased.²³ The transient behaviours of Indian Civil Servants were expensive: 'he will have been obliged on one or more occasions to send home his wife and children, and to keep up two establishments with all the heavy charges consequent upon the maintenance of a family at a distance'.²⁴ Hill stations acted as an alternative or additional expense especially for district officers stationed in regions with challenging climates.²⁵ Despite these unusual circumstances and the expense involved the ICS did enjoy a more comfortable life than their salary would have provided in Britain, servants were cheaper and houses were more affordable. If accommodation was not provided as part of the district establishment a housing allowance was granted.²⁶ General subsistence and travel were often at the expense of the Government and even horses were subsidised. This was a quality of life unachievable in Cheltenham or Bayswater.

²⁰ BL, IOR/V/27/213/6, India Financial Department, *The civil pension code* (Calcutta, 1872), Supplement A, Section 4, 141.

²¹ Civilians of Bombay, *An Explanatory Statement of the Case of the Indian Civil Service*, (Bombay, 1862), 11.

²² Copies of memorial addressed, in October 1862, to the Secretary of State for India in council, by certain retired members of the Indian civil service residing out of India, praying for exemption from Indian income tax on their annuities from the civil annuity funds of their respective presidencies; of Secretary of State's reply, dated 21st November 1862, HoC, 1863, (212), 18.

²³ *Report of the Salaries Commission*, 197–210.

²⁴ See Buettner, *Empire Families*.

Civilians of Bombay, *An Explanatory Statement of the Case of the Indian Civil Service*, 5

²⁵ Dane Kennedy, *The magic mountains: hill stations and the British raj* (Berkeley, 1996), 4.

For a discussion of hill stations and the medical role they played in British India see, Lisa Plotkin, "The Diseases Peculiar to Women:" Medicine & Curative Space in Britain & British India, 1860-1914, (University College London, PhD thesis, 2015), 133-189.

²⁶ Caius Marcus, *The Indian Civil Services a career being a practical view of the question* (Calcutta, 1867), 3-5.

The cost of living issue was aggravated by the following rule: ‘a pension is fixed in rupees, and not in sterling money, even though it is to be paid in England’.²⁷ The regulations of 1889 fixed the exchange rate at the following amount, ‘if the annuitant was a member of the Bengal Civil Service – 10 2/3 Government rupees for each pound sterling’.²⁸ The depreciating value of silver, on which the rupee was based, rendered the pensions increasingly insufficient, (see table 1). If an officer became medically incapacitated and could be declared as such by a certificate, he was entitled to an annuity of £500 if he had been less than five years in the service. Medical pensioners of more than five years’ service were granted £150 per annum, plus £20 for every completed year. The maximum possible incapacity pension for anyone who had been more than five years in the service was £450. At less than half the standard pension this sum would leave a retired man of the ICS uncomfortably close to the lower end of the middle classes.²⁹

Members of the ICS argued that a substantial and fair pension was a just reward for a career which entailed serious health risks. The assumption of control by the Government in the 1860s, and the subsequent pension Code were considered a betrayal of trust by many pensioners. They argued that they had not agreed to the Code, they had signed a Covenant on the basis that a pension would be managed and delivered according to certain terms. The pension was viewed as a guarantee and a right of the service. In 1862, H. Stainforth and 285 other Bengal Civilians submitted a memorial insisting the pension was ‘one of the principal inducements to enter the Service, and greatly contributes to the maintenance of that zeal and devotedness in the public service, irrespective of consideration of insalubrity of climate or of personal risk, which your petitioners believe to be one of the recognized characters of their service’.³⁰ This argument that the zeal and devotion to the ICS was contingent on receiving a pension somewhat undermined the ideal of a benevolent district official.

ICS pensioners were aware of contradicting their image and did not want to undermine the idealised persona of the district officer or appear too similar to the greedy Nabobs of the eighteenth century.³¹ Petitions and memorials often challenged perceived misconceptions about the financial prospects of the ICS. Even in the 1860s there was still an emphasis on dispelling the legacy of the corpulent lavish Company men. When contesting revisions to the

²⁷ BL, IOR/V/27/212/6, India Finance and Commerce Department, *The civil service regulations*, Rule 513., 123.

²⁸ *Ibid.*, 277.

²⁹ BL, IOR/V/27/213/6, India Financial Department, *The civil pension code*, Supplement A, Section 5, 143. See Perkins, *The Rise of Professional Society*, 82–84.

³⁰ Extract from a memorial H Stainforth, and 285 members of her Majesty’s Indian Civil Service (Bengal) to Secretary of State, No 65, in, BL, IOR/V/27/213/5, India Financial Department, *The civil pension code*, 49

³¹ For representations of the Nabob see Fhlathúin, *British India and Victorian Literary Culture*, 55-91.

pension rules civil servants always insisted that the public had ‘an exaggerated notion of the riches which have been accumulated by Indian officials.’³² There was a conscious distancing from accusations of greed or ill-gotten gains, and the pension was actively portrayed as a reward for hard work. Therefore, the pension was represented as a positive way to induce good men into the Service.

Memorialists claimed ‘any reduction in their salaries will render the Indian Civil Service, as a career, unattractive to the more highly educated and respectable classes in England.’³³ These arguments were obviously motivated by self-interest, but they also betrayed the shared commitment to the persona of the idealised district officer. There were concerns that generous pensions accessed early in life would attract more money orientated individuals to the service. Bartle Frere argued that too liberal a pension granted at an early age ‘will tend to induce men to look to service in India, not as the duty of their lives, but as a mere prelude to a middle age to be passed in England, in English professions, aided by an Indian pension’.³⁴ While memorialists tended to emphasise their duty to the service, realistically members of the ICS retired in middle age and could face living out the rest of their days on a meagre income if they could not find alternative employment.

A minimum of 25 years active service, with 22 resident in India, qualified a civil servant for his pension. This minimum service was frequently criticised in comparison to the Company days when men either worked until death or retired in India: ‘the majority of civil servants are in a position to take the annuity as soon as they can get it, and the proportion who are either obliged or tempted to remain longer than 25 years in the service, becomes less and less everyday’.³⁵ There was a law of limitation which insisted that ‘no civil servant shall hold any office for more than five years, if at the end of that time he shall have completed a service of 35 years or upwards, including any furlough he may have taken to the extent of four years’.³⁶ The rule of limitation was devised to ensure the promotion hierarchy could continue to progress. By limiting longevity in particular roles, junior members of the service could climb the seniority ladder. Uncovenanted civilians frequently remained in post for up to forty years.³⁷ It was argued there was a clear and logical distinction ‘between the two classes

³² Civilians of Bombay, *An Explanatory Statement of the Case of the Indian Civil Service*, 2.

³³ *Ibid.*, 17.

³⁴ Minute by Sir H. B. E Frere 8 March 1862, Copies of memorial addressed, in October 1862, to the Secretary of State for India in council, by certain retired members of the Indian civil service residing out of India, praying for exemption from Indian income tax on their annuities from the civil annuity funds of their respective presidencies; of Secretary of State's reply, dated 21st November 1862, HoC, 1863, (212), 18.

³⁵ Financial department, No. 40 1862 to Charles Wood Secretary of State for India, *Ibid.*, 1.

³⁶ Public letter from the Government of India, 3rd May 1840, No. 21, *Ibid.*, 1.

³⁷ BL, IOR/V/27/212/6, India Finance and Commerce Department, *The civil service regulations*, 117.

of officers; for the former class [covenanted] is required, as a rule, to retire; while the latter [uncovenanted] is required, as a rule, to be retained, the result, in both cases alike, being decided by what is most expedient in the public interests'.³⁸ With the average ICS candidate entering the service at an age between 19 and 23 during the period under consideration, the maximum age of a retiring district officer, including furlough or any special leave, would rarely exceed 65. Based on an anecdotal study conducted by Mr A. Tupp in 1897, there were 51 ICS pensioners over the age of 75, and 20 of these were over 85 years of age. This insistence on limiting service and returning home was not entirely based on health and ensuring consistent career development for junior officials. There was a sense that it was not appropriate to age in front of the colonised.³⁹

It was not only aging which was obscured from view by the process of retirement. The discussions surrounding the process of retiring revealed the significant anxieties about the public character and conduct of the retiring official. In May 1885, the Home Department circulated the following rule:

all servants of Government covenanted or uncovenanted, are forbidden to receive compliments or valedictory address in any form; or accept testimonials of any kind; or to attend public meetings or complimentary entertainments of a formal or public character held in their honour.⁴⁰

This rule was explicitly targeted towards retiring civilians who were informed that any addresses or celebrations of retirement would be viewed with disapproval and disfavour by the Government. This policy reflected the development of conduct management. Retirement rules increasingly appeared in the governing literature of the late nineteenth century. The Secretary of State claimed, it was 'clearly objectionable that retired officers should receive presents. If such a practice were to be approved, it might obviously lead to the violation of the spirit of the law and rules, and to aspersion on the character of public officers'.⁴¹ Gifts were not permissible, but portraits, busts, and statues requested by a public body as recognition of service were allowed as long as they were not presented to the officer. A public fund for education or charitable projects in honour of the retiring civilian official was

³⁸ Ibid., 120.

³⁹ Cursetjee Cowasjee, *On British Administration in India*, 7; Stocqueler, *The Handbook of British India*, 205; and Hull, *The European in India*, 41-42.

⁴⁰ 11th May 1885, Home Department, No. 19/742-62, 1., *The Indian Civil Service Manual (Madras)*, 12.

⁴¹ Secretary of State's despatch No 109 Public 11th October 1888, in, Bose and Pudumjee *A Compilation of Orders of the Government of India*, 35-36.

permitted if the subscriptions were unsolicited and entirely voluntary.⁴² By preventing public thanks, either ceremonial or pecuniary, the district officer avoided, by association, showing favour to a particular group.

The limits placed on formal farewells, tributes and gifts were supposedly intended to prevent any favouritism towards the departing district officer or his staff. By preventing public commemoration or recognition of service, the new district officer could easily transition into the role without the memories and achievements of his predecessor dominating public opinion. This legislation also ensured that the district officer remained a disinterested official persona and not a personal role. In 1887, the circular was reissued in order to emphasise the rules surrounding retirement. Retiring officers were only allowed to ‘take part in a private farewell entertainment, attended only by personal friends, as a mark of regard to himself when retiring from the service or quitting a district’.⁴³ For a role so absolutely defined by the capacity for individual action, by the late 1880s these men were refused the reward of personal acknowledgement for their work.

This process of being forgotten was further confirmed on the return to Britain. Memoirs and governing literature narratives often paint a rather gloomy picture of the life of a retired Indian officer. Prichard’s satire *The Chronicles of Budgepore* claimed the ‘man who has just returned wears the fact in his face, in his coat, in his boots’.⁴⁴ The Indian pensioner was frequently portrayed as sallow or red faced, languid and suffering from liver problems. On his return he was usually dressed unfashionably. Hull gave an example of a friend having to spend £40 before he could be considered respectably attired again.⁴⁵ Andrew Crawford, a retired Indian army officer, presented a bleak existence for the ICS pensioner:

he will be unable to mix in society and to reciprocate hospitalities as has been his wont, to travel, or in short to do anything but vegetate: he will not even be able to employ himself beyond digging or weeding in a garden (if that may be considered employment): he will certainly be unable to earn anything, or by his exertions eke out his scanty means.⁴⁶

⁴² 11th May 1885, Home Department, No. 19/742-62, 6. and 7., in, *The Indian Civil Service Manual (Madras)*, 13.

⁴³ These rules were reissued in 1887 and 1898. Home Department, Public, 22nd July 1887, and Home department 6th May 1898, BL, IOR/V/27/212/71, India. Home Department, *The government servants' conduct rules*, 2.

⁴⁴ Prichard, *The Chronicles of Budgepore*, 4.

⁴⁵ Hull, *The European in India or Anglo-Indians Vade Mecum*, 4.

⁴⁶ Lieut-Colonel A. Crawford, ‘Letter to the Officers of H.M Indian Services, civil and military, 3rd Edition, Bombay’, printed at the education society’s press, Byculla 1870, in, William Ewbank Chambers, *To Indian officers, civil and military, who wish to retire, or those who have children to start in life. An address by a brother-officer* (Bombay, 1873), 1–4.

Crawford did have a particular agenda in portraying the life of the retired civil servant as miserable. He was the originator of a retiree scheme in Tasmania. In October 1867, the Tasmanian parliament had granted the district of Castra for the use of European settlers from India. Crawford offered an active life in congenial society. The settlement presented a comparable existence to the life of a district officer instead of idleness at home: ‘my idea of what is desirable is a small home-farm where all the necessaries of life can be raised under the immediate personal supervision of the owner, whilst he has several acres sub-let over which he can, on horseback, also exercise a general control.’⁴⁷ Crawford had some moderate success, by 1870 he had fifty gentlemen settled in the district. This alternative existence was more reminiscent of the outdoors idealised life of the district official than the misery of an English village. However, as expressed by H.G. Keene, the majority of the men of the ICS looked ‘forward to a retirement in the British islands, where they hope to find compensation for the need, sorrow, sickness and other adversity that they may meet in their transitory life of Indian probation’.⁴⁸

The image of a retirement characterised by lonely genteel poverty was consistently deployed during pension reform campaigns. A petition from Bombay civil servants claimed that the pensioner lived ‘more or less isolation in society in England; while it may be added that the long severance from early friends and relations is found greatly to increase the difficulty of providing for a family’.⁴⁹ If pensioners had never married or could not settle in one of the British Indian retired communities it was probable that they would have few connections on their return home. As one satirical novel quipped ‘the civil service is, on the whole, perhaps the greatest institution of the country; but when a civilian goes home for good he is at once a nobody, much less an institution’.⁵⁰

In 1862, Montgomery Martin believed ‘Anglo-Indian’s of every degree at home are, as a rule, anxious to work if they can only find employments; and if a “bad liver” is occasionally to be found among them, it is generally coupled with a good heart’.⁵¹ Retired district officers were the most prolific writers of manuals, handbooks, guides and literature. Contributing to scholarship, providing opinions and perspective and or compiling advice was considered an appropriate occupation. In prefaces, introductions and concluding remarks authors frequently

⁴⁷ Ibid., 4.

⁴⁸ Keene, *A Servant of 'John Company'*, xiii.

⁴⁹ *Civilians of Bombay, An Explanatory Statement of the Case of the Indian Civil Service*, 6.

⁵⁰ Anonymous, *Adventures of Thomas Brown*, 200.

⁵¹ Martin, *The Progress and Present State of British India*, xi.
Gilmour, *The Ruling Caste*, 311-28.

revealed a long held intention of writing governing literature or indeed represented the text as the duty of their office. William Edwards opened his memoir thus ‘from my first entrance on the active duties of an Indian civilian’s life I cherished the desire should I ever retire from the service, to compile a narrative of my own time’.⁵² Kerr suggested keeping one daily diary and a condensed weekly diary: ‘I would weekly transcribe such parts of the former as I thought worthy, or which, I fancied, might be interesting to friends at home, or useful at some future time’.⁵³

It is perhaps unsurprising that a group of men who dedicated their lives to a career in which they had to record every decision and justify every action through a bureaucratic paper trail chose to produce a considerable number of memoirs, guides and manuals.⁵⁴ However, this thesis maintains that this outpouring speaks to a deeper anxiety felt by the district officers of the ICS. In his memoir, Keene emotionally describes a public address he received in 1879: ‘before leaving Agra, I had the gratification of receiving a spontaneous and unanimous address from the local Bar, expressed in terms far more complimentary than I thought my just due’.⁵⁵ He described it as one of his most treasured possessions and cited it at length. A sense of having had a beneficial impact was a frequent theme in the memoirs of retired district officers, and in many subsequent historical accounts of the British in India. Mr Gordon recalled how he ‘was complimented on the result of the influence I had exercised; and now I was to leave the place where I had employed nearly two years in creating that influence, and go among a people who knew me not’.⁵⁶ This desire to have had some enduring impression was keenly felt, especially as the possibility of positive or even personal influence was often frustrated in the conduct of their work, either by bureaucracy, the frequency of moving from district to district, or the limited resources at their disposal. Governing literature provided the opportunity to leave a legacy. Mason claims that ‘many a man kept till his death the settlement report that he wrote in his thirties ... his heart would be in the introduction, describing in loving terms the country and people where he had been so happy’.⁵⁷ The juxtaposition of the symbolic prominence of the district officer in governing literature, law and discourse, and the reality of being forgotten or not being allowed to be remembered was

⁵² William Edwards, *Reminiscences of a Bengal Civilian* (London 1866), i.

⁵³ Kerr, *A few words of advice to Cadets*, 19.

⁵⁴ Gilmour, *The Ruling Caste*, 314-5.

Building on Buettner’s work, Fhlathúin considers home and nostalgia in British Indian literature, Fhlathúin, *British India and Victorian Literary Culture*, 24-54.

⁵⁵ Keene, *A Servant of ‘John Company’*, 284.

⁵⁶ An Ex-Civilian, *Life in the Mofussil*, 284.

⁵⁷ Mason, *The Men Who Ruled India*, 131-2.

presumably the impetus to write memoirs, manuals, guidebooks and novels. For George Orwell, the tragedy was realising he was wearing the mask of the coloniser, but for the majority it was the process of leaving the mask behind that was most traumatic.

I perceived in this moment that when the white man turns tyrant it is his own freedom that he destroys. He becomes a sort of hollow, posing dummy, the conventionalized figure of a sahib. For it is the condition of his rule that he shall spend his life in trying to impress the ‘natives’ and so in every crisis he has got to do what the ‘natives’ expect of him. He wears a mask, and his face grows to fit it.⁵⁸

In Orwell’s own dilatory process of embracing this persona, he barely glimpsed how influential this imagined and practised role was. The district officer was more than just an instrument for violence and control, and while, like a mask, the persona was assumed, imitated and passed on, it was not, like a hollow dummy, fixed and empty. The role was embraced and integrated, and furthermore, it reciprocally shaped the governors and their governance. In 1894, during a debate about the decision-making powers of district officers, Mr Hare, Collector at Midnapore, who was described as a man of much experience and ability, concluded:

The old system of giving Collectors discretion has on the whole worked very well. Many officers have grown grey under what is termed the “embarrassing responsibility” without being much the worse for it ... It is the great fault of the Modern Indian Government that it is so cast iron in its system in a matter such as this it is better to risk even some abuse of powers than to give no powers at all.⁵⁹

Too often, it has been the cast iron system, the steel frame of the Raj which has been the focus of our attention, rather than the men functioning under and around the bureaucracy of British India. The discretionary capacity of district officials in nineteenth-century Bengal has been obscured by the focus on the modern bureaucratic British Indian Government. One Mr Stevens, supported Mr Hare, and explained the importance of these discretionary powers: ‘A Collector is constantly expected to “use his influence” in matters which are not covered by any law. His influence in his district is primarily derived from the general powers which he

⁵⁸ George Orwell, *Shooting an elephant and other essays* (London, 2009), 36.

⁵⁹ SAWB, Revenue, March, 1895, No. 136-7, 22nd November, 1269.

has for good or for evil'.⁶⁰ As Stevens argued, the autonomy of decision-making could exist outside the realm of the law as well as within its limits. According to the district officers there were pragmatic daily acts of governance which could not be covered by procedure. Indeed, as this thesis has argued, policy could be a product of issues identified by district officers, and thus governing practice was often contingent on the experience and ability of the district official. At the end of the nineteenth century, these Bengal Collectors defended their independent powers by reminding the British Government in India that its reach was limited, and frequently it was the man-on-the-spot who was best placed to decide.

This thesis has demonstrated that the idealised district officer – both imagined and practised – influenced ideas of governance in Bengal. It was a persona actively crafted, constantly contested, imagined, practised and re-negotiated. By examining the discursive construction of the district official in instructional texts as well as legislation this thesis has argued that a model idea of a civil servant dominated the official mind. It was a role constructed by the Indian experience and it contributed reciprocally to policies and practices of recruitment, survey and settlement, and corporal punishment. This thesis has shown that not only did the idea of an autonomous, paternalistic and benevolent district officer exist outside of the Punjab, but that this model persona endured throughout the nineteenth century.

The idealised district official was considered best equipped to deal with resistance as a result of his personal contact with the subject race and his intimate knowledge of the locality. The continued commitment to the district officer revealed that the British Government not only acknowledged the potential for instability, but frequently saw the solution in an idealised persona. The district officer's capacity to be an 'everyman' rather than betraying a weak malleability, instead revealed his universal and fundamental appeal to the process of colonialism. However, this idealised role was increasingly irreconcilable with the expanding bureaucratisation of Indian Government.

Robb argued that the British Indian system became over concentrated and 'as a strategy for maintaining order, generalised control headed by a European district officer became less and less practical'.⁶¹ However, this thesis asserts that, despite the impractical nature of the man-on-the-spot as a strategy of Government, the idea of a benevolent autonomous paternal district official continued to influence Bengal policy. Furthermore, these anxieties and tensions between the independence of the district officer's decisions and the bureaucratic

⁶⁰ Ibid., 1270.

⁶¹ Robb, *The evolution of British policy towards Indian politics, 1880- 1920*, 66.

system of rules and regulations reciprocally shaped this model persona. He was re-imagined as the head of a bureaucratic machine, a decision maker further empowered by the control of information. As a rebranded expert the district officer could continue to act as the coordinating authority of local Government. The renewed focus on the expertise of the district official was part of the ongoing reluctance to acknowledge the necessity of Indian administrative labour. As the tasks previously attributed to the British man-on-the-spot were increasingly carried out by Indian junior officers and subordinates, the imagined district officer was reinvigorated and prominently represented as the persona who knew India best. This recourse to the idealised district official during moments of crisis or reform further confirmed the preference for the model district officer as a strategy of British rule.

The significance of the idealised officer emerged out of the consolidation of British rule in the 1850s and early 1860s. It was during this time that governing literature began to be produced and used by aspiring and serving civilian officials. This thesis has explored this previously underutilised source group to demonstrate the prevalence and significance of such texts. The market for these books was diverse and popular. The success and importance of governing literature was evidenced by the decision of the British Indian Government to produce its own official manuals in the later nineteenth century. Ranging from travel guides to legal compendiums, governing literature curated and communicated the imagined model district officer. These texts often provided the first interaction with ideas of British rule in India for potential civil servants, and reinforced the imagined role for existing officials. By documenting the characteristics of the idealised officer, manuals, guides and handbooks produced a practical role. Furthermore, they collated policy and law into more accessible forms. Governing literature incorporated the idealised district officer alongside legislation and procedures, thereby encouraging a relationship between colonial governance, law and the man-on-the-spot. Acting as mundane technologies, governing literature influenced the procedures of Government and shaped the governors.

The idealised district officer also became a medium for discussions of governance during the advent of the competitive examination system. From the initial instigation of the exams, the model district official was the envisaged end product of the system. The process of application, examination and probation were all orientated around selecting, testing and improving candidates who would best fit the autonomous, benevolent and paternalistic civil servant. The extent to which the imagined district officer shaped the practice of recruitment and examination has been underestimated by historiography. Often interpreted as part of the reforming mentality of the mid-Victorian period, the history of the competitive system has

been dominated by metropolitan and high political discussions. By focusing on British Indian debates about governance, Chapter Two reveals that the idealised district officer was at the centre of the examinations and was consistently presented as the desirable outcome to aspiring applicants. By exploring the examinations themselves, which have been underutilised, this thesis offers further analysis of the official mind of British India. The concerns about age, nationality and class background further revealed the centrality of an idealised persona for the ICS. Combined with governing literature, the examinations shaped the expectations of newly qualified civil servants as they began their British Indian careers.

Chapter Three explored the impact of this idealised persona in the practises of settlement and survey. Initially dismissed as unskilled and unprofessional in favour of the scientific surveyor, the revenue official was relegated to a background function. However, as revenue reform was reoriented around the rights of the peasant cultivator the district officer once again became the key decision maker. Influenced by the idealised imagined man-on-the-spot, the practice of surveying and settlement became contingent on the experience and knowledge of the revenue official. Specifically, the process of boundary demarcation was entrusted to local officials and the work of the Settlement Officer as arbitrator and executor of policy was recognised. The post-1885 Tenancy Act survey and settlement of Chittagong recognised the necessity of local Government and district officers. While the revenue official still had to operate within agreed discretionary limits, his decision-making capacity was empowered by the belief in his local knowledge and experience.

Chapter Four examined the role and influence of the idealised persona in the practice of law and the work of the Judge and Magistrate. The rule of law in British India was always underpinned by an ideological commitment to a civilising and benevolent Government. As a result, violence, especially violence inflicted by the law was an awkward and contradictory paradox. By recasting the Magistrate and Judge as instructional parents who knew their children best, the British Raj could continue to exercise its rule and avoid claims of inconsistency. In the debate surrounding the Whipping Act the opinions of the district officers were consistently privileged. Furthermore, the judiciary utilised the Whipping Act debate to assert their independence and establish the autonomy of legal power in the districts. District officers had a direct influence on policy during the reform of the Whipping Act and it was the imagined idealised Judge and Magistrate who shaped the retention, utilisation and expansion of corporal punishment in British India.

The imagined idealised district officer was often destabilised by the contradictions created by the role in practise. Chapter Five explored those who failed to live up to the

idealised role and caused anxieties and tensions through their incompetence, debt and corruption. Concerns about the impact of a compromised ideal district official produced new bureaucratic measures, conduct manuals and legislative frameworks. While autonomy was recognised and preserved it increasingly operated above a safety net of rules and regulations. Similar to the competitive examinations, the efforts to negotiate the human error of the practised district officer revealed the commitment of the British Government to the ideal persona. By the end of the nineteenth century, the model district officer was increasingly defined and shaped by an anxious process of finding limits and boundaries.

This commitment to conduct and image management continued through the process of retirement. By defining and restricting the exit from Empire, the British Government in India attempted to retain control over the impression left by the idealised and practised district officer. During debates over pension reform, the pensioners of the ICS frequently invoked their role as ideal district officers and the lynchpins of Government as a basis on which to demand financial satisfaction, and thereby public recognition. The disillusionment with retired life and dissatisfaction with pensions revealed how much the men of the ICS had embraced the role of knowledgeable, influential and benevolent patriarch. These frustrations were negated and expressed by contributing to governing literature, and adding their own experiences to the portrayal of the idealised district officer in India, ready to be consumed by the next generation.

This thesis has argued that the district officer was more than a representation, that instead it was a tool of government, defined by, reflecting and producing the core anxieties and concerns about Empire. District officers were simultaneously compelled to obey the rules within a centrally-run bureaucratic machine, and yet were also concurrently expected to be examples of moral, manly autonomy. These fluctuating tensions resulted in a unique and powerful governing subject. The influence on policy and practice charted in this thesis has demonstrated the impact the imagined and practised role of the district officer had on the Government of British India in Bengal. Despite the growth of bureaucracy, the Government continued to be shaped and influenced by the 'character of each and every Englishman'.⁶²

⁶² Birwood, *Competition and the Indian Civil Service*, 24.

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