

***The Paladins of Punjab: A History of the Board of
Administration, 1849-1853***

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Abstract

This thesis is a study of the Board of Administration and its government of Punjab between 1849 and 1853, primarily from the perspective of its British officials. The Board's administration reflected the conjunction of several interrelated strands. Above all, there was the felt imperative of maximizing the authority of the Company-State in the conditions of Punjabi society, whilst operating in a context of constrained resources. This endeavour was both determined and complicated by British cultural ideals, pre-conceptions, and misperceptions. It was also informed by the specific interests, ambitions, and self-image of individual officials, as well as the institutions and groups of which they were a part. But they were not operating in a vacuum. Pre-existing conditions in Punjab were absolutely critical; so too, the activities of Punjabis themselves. The Board's administration was susceptible to pushback, subversion, and modification from those it purported to govern. In fact, British-Punjabi collaboration was decisive to the Board's work. Policies of co-optation were essential to the viability of the Company-State, which was far too weak to impose an entirely autonomous or unilateral will. Equally, coercion was a necessary condition for the Company-State's authority throughout; and the tactics, strategy, and theory behind the violence inflicted by the Board and its subordinates were fundamental attributes of its rule. But, crucially, much of this coercion depended on the collaboration of certain Punjabi groups. Other core features of the Board's administration were the gaps between ideals and practice, intentions and outcomes, and the degree to which a lack of accurate information shaped the policies and practices of imperial rule.

Long Abstract

This thesis is a study of the Board of Administration of Punjab, which governed the province in the initial years following its annexation, between 1849 and 1853. The Board and its officials garnered a reputation for paternalism, and were soon celebrated as paragons of muscular personal rule. In this, they laid the foundations for the celebrated 'Punjab School', which was long viewed as a model for effective colonial governance. Nevertheless, in the years since the end of the Raj, whilst there has not yet been a dedicated study of the Board's work, three schools of thought have emerged to interpret British rule in Punjab more generally. These might retrospectively be termed the 'collaborative', 'distorted development', and 'coercive' schools of thought, and each reflects broader debates in imperial historiography. One of the aims of this thesis is to reconcile them in relation to the period of the Board.

The 'collaborative' school of thought, which is expressed in the work of Ian Talbot, Andrew Major, and Rajit Mazumder (amongst others), emphasizes the importance of British-Punjabi collaboration, and argues that British rule cannot be understood without attending to the way in which the British co-opted segments of Punjab's elite and peasantry, particularly through military employment. Meanwhile, the 'distorted development' school, which is epitomized by the work of Imran Ali, Neeladri Bhattacharya, and Mridula Mukherjee, argues that British rule twisted Punjab's society and economy in ways designed to suit the administrative convenience, political imperatives, and exploitative economic priorities of its colonial overlords. Apparently, this had deleterious long-term consequences for the region, including the empowerment of conservative elites, the enshrining of reactionary social values, militarisation, and an oversized agricultural sector. As for the

'coercive' school, which is put forward by Mark Condos and Kim Wagner in particular, this highlights the extent to which the province's administration depended on high levels of coercion and often extreme forms of violence that were sanctioned and motivated by a peculiar 'colonial' mindset based on racial ideas.

This thesis attends to these various points of view and suggests that they can be reconciled around a new interpretation, which understands the work of the Board as being about state-building, wherein the relative strength or weakness of the colonial state in different parts of Punjab resulted in different strategies of rule, each of which had different outcomes. Pre-existing conditions in Punjab were therefore crucial. In many respects, the work of the Board was constrained by the path dependencies created by Maharaja Ranjit Singh's Sikh State. But the Board also continued developments initiated by Company officials in the Sikh State prior to its annexation in 1849.

Circumstances interacted with different tendencies amongst British officials, which might be described as a 'military-political' strand and a 'civilian-fiscal' strand, though both were united under the overarching muscular paternalism of the Punjab School. The military-political strand was oriented towards security, was readier to use force, and was more willing to co-opt local elites as useful military allies. It was led by Henry Lawrence, who acted as the Board's President, and was embodied by his supporters in the provincial administration, many of whom (like him) were military men seconded to the civil administration. As for the civilian-fiscal strand, it was focussed on imposing what passed for fiscal and administrative order, and saw local elites as unwanted rivals to the direct imposition of Company rule. It was led by John Lawrence, who was also on the Board, and was associated with the trained civilians in Punjab's administration.

Obviously, the military-political strand had more relevance when and where the authority of the Company-State was weaker and in greater jeopardy, whereas the civilian-fiscal strand was only sustainable when and where the Company-State was relatively strong. For this reason, the military-political strand prevailed in the 'peripheral' areas of the province, such as its western half and the Afghan Frontier – the self-same places where the authority of the Sikh State itself had been weaker. Moreover, military men who were followers of Henry Lawrence played a proportionately greater role in administering these areas. They sought to wield maximal discretionary authority, and administered in partnership with local elites – many of whom were also co-opted into the Board's coercive apparatus, being employed in the Guides, the Punjab Irregulars, and the province's police.

Meanwhile, the civilian-fiscal strand defined the agenda in the 'core' districts of the province, which were also mostly administered by trained civilians. There, the state was in a stronger position to assert itself, whilst local conditions were also more amenable to its administrative blueprints, which were largely drawn from the neighbouring North-Western Provinces. The civilian-fiscal vision entailed a more bureaucratic administration wherein civilian officials administered according to recognised formulae in a fashion that bypassed and expropriated old elites. Thus, the historic and geographic variations between Punjab's core and periphery interacted with the internal differences within British officialdom.

The result was that Punjab hosted two alternative versions of Company administration. Importantly, during the period of the Board, the civilian-fiscal strand enjoyed the support of the Governor-General, Lord Dalhousie. Consequently, it prevailed throughout Punjab's core and was also attempted – with less success – in some areas of the periphery. Nevertheless, as a result of the crisis of British authority in 1857, the collaborative strategy propounded by

the military-political strand was adopted and extended beyond the periphery by the same civilians, including John Lawrence, who had so recently opposed it.

The Board operated within the loosest of legal frameworks. At annexation, Punjab was designated a 'non-regulation' province, meaning that the Governor-General and the provincial administration could basically choose what law they administered and how. This created the formal basis on which the Punjab School was built, the essence of which was a form of muscular paternalism, wherein officials wielded wide-ranging discretionary power in order to administer and coerce the population with minimal procedural constraints, supposedly in accordance with the people's best interests and their local customs.

The emphasis on respecting local custom (up to a point) was a hallmark of the Board's administration. In part, the Board opted to enshrine local custom because they were too weak to ride roughshod entirely over local opinion. Subsequently, this became something that set Punjab apart from the other provinces of British India, where Hindu or Muslim religious law was enforced.

Nevertheless, under the Board, the personal discretion of individual officials could, on occasion, override everything else. Indeed, the empowered district officer was an essential attribute of the Punjab School. Arguably, however, this was not a reflection of the strength of the Company-State, but a symptom of its weakness. The fact was that officials were so weak in practical terms that they felt they could hardly afford to constrain themselves with legal fetters.

Certainly, the administration was hyper-sensitive to any potential challenges to its authority. Often, the Board saw political intent behind disorder and crimes, like *dacoity* (gang robbery), which probably had more local and prosaic motives. This sense of insecurity

informed another core attribute of the Punjab School, which this thesis terms as ‘the implicit doctrine of pre-emptive force’. The idea prevailing amongst many of the Board’s officials was that it was better to strike probable enemies too soon and too hard than too little and too late. Most officials took for granted the advantages of deterrence. They reasoned that if they were seen as weak, this would embolden opponents in all quarters, who would seize the opportunity, and overwhelm the Company’s overstretched military resources. The tacit doctrine of pre-emptive force was one of the Board’s most enduring legacies, and was made manifest in the Rebellion, the crushing of the Kuka Uprising in 1872, and the Amritsar Massacre in 1919.

However, the policing of the province was not simply a one-sided story of British oppression. The fact was that employment in the Company’s coercive institutions provided the most significant vehicle during the Board’s administration for the co-optation and collaboration of Punjab’s local population and elites. Thus, the province’s military police and its irregular forces were partly manned by groups with proven military prowess, who had previously sided with the British during the Residency period, and who the British desired to keep on-side. This policy of collaboration-in-coercion originated as a relatively small-scale affair compared with what it would become. Nevertheless, the Board’s work in this area – particularly Henry Lawrence’s intuitions – provided the critical foundations, not only for the emergency recruitment during the Rebellion, when the province provided the Company with much-needed levies, but also for the subsequent forging of Punjab into the ‘sword arm’ of British India through the ‘Punjabisation’ of the Indian Army after the 1870s.

The Board’s administration of Punjab’s countryside revolved around the land tax, which had existential significance for the viability of the Company-State. At the behest of the

trained civilians, the British introduced the North-Western Provinces' Village System of land administration, even though it was often inappropriate to local conditions in Punjab. This was done for various reasons, including institutional inertia, ideologically-informed misperceptions, and *raison d'état*. Much as the distorted development school has argued, British administration disrupted rural society. However, this thesis departs from some past historians in suggesting that there was an important element of local collaboration involved in the process.

This is not to say that the Board's administration of the countryside was not flawed. However, most of the issues stemmed from the weakness of the colonial state, rather than from its *supposed* transformative power or exploitative aims. The means of the Board were clearly inadequate. Its officials were overstretched, lacked expertise, and had poor information. For these and other reasons, they miscalculated the land tax. This was particularly problematic given that the British levied the land tax as a fixed cash sum for which each 'village community' was collectively responsible – itself a crude expedient adopted largely for administrative convenience. This had serious repercussions, especially in conjunction with some of the monetary and social dislocations caused by the Board.

For, soon after annexation, the Board unwittingly brought about a deflationary crisis as a result of a rushed monetary reform, the disbanding of the Sikh State's armed forces, and the administration's concern to run a surplus to pay for the province's occupying forces – who remitted much of their pay elsewhere. The ensuing fall in prices proved especially disastrous for the province's agriculturists, who were henceforth compelled to pay the land tax as a fixed cash amount. Thus, as the deflation worsened, the real incidence of taxation increased.

The Board failed to react to this in a timely or proportionate manner, though did make some belated reductions.

As such, this thesis therefore highlights the irony of the Board's reputation for pro-peasant paternalism. However, it was not that the officials were entirely insincere when they made benevolent-sounding declarations. Rather, it was frequently the case that they lacked the information, understanding, and bureaucratic resources to make a reality of their paternalistic self-image. Indeed, it is a core contention of this thesis that many of the negative impacts of British rule are attributable less to some uniquely malevolent intent on the part of officials than the inherent limitations of colonial bureaucracies which, by definition, were so alien to the environments and societies they presided over. Poor knowledge and a lack of strong affinities meant that they often administered in a clumsy fashion ripe with unintended consequences.

The question of the treatment of Punjab's old elite, particularly those holding *jagirs* (the rights to the government revenue from specified portions of land), was the cause of greatest controversy within the provincial administration. It pitted Henry Lawrence and his followers against John Lawrence, his supporters, and Lord Dalhousie. The former group espoused a military-political vision, according to which local elites – particularly if they had military expertise – would be co-opted as necessary collaborators in local governance and policing. By contrast, the latter group looked on Punjab's elites as dangerous rivals to British authority, as well as expensive incumbrances on the administration, and were intent on recouping as much revenue as possible by resuming their *jagirs*. Owing to the crucial support of Lord Dalhousie, John Lawrence's approach temporarily prevailed throughout much of the province, excepting the periphery.

By late 1852, John Lawrence's levelling strategy appeared on course for realization. This was resisted by Henry Lawrence, and ultimately caused the collapse of the Board in early 1853, when he was provoked into resigning his post rather than continuing to preside over a policy of which he viscerally disapproved. This left John Lawrence in sole charge of the province. However, within a few years, John Lawrence was prompted to adopt Henry Lawrence's preferred pro-elite strategy in response to the Rebellion, generalising its collaboration-in-coercion from the periphery to the rest of the province. This then became an essential attribute of British rule in the province (as highlighted by the collaborative school), despite having been on the backfoot during the Board's tenure.

The Afghan Frontier provided the Board with its greatest military challenges. Fundamentally, the region was structurally inimical to the territorially-oriented state apparatus embodied by the Company-State. The social structure and lifestyle of the communities living on the Frontier's uplands – who the British often referred to as the 'hill tribes' – made them more intractable subjects compared to the settled arable farmers of the lowlands elsewhere in Punjab. Moreover, the Sikh State itself had barely controlled the Frontier. However, the British adopted a more maximalist interpretation of their own sovereignty, and initially attempted to exercise greater authority, even though the colonial state was especially weak in this region. This assertiveness brought the Board into conflict with the Frontier's communities, and the British resorted to a variety of violent expedients to force the tribes to submit, or else to deter challengers – much as the coercive school emphasizes.

However, this thesis also departs somewhat from the coercive school, in that it notes how the tactics used by the British, particularly collective punishments such as the burning of

villages, were often borrowed from pre-existing practices, and were driven more by practical considerations than racial ideologies. Furthermore, the Board could not administer the Frontier without the support of local allies. Thus, in keeping with the military-political strand of the Punjab School, officials sought elite collaborators with local influence, who might administer areas on their behalf, or provide much-needed military support. Indeed, military employment was vital, for it provided the Board with both the means to coerce enemies and a way to co-opt friends. As such, collaboration and coercion were implicated with one another.

The Board laid the foundations for the ensuing ninety years of British rule in Punjab. Most significantly, it initiated the strategy of collaboration-in-coercion and the empowerment of officials, which became the key distinguishing attributes of the provincial administration in the ensuing decades. However, the type of state that resulted was relatively ephemeral and institutionally weak, being conditional on the British maintaining their collaborative relationships with selected Punjabi groups, and its officials being able to take the initiative. By the 1940s, these conditions could no-longer be met.

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Abbreviations

- APL* *Abstract Principles of Law, Circulated for the Guidance of Officers Employed in the Administration of Civil Justice in the Punjab* (Bangalore, 1864)
- FR* Richard Temple, *Report Showing the Relation of the British Government with the Tribes, Independent and Dependent, on the North-West Frontier of the Punjab* (Calcutta, 1856)
- GR1849-51* *General Report on the Administration of the Punjab for the Years 1849-50 and 1850-51* (London, 1854)
- GRu1849-51* *General Report upon the Administration of the Punjab Proper, for the Years 1849-50 and 1850-51* (Lahore, 1854)

GR1851-53

General Report on the Administration of the Punjab Territories, Comprising the Punjab Proper and the Cis and Trans-Sutlej States, for the Years 1851-52 and 1852-53 (Calcutta, 1854)

GR1854-1856

General Report on the Administration of the Punjab Territories, from 1854-55 and 1855-56 Inclusive (Lahore, 1858)

GR1856-1858

General Report on the Administration of the Punjab Territories, from 1856-57 to 1857-58 Inclusive; together with a brief account of the administration of the Delhi Territory from the re-occupation of Delhi up to May 1858 (Lahore, 1858)

HEP

Papers and Correspondence of Sir Herbert Edwardes, India Office Records and Private Papers, British Library

HLP Papers of Sir Henry Lawrence, India Office
Records and Private Papers, British Library

JAP Miscellaneous Letters and Papers of
General Sir James Abbott, India Office
Records and Private Papers, British Library

Political Diaries *Political Diaries of Reynell G. Taylor, Mr P. Sandys Melvill, Pandit Kunahya Lal, Mr P.A. Vans Agnew, Lieutenant J. Nicholson, Mr L. Bowring and Mr A.H. Cocks, 1847-1849* (Allahabad, 1915)

PRP *Papers Relating to the Punjab, 1847-1849,*
Parliamentary Command Papers, Vol.41,
No.1071 (London, 1849)

Selections1822-33 *Selections from Revenue Records, North-West Provinces: A.D.1822-1833*
(Allahabad, 1872)

Prologue: Annexation

27th June 1839 was the beginning of the end for the Sikh State. On that day Maharaja Ranjit Singh died. Denuded of its dominant ruler, the country became increasingly destabilized by elite infighting. But the contending princes, princesses, *rajās*, and *sardars* (chiefs) were not alone, for there was a more dangerous power in the land: Ranjit Singh's new-model army. Trained in French infantry drill, and equipped with a considerable artillery train, the Sikh Army was a formidable force, and it exploited the situation created by the contending court factions at Lahore, each of which bid competitively for its support in their struggles around the throne.¹ Increasingly emboldened and politicised, its soldiers defied the civil administration, extorted what they wanted, and turned on whoever crossed their path.²

The British observed the ensuing convulsions with alarm. They were especially concerned that the example of an army dictating terms to its government would subvert the discipline and loyalty of their own sepoys.³ By 1844, senior officials were convinced that they would have to intervene in Punjab before its instability spread to their own dominion.⁴ And so, in

¹ Diwan Ajudhia Parshad, 'Waqai Jang-i-Pheroshahr', in Vidya Sagar Suri, *Some Original Sources of Panjab History* (Lahore, 1956), pp.52-53.

² Mohammad Naqi Peshawari, 'Sher Singh Nama', in Suri, *Some Original Sources of Panjab History*, pp.99, 118; Lala Sohan Lal Suri, trans. V.S. Suri, *Umdat-ut-Tawarikh*, Vol. IV (Chandigarh, 1972), p.333; Parshad, 'Waqai Jang-i-Pheroshahr', p.54; Joseph Cunningham, *A History of the Sikhs, from the Origin of the Nation to the Battles of the Sutlej* (London, 1849), pp.253-254; Fauja Singh Bajwa, *Military System of the Sikhs During the Period 1799-1849* (Delhi, 1964), pp.97-98.

³ Lord Ellenborough to Queen Victoria, 19th December 1843, Lord Colchester (ed.), *History of the Indian Administration of Lord Ellenborough* (London, 1874), pp.107-108; Ellenborough to the Duke of Wellington, 20th October 1843, Colchester, *Ellenborough*, p.400; Ellenborough to Victoria, 20th March 1844, Colchester, *Ellenborough*, pp.119, 121.

⁴ Ellenborough to Sir Robert Peel, 22nd July 1844, in Charles Stuart Parker (ed.), *Sir Robert Peel: From His Private Papers* Vol.III (London, 1899), p.259; Henry Hardinge, Memorandum to George Broadfoot, 12th January 1845, William Broadfoot, *The Career of Major George Broadfoot* (London, 1888), p.259; Hardinge to Broadfoot, June 14th 1845, Broadfoot, *Broadfoot*, p.312.

the spring of 1845, they initiated preparations for a military intervention there that winter.⁵ But the British were not just being pulled forward by a 'local crisis' on their 'turbulent frontier', and they were not just reacting in a purely defensive fashion.⁶ Their own (mis)perceptions of events in the Sikh State gave their posture towards their neighbour a decidedly uncompromising and aggressive slant. Throughout, the counter-revolutionary cultural conditioning and personal ambitions of British officials played a part in hastening the march to war.⁷ Reasonably or not, they saw threats on every side.⁸ Indeed, it was a commonplace amongst British officials in India that the empire had to expand or die.⁹ Moreover, many military men were eager for war practically for its own sake, as a chance to prove themselves and win glory.¹⁰

Mirroring this, many in the Sikh Army seem to have concluded that war was inevitable, and some wanted to strike a pre-emptive blow; thrusting into the Company's territories to make their fortunes and relive the glory days of Ranjit Singh.¹¹ Over the course of 1845, both the Company-State and the Sikh State were increasingly prisoners of a classic security dilemma, trapped in a self-reinforcing spiral of mutual escalation. On both sides, trust had completely broken down and rumours swirled. As Priya Atwal has argued, by then, the *darbar* (court and central government at Lahore) had little control over its own army, and

⁵ Hardinge to Ellenborough, 8th March 1845, Broadfoot, *Broadfoot*, p.293; Charles Hardinge, *Viscount Hardinge, and the Advance of the British Dominions into the Punjab* (Oxford, 1900), p.76; Robert Rait, *The Life and Campaigns of Hugh Viscount Gough Field-Marshal*, Vol.I (London, 1903), p.371.

⁶ John S. Galbraith, 'The 'Turbulent Frontier' as a Factor in British Expansion', *Comparative Studies in Society and History*, Vol.2, No.2 (January 1960), pp.150-168.

⁷ Christopher Bayly, *Imperial Meridian: The British Empire and the World, 1780-1830* (London, 1989); P.J. Cain and A.G. Hopkins, *British Imperialism: Innovation and Expansion, 1688-1914* (London, 1993).

⁸ Mark Condos, *The Insecurity State: Punjab and the Making of Colonial Power in British India* (Cambridge, 2017), pp.25-26.

⁹ Ellenborough to Victoria, 20th October 1843, Colchester, *Ellenborough*, p.101.

¹⁰ Ellenborough to Wellington, 21st October 1843, Colchester, *Ellenborough*, p.404.

¹¹ Abstract of Intelligence from the Punjab, 1st January 1844, Hari Ram Gupta (ed.), *Panjab on the Eve of First Sikh War* (Hoshiarpur, 1956), pp.14-15; Parshad, 'Waqai Jang-i-Pheroshahr', pp.57-61.

they feared that if they stood in the way of its belligerence, they too would be cut down.¹² In the event, the Company-State and the Sikh State virtually stumbled into attacking each other simultaneously that December.¹³ What followed was a much bloodier war than any had anticipated. But whilst the Sikh State's soldiery displayed their prowess on a tactical level, they were failed (or betrayed) by their leadership at almost every turn. The latter, anxious to cut their losses and protect themselves – above all, from their own army – put out peace feelers to the British whilst fighting was ongoing. For the Governor-General, Sir Henry Hardinge, this was welcome: he had no intention of fighting a long war, nor did he have the means. Besides, it had not been his aim to annex the Sikh State entire.

With the Company having prevailed on the battlefield, the war was ended by a series of peace treaties in March 1846, according to which the Sikh State remained independent, but at a price.¹⁴ The country ceded its districts south of the river Sutlej, as well as its most productive acreage in the Jullundur Doab, to the British. These became the Cis-Sutlej and Trans-Sutlej Divisions, the administrations of which were initially headed by Frederick Mackeson (1807-1853) and John Lawrence (1811-1879) as their respective Superintendents and Commissioners. In addition, the mountainous region of Jammu and Kashmir was sold to the magnate Raja Gulab Singh Dogra, to help defray the reparations bill of £1.5 million imposed on Lahore. Furthermore, the Sikh Army was to be radically reduced. There were then perhaps as many as 150,000 men under arms in the Sikh State, but this was now to be

¹² Priya Atwal, *Royals and Rebels: The Rise and Fall of the Sikh Empire* (London, 2021), pp.163-169.

¹³ Parshad, 'Waqai Jang-i-Pheroshahr', pp.60-63; Hardinge to Secret Committee, 31st December 1845, *The War in India* (London, 1846), pp.28-37.

¹⁴ Hardinge to Secret Committee, 3rd February 1846, in *Further Papers Respecting the Late Hostilities on the North-Western Frontier of India and the Conclusion of Treaties with the Maharajah Dhuleep Sing, of Lahore, and the Maharajah Golab Sing, of Jummoo* (London, 1846), p.54.

cut to below 32,000.¹⁵ The implementation of these terms was to be supervised by a British Agent at Lahore, seconded by a handful of Assistants, and supported by a Company garrison. Significantly, this last had been requested by the *darbar* itself, as offering protection from their disgruntled soldiery.¹⁶

The man appointed Agent at Lahore was Henry Lawrence (1806-1857), a Company officer from a quintessential Company family of impecunious Ulster-Scots pseudo-gentry. He was the son of a British officer and clergyman's daughter, with two other brothers in Company employ. Though a military man, he had already served in a range of detached 'political' roles as a civilian for much of his career. He had also worked as a liaison officer with the Sikhs during the First Anglo-Afghan War (1838-1842), during which Punjab had captured his imagination.¹⁷ But, once installed as Agent at Lahore, Henry Lawrence soon found that many of the Sikh State's structural problems remained unsolved by the recent conflict. Many in the defeated army desired vengeance, whilst intra-elite rivalries continued to destabilize affairs. What is more, the Company's presence was itself a source of instability. Its garrison at Lahore added insult to injury, and the predictable outcome of this foreign occupation, with all the cultural misunderstandings and insensitivities it implied, was soon manifest. On April 21st 1846, the capital was shaken by a riot caused by the provocative behaviour of a

¹⁵ 'Treaty Between the British Government and the State of Lahore', *Further Papers Respecting the Late Hostilities*, pp.99-102; Bajwa, *Military System of the Sikhs*, pp.96-97.

¹⁶ 'Memorandum of the Proceedings of a *Durbar* Held at Lahore on the 9th of March, 1846', *Further Papers Respecting the Late Hostilities*, pp.98-99.

¹⁷ Hebert Edwardes and Herman Merivale, *Life of Sir Henry Lawrence*, Vol.I (London, 1872), pp.208-209; T.R. Moreman, 'Lawrence, Sir Henry Montgomery', *Oxford Dictionary of National Biography* (Online Edition, 2004); Henry Lawrence, *Adventures of an Officer in the Service of Runjeet Singh*, Vols.I-II (London, 1845-1846).

British sentry towards an obstructive cow. Calm was restored, but such disturbances as the 'Cow Row' showed that tensions ran high.¹⁸

Meanwhile, many members of the Sikh State's governing class were more preoccupied with the intentions of the vizier (prime minister), Raja Lal Singh. By the autumn of 1846, many amongst the elite saw him – not the British – as their greatest threat. Some were even willing to solicit greater British interference in their country to protect themselves from the aggrandizing vizier.¹⁹ Lal Singh duly overreached, and before the year was out, he had been deposed for conspiring against Maharaja Gulab Singh's British-backed take-over of Kashmir. But, by then, the British had become increasingly convinced of the necessity for the prolongation and deepening of their intervention in the internal affairs of Punjab.²⁰ At the end of 1846, they pressured a large portion of Punjab's leading *sardars* to agree that Company officials be given far-reaching powers to manage the Sikh State. Thus, Henry Lawrence was appointed Resident, and was armed with extensive authority for the duration of the minority of the boy-maharaja, Duleep Singh (1838-1893). His commission was to continue the ongoing process of political and fiscal stabilization at the head of a native Regency Council. Henceforth, he was seconded by an enlarged and similarly empowered cadre of British Assistants, who were despatched throughout the country to enforce his decisions.²¹

¹⁸ William McGregor, *The History of the Sikhs, Containing an Account of the War between the Sikhs and the British, in 1845-46*, Vol.II (London, 1846), pp.311-312; Herman Merivale and Herbert Edwardes, *Life of Sir Henry Lawrence*, Vol.II (London, 1872), pp.65-66; John Kaye, *Lives of Indian Officers*, Vol.II (London, 1889), p.414.

¹⁹ Andrew J. Major, 'The Punjabi Chieftains and the Transition from Sikh to British Rule', in D.A. Low, *The Political Inheritance of Pakistan* (Basingstoke, 1991), p.64.

²⁰ Hardinge to Sir John Hobhouse, 19th September 1846, Bikrama Jit Hasrat (ed.), *The Punjab Papers: Selections from the Private Papers of Lord Auckland, Lord Ellenborough, Viscount Hardinge, and the Marquis of Dalhousie, 1836-1849 on the Sikhs* (1970), p.113.

²¹ 'Note of Conference', 15th of December 1846, in *Papers Relating to the Articles of Agreement Concluded Between the British Government and the Lahore Durbar, on the 16th of December 1846, for the Administration*

The matter of fiscal and administrative reform was particularly fraught. At the time, taxation and local administration in Punjab revolved around a combination of venal officeholding, tax-farming, and a large degree of regional autonomy. Whilst this system had obvious drawbacks, it also had certain saving graces – responsiveness, flexibility, some aligned incentives, and the utilisation of local knowledge. These, the British largely chose to ignore – though, in fairness, by the mid-1840s, the system appears to have become increasingly dysfunctional. Swathes of Punjab had been contracted out to tax-farmers or *ijaradars*, who naturally had an incentive to maximize their take from the taxpayers (up to a point), whilst forwarding as little as possible to the *darbar*. Given that many of the *ijaradars* were either *darbar* ministers or influential *sardars*, they had rarely been held to account in recent years. Much the same applied to those officials directly employed by the state, from the *nazims* (regional governors) to the *kardars* (agents), who were charged with local administration and tax collection. At the time, the private wealth of the elite contrasted starkly with the fiscal travails of the state – travails to which the British had contributed by the terms of their postwar treaties. For these reasons reform was deemed necessary. Inevitably, however, Henry Lawrence’s attempts to curb the venality of the system, and recoup arrears from officials, embittered leading figures. Simultaneously, the actions of his Assistants in the localities – above all, James Abbott (1807-1896) in Hazara – undermined the authority and standing of the *nazims* and *kardars*, causing further resentment.

In addition, there was the issue posed by the *jagirs* – the right to the revenues from specified portions of land – which Punjab’s successive rulers had granted as payment to military and civil officials, as well as to co-opt important magnates, or to treat favourites.

of the Lahore State during the Minority of the Maharaja Dhuleep Sing (London, 1847), pp.47-48; ‘Articles of Agreement’, 16th December 1846, in *Papers Relating to the Articles of Agreement*, pp.50-51.

The problem was that these *jagirs* detracted from the *darbar's* tax base in a fashion that limited its ability to pay the arrears owed to its army, as well as its debts to the British. For this reason, the British decided that *jagirs* granted since the death of Ranjit Singh should be regarded as illegitimate and resumed.²² But Henry Lawrence liked to use his discretion, and was relatively flexible in his decisions when cases came before him.²³ He himself was willing to grant *jagirs* as rewards for state service, or just because he sympathised with the circumstances of some fallen notable.²⁴ It was a similar story of give and take when it came to his treatment of the *ijaradars*: he was critical in principle, but in practice he adapted to local conditions.²⁵ Yet, there were many British officials who thought that he was not going far enough in instituting the reforms.²⁶ Henry Lawrence saw matters somewhat differently, and he warned Hardinge that if the British interfered too much, they would undermine the elite's ability to retake control when Duleep Singh came of age.²⁷

However, at the end of August 1847, Henry Lawrence went on leave, and was temporarily replaced by his younger brother, John Lawrence – a proponent of radical reform. Unlike Henry Lawrence, John Lawrence was a trained civil administrator, and would brook no opposition to his vision of good government. Indeed, John Lawrence immediately decided to overhaul the Sikh State's fiscal system.²⁸ His more thoroughgoing reforms and gruff demeanour further alienated Punjab's elite. In March 1848, John Lawrence handed

²² H.L. to Secretary with the Governor-General, August 7th, 1847, *PRP*, p.36.

²³ *Political Diaries of the Agent to the Governor-General, North-West Frontier and Resident at Lahore. 1st January 1847 to 4th March 1848* (Allahabad, 1909), pp.18, 117, 141.

²⁴ H.L. to Edwardes, 13th November 1847, *PRP*, p.83; *Political Diaries of the Agent*, pp.187, 241.

²⁵ H.L. to the Secretary with the Governor-General, 3rd July 1847, *PRP*, p.24; *Political Diaries of the Agent*, pp.89, 112, 118, 124.

²⁶ Hardinge to Frederick Currie, 20th May 1847, Ganda Singh (ed.), *Private Correspondence Relating to the Anglo-Sikh Wars* (Amritsar, 1955), p.27.

²⁷ H.L. to the Secretary with the Governor-General, 21st June 1847, *PRP*, p.16.

²⁸ J.L. to the Secretary with the Governor-General, 10th September 1847, *PRP*, p.61.

over the Residency to Sir Frederick Currie (1799-1875), who was set to hold the post until Henry Lawrence returned from leave. Currie was initially more sincere in respecting what was left of the Sikh State's diminished independence. He saw that John Lawrence's changes had gone much too far, and risked estranging the population.²⁹ However, it fell to Currie to manage the retirement of the *nazim* of Multan, Diwan Mulraj (1814-1851), who had practically been forced into resigning by John Lawrence's uncompromising approach. Currie duly appointed Sardar Kahn Singh Mann as Mulraj's successor, with an Assistant, Patrick Vans Agnew, as his lieutenant. The city of Multan was already restive with anticipation of the pending change. In particular, Mulraj's military retinue took it for granted that Vans Agnew's arrival would herald their dismissal.

Within days of arriving at Multan, Vans Agnew and an accompanying British officer, William Anderson, were assaulted and killed by the Multani soldiery, who then pressured Mulraj to assume leadership of their revolt.³⁰ The Assistant then closest to Multan was Herbert Edwardes (1819-1868). Over the ensuing months, ably aided by Faujdar Khan Alizai, Edwardes contained Mulraj's rebellion by tapping into local networks of military expertise and political allegiance; recruiting many of western Punjab's Muslim freelances, including the Multani Pathans and the Shahpur Tiwanas.³¹ However, Edwardes was not supported adequately, and so the uprising continued.

Meanwhile, events spiralled out of control in the mountainous valleys of Hazara. The Assistant there was James Abbott – a congenitally suspicious man, who had spent months

²⁹ Currie to Elliot, 6th April 1848, *PRP*, pp.127-128.

³⁰ Currie to Elliot, 21st April 1848, *PRP*, p.132; Dewan Mulraj to Major-General Whish, *PRP*, p.553; Septimus Thorburn, *The Punjab in Peace and War* (London, 1904), p.99.

³¹ Edwardes to Currie, 27th April 1848, *PRP*, p.153; Charles Gough and Arthur Innes, *The Sikhs and the Sikh Wars* (London, 1897), p.163.

remonstrating that the first signs of enmity must be met with 'fearful and instant retribution'.³² At the start of August, Abbott took it upon himself to call out the Muslim population against the Sikh forces stationed in Hazara and its *nazim*, Sardar Chattar Singh Attariwala, to pre-empt a supposed conspiracy. But Abbott's actions only precipitated the crisis they were meant to forestall, as his belligerence pushed Chattar Singh, the patriarch of a leading Sikh dynasty, into rebellion. This mattered because Chattar Singh and his kinsmen would likely take into the rebel fold their numerous retainers, large swathes of the Sikh Army – part of which was then commanded by his son, Shere Singh Attariwala – and any number of discontented *jagirdars* (*jagir* holders).³³ This was precisely what transpired, and a rebel field army soon massed around the Attariwalas a couple of hundred miles north of Lahore. The rebels even solicited the support of the Afghans, and Dost Mohammad's forces began to filter through the Khyber that November.

Hence, what had only recently been a relatively serious but local affair centred on Multan became a full-scale war, pitting the Company's forces against a well-equipped, experienced, and motivated enemy. It was not until the autumn that the Company's Army was ready to take the field in earnest, owing to a combination of indecision, logistical issues, and apprehensions about the weather. What followed were a succession of gruelling battles. Nonetheless, by force of numbers and material superiority, the tide was turned in the Company's favour. On January 22nd 1849, Mulraj and the rebels at Multan surrendered, having endured one of the heaviest sustained bombardments of the nineteenth century. A month later, the Company resoundingly defeated the rebels' field army at the battle of

³² James Abbott in *Journals and Diaries of the Assistants to the Agent, Governor-General North-West Frontier and Resident at Lahore, 1846-1849* (Allahabad, 1911), pp.165-166.

³³ Edwardes to Currie, 28th July 1848, *PRP*, p.271; George Lawrence to Currie, 17th August 1848, *PRP*, p.291; Edwardes to Currie, 19th August 1848, *PRP*, p.293.

Gujrat (21st February 1849), thereby breaking the back of the revolt. A few weeks later, the remainder of the rebel army under Shere Singh Attariwala surrendered, whilst the Afghans fled through the Khyber. The war was over, but what now for Punjab?

The incumbent Governor-General, the hard-driving Lord Dalhousie (1812-1860), was determined to annex the country forthwith – as were the majority of British officials in India. However, a few had their doubts and even opposed it outright: above all, Henry Lawrence. Urged by the drums of war, Henry Lawrence had rushed back to India from leave, and had arrived in Punjab at the end of 1848 to resume his post as Resident at Lahore. For Dalhousie, this was most inconvenient, as Henry Lawrence was widely regarded as the most authoritative voice on Punjab affairs.³⁴

In part, Henry Lawrence's aversion to annexation was informed by his instinctive romanticism and sense of honour.³⁵ But he also argued that 'we may as effectually support our own interests, may I think more so, by upholding the puppet Maharajah than by declaring the Punjab a British province.'³⁶ Initially, he even threatened to resign than have anything to do with annexation.³⁷ However, the vehemence of Dalhousie's reaction convinced him that annexation would happen regardless. Thus, Henry Lawrence decided to cooperate rather than indulge in futile gestures. In later years, he admitted that, whilst 'ambition' had played a part in this change of heart, he had also been motivated by a desire to defend Punjab from the full brunt of British conquest; particularly, what he regarded as

³⁴ Dalhousie to Couper, 22nd March 1857, J.G.A. Baird (ed.), *Private Letters of the Marquess of Dalhousie* (London, 1910), p.378.

³⁵ Henry Lawrence and Honoria Lawrence, 'Romance and Reality of Indian Life, *Calcutta Review*, Vol.2, No.3 (October 1844), p.443; Lawrence, *Adventures*, Vols.I-II.

³⁶ H.L. to Hardinge, 5th March 1849, MSS Eur F85 8, HLP.

³⁷ *Ibid.*

the counterproductive rules and regulations inhering in the Company's administration.³⁸ At the time, he also apprehended that his place would be taken by someone who would treat the country with less sensitivity.³⁹ There seems to have been some truth in these somewhat self-serving professions. As Dalhousie complained, Henry Lawrence was 'biased in favour of everything as it *was* in the Punjab', and was '*plus Sikh que les Sikhs*.'⁴⁰ More recently, Priya Atwal has justly suggested that Henry Lawrence's overarching aim had been to reform Punjab's ruling class, 'so as to enable them to legitimately stay in power and meet the newer standards of behaviour and governance that the Company was increasingly demanding of its Indian royal allies.'⁴¹

Henry Lawrence's contrarianism presented Dalhousie with a conundrum, given that he was widely deemed to be indispensable for the future government of the province, and the obvious choice to head its administration. In the event, the solution was supplied a series of pro-annexation articles in the *Mofussilite* written by George Campbell (1824-1892), then the Deputy-Commissioner of the Cis-Sutlej district of Kaithal and Ladwa (later renamed Thanesar).⁴² Campbell proposed that Punjab be headed by a three-man 'commission' or board; the idea being that its members could divide the workload between themselves according to ability and expertise. 'You can thus have the best men of each department uniting their labors in a common center.'⁴³ Significantly, Campbell suggested that Henry Lawrence could thereby be checked by the presence of John Lawrence – a man more after

³⁸ H.L. to Saunders, 8th January 1853, MSS Eur F85 14, HLP.

³⁹ H.L. to Hardinge, 5th March 1849, MSS Eur F85 8.

⁴⁰ Dalhousie to Hobhouse, 6th March 1849, Hasrat, *Punjab Papers*, pp.220-221.

⁴¹ Atwal, *Royals and Rebels*, p.139.

⁴² George Campbell, Charles Bernard (ed.), *Memoirs of My Indian Career*, Vol.I (London, 1893), pp.90-95.

⁴³ *The Annexation of the Punjab*, by 'Economist' (*An Officer of Practical Experience in the Punjab*) (Lahore, 1897), p.38.

Dalhousie's own heart.⁴⁴ This appealed to Dalhousie, and it was on this basis that a three-man 'Board of Administration' – comprised of Henry Lawrence, John Lawrence, and Charles Mansel – was appointed to govern the new province.⁴⁵ It would not last long: running from 1849 to early 1853. But it would lay the foundations for nearly a century of British rule in Punjab, and its work would soon pass into legend. As such, it is curious that there has not been a study devoted to the Board's work. Historians have tended to study the period preceding annexation, such as Priya Atwal, or else have subsumed the Board into a longer time span, for example, N.M. Khilnani, Andrew Major, and Mark Condos. Others, including Ian Talbot and Imran Ali, have focused on the later decades of British rule.⁴⁶ Hopefully, this thesis will go some way to addressing this important gap.

⁴⁴ *Annexation of the Punjab*, pp.40-42, 51-52.

⁴⁵ Dalhousie to Hobhouse, 25th May 1849, Hasrat, *Punjab Papers*, p.239; Dalhousie to Couper, 13th April 1849, Baird, *Letters*, p.65; Lionel Trotter, *Life of Marquess Dalhousie* (London, 1889), p.58; Harold Lee, *Brothers in the Raj: The Lives of John and Henry Lawrence* (Oxford, 2002), p.251.

⁴⁶ Atwal, *Royals and Rebels*; N.M. Khilnani, *The Punjab under the Lawrences* (Simla, 1951); Andrew J. Major, 'Return to Empire: The Sikhs and the British in the Punjab, 1839-1872', Thesis, Australian National University, Canberra, 1981; Condos, *Insecurity State*; Ian Talbot, *Punjab and the Raj, 1849-1947* (New Delhi, 1988); Imran Ali, *The Punjab Under Imperialism, 1885-1947* (Princeton, 2014).

Introduction: The Board of Administration in Myth and History

Within a few years of annexation, the British administration of Punjab was widely celebrated. According to John Kaye – a friend of Henry Lawrence’s – the Board of Administration was remarkable for having ‘accomplished so large an amount of good within so limited a space of time.’¹ Perhaps more than any other provincial administration, the Board and its successor, John Lawrence’s Chief Commissionership, were well-connected with contemporary writers and well-served by the pens of its own officials. Together they forged a myth, such that Punjab’s administration was soon advertised as a showcase for British rule.

Indeed, no other provincial administration would become synonymous with its own ‘school’ like ‘the Punjab School’ – the essence of which, at least in legend, was a form of muscular paternalism. Possibly the earliest published reference to such a ‘school’ appeared in 1858, in Charles Raikes’ *Notes on the Revolt in the North-Western Provinces of India*, with Herbert Edwardes quoted as referring to ‘the school of Henry Lawrence’.² Doubtless, the administration’s fame owed much to the way in which both Henry and John Lawrence had cultivated followers, amongst whom were other prolific administrator-authors besides Edwardes, such as Richard Temple, Robert Cust, and George Campbell.³ They, and others, preached the Lawrences’ ideal of muscular paternalism, and passed the torch to younger generations of officers and officials – including Frederick Roberts and Septimus Thorburn – who likewise had a vested interest in extolling the virtues and wisdom of the founding

¹ John W. Kaye, *The Administration of the East India Company; A History of Indian Progress* (Second Edition; London, 1853), pp.460-461.

² Charles Raikes, *Notes on the Revolt in the North-Western Provinces of India* (London, 1858), pp.29, 31, 36

³ Robert Cust, *Pictures of Indian Life, Sketched with the Pen from 1852 to 1881* (London, 1881); Robert Cust, *Memoirs of Past Years of a Septuagenarian* (1899); George Campbell, *Modern India: A Sketch of the System of Civil Government* (London, 1852); George Campbell, Charles Barnard (ed.), *Memoirs of My Indian Career*, Vols.I-II (London, 1893); Herbert Edwardes, *A Year on the Punjab Frontier, in 1848-9*, Vols.I-II (London, 1851); Herbert Edwardes, Herman Merivale, *Life of Sir Henry Lawrence*, Vols.I-II (London, 1872); Richard Temple, *Men and Events of My Time in India* (London, 1882); Richard Temple, *Lord Lawrence* (London, 1893).

fathers of their line.⁴ Events also played a part in retrospectively burnishing the Board's reputation. The fact that Punjab did not rise in general revolt during 1857, and that levies from the province played a crucial role in tipping the balance for the British in the rest of northern India, appeared to vindicate the Board's work. Thereafter, Punjab's administration was regarded as having saved British India.⁵

In subsequent decades, the provincial administration's reputation for 'heroic' paternalism meant that the brightest and best – or at least the most energetic and authoritarian – amongst British entrants into the Indian Civil Service specifically sought appointments in Punjab.⁶ In large part, this was related to the fact that one of the legacies of the Board was an administrative structure which endowed officials with wide-ranging discretionary authority. Indeed, even though in the 1860s the province was partially assimilated into the more bureaucratic and legalistic system that prevailed elsewhere in British India, it still appeared to offer 'ample scope for... individual effort and initiative'.⁷ Throughout the period of British rule, British officials in Punjab continued to exercise more extensive powers than their counterparts elsewhere, and prided themselves on this fact.

Punjab and its administrators also remained at the centre of attention owing to strategic concerns over Russian expansionism. Situated on the northwestern flank of British India, Punjab was potentially the frontline of a future great war with Russia. The province therefore merited serious consideration, and its officials could always be assured that they would receive a hearing in imperial counsels. Particularly after the perceived

⁴ Frederick Roberts, *Forty-One Years in India: From Subaltern to Commander-in-Chief*, Vol.I (London, 1897); Septimus Thorburn, *Musalmans and Money-Lenders in the Punjab* (London, 1886); Septimus Thorburn, *Punjab in Peace and War*.

⁵ Lewis S.S. O'Malley, *The Indian Civil Service, 1601-1930* (London, 1931), pp.59-60.

⁶ David Gilmour, *The Ruling Caste: Imperial Lives in the Victorian Raj* (London, 2007), pp.56-59.

⁷ Michael O'Dwyer, *India as I Knew It, 1885-1925* (London, 1925), pp.27-28.

underperformance of the Indian Army in the Second Anglo-Afghan War (1878-1880), officers who had served in Punjab, and had a prejudice in favour of Punjabis, such as Frederick Roberts, were well-placed to promote the 'Punjabisation' of the Indian Army.⁸ Certain Punjabi groups – Sikh Jats, Muslim Rajputs, and Hindu Dogras – were promoted as 'martial races', and were recruited and rewarded accordingly. Over the ensuing two generations, the relative proportion of Punjabis in the Indian Army roughly doubled, such that they accounted for about sixty per cent of personnel on the eve of the First World War.⁹ Such a development could not help but make Punjab and its officials still more significant for the empire. Moreover, Punjab was not just 'the sword arm' of British India – it was increasingly the granary too. From the 1880s, it was the site of large-scale and transformative investment in canal irrigation. By the 1920s, a province that encompassed one-tenth of the landmass of British India was responsible for producing about one-third of its food.¹⁰

The net effect of these developments was that British administrators in Punjab commanded disproportionate prestige. Many looked back to the seminal work of the Board of Administration as prefiguring whatever it was that they thought most desirable about the Punjab of their own day, or used the Board as evidence to support the implementation of their own agendas. Thus, its officials were paraded as paragons of 'paternal despotism' by Frederick Roberts and Septimus Thorburn; whilst others, like James Fitzjames Stephen, looked admiringly on the Board's streamlining (or minimizing) of the law and its strong executive powers.¹¹ Meanwhile, a young Rudyard Kipling saw Punjab's early non-regulation

⁸ Rajit K. Mazumder, *The Indian Army and the Making of Punjab* (Delhi, 2003), pp.16-17.

⁹ Talbot, *Punjab and the Raj*, p.41.

¹⁰ *Ibid.*, pp.38-39.

¹¹ Roberts, *Forty-One Years in India*, Vol.I, pp.443, 448-449; Thorburn, *Punjab in Peace and War*, pp.150-172; James Fitzjames Stephen, 'Legislation Under Lord Mayo' in W.W. Hunter, *A Life of the Earl of Mayo, fourth Viceroy of India*, Vol.II (London, 1876), pp.178-179; Condos, *Insecurity State*, pp.119-120.

system as though it were a golden age preceding a fallen world of unheroic bureaucrats and red tape.¹² For Robert Warburton, the officials of the Board presaged some aspects of his own preferred approach to Frontier administration: eschewing ‘hair-splitting technicalities of law’, in order to ‘amalgamate with the people... to learn what their wants and wishes were.’¹³ To Lewis O’Malley, a retired official writing in 1931, ‘nowhere did the Non-Regulation system achieve such admirable results as in the Punjab’ – apparently, amongst these were the ‘preservation of the democratic constitution of the Sikh villages’, ‘light’ taxation, and ‘general contentment.’¹⁴

Unsurprisingly, post-imperial historians have taken a more dispassionate view, and in the years since the end of the Raj, three core strands of academic interpretation have emerged to make sense of British rule in Punjab. Each might best be named after its essential message as, respectively, the ‘collaborative’, ‘distorted development’, and ‘coercive’ schools of thought. There is some overlap between these tendencies, and they are not necessarily antagonistic, though they clearly diverge on important points. Moreover, the schools are not homogeneous within themselves – the categorisation into ‘schools’ being *post hoc*, and not necessarily something the historians themselves would recognise. Nevertheless, the definitions seem fair, and the framing they offer is useful. Not least, these schools do not stand in isolation, and each corresponds with more general interpretations of British imperialism proffered by other historians.

¹² Andrew St John, ‘In the Year ‘57’’: Historiography, Power, and Politics in Kipling’s Punjab’, *The Review of English Studies*, Vol.51, No.201 (February 2000), pp.62-79; Condos, *Insecurity State*, pp.113-115.

¹³ Robert Warburton, *Eighteen Years in the Khyber, 1879-1898* (London, 1900), p.317.

¹⁴ O’Malley, *Indian Civil Service*, pp.56, 59.

The essential insight of the collaborative school is that without local allies the British would have been unable to rule in the fashion they did. Historians associated with this school of thought include Ian Talbot, Andrew Major, Clive Dewey, Rajit K. Mazumder, J. Royal Roseberry III, Tan Tai Yong, and (to some degree) Atiyab Sultan.¹⁵ This school has clear resemblances to the arguments put forward by the ‘Cambridge School’ of imperial historiography, with its emphasis on the criticality of collaboration for British imperial power.¹⁶ Of course, these historians’ views have evolved over time – sometimes in response to the approaches associated with the distorted development and coercive schools. Thus, some of Dewey’s work is more aligned with the distorted development thesis.¹⁷ Likewise, Talbot has highlighted some of the paradoxes and contradictions involved in British rule: showing how collaboration and coercion were combined in a fashion that produced multifaceted economic and social changes, which were both positive and negative, ‘modernizing’ and reactionary.¹⁸

¹⁵ Major, ‘Return to Empire’; Major, ‘Punjabi Chieftains’; Talbot, *Punjab and the Raj*; Ian Talbot, *Khizr Tiwana: The Punjab Unionist Party and the Partition of India* (Oxford, 2002); Tan Tai Yong, *The Garrison State: The Military, Government and Society in Colonial Punjab, 1849-1947* (New Delhi, 2005); Tan Tai Yong, ‘Mobilisation, Militarisation and ‘Mal-Contentment’: Punjab and the Second World War’, *Journal of South Asian Studies*, Vol.25, No.2 (2002), pp.137-151; Rajit K. Mazumder, *The Indian Army and the Making of Punjab* (New Delhi, 2003); J. Royal Roseberry III, *Imperial Rule in Punjab: The Conquest and Administration of Multan, 1818-1881* (Lahore, 1988); Atiyab Sultan, *A Broken Record: Institutions, Community and Development in Pakistan* (Cambridge, 2022); Clive Dewey, ‘Some Consequences of Military Expenditure in British India: The Case of the Upper Sind Sagar Doab 1849-1947’, in Clive Dewey (ed.), *Arrested Development in India: The Historical Dimension* (Delhi, 1988), pp.93-169.

¹⁶ Ronald Robinson, John Gallagher, *Africa and the Victorians: The Climax of Imperialism* (New York State, 1968); Ronald Robinson, ‘Non-European Foundations of European Imperialism: Sketch for a Theory of Collaboration’, in Roger Owen and Bob Sutcliffe (eds.), *Studies in the Theory of Imperialism* (London, 1972), pp.117-142; David A. Washbrook, ‘Law, State and Agrarian Society in Colonial India’, *Modern Asian Studies*, Vol.15, No.3 (1981), pp.649-721; Christopher A. Bayly, *Rulers, Townsmen and Bazaars: North Indian Society in the Age of British Expansion 1770-1870* (Oxford, 2012); Christopher A. Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge, 1999); Francis C.R. Robinson, ‘Consultation and Control: The United Provinces’ Government and Its Allies, 1860-1906’, *Modern Asian Studies*, Vol.5, No.4 (1971), pp.313-336.

¹⁷ Clive Dewey, ‘The Rural Roots of Pakistani Militarism’ in D.A. Low, *The Political Inheritance of Pakistan* (Basingstoke, 1991), pp.255-283.

¹⁸ Ian Talbot, ‘The Punjab under Colonialism: Order and Transformation in British India’, *Journal of Punjab Studies*, Vol.14, No.1 (2007), pp.3-10.

Nevertheless, the general picture collectively presented by these historians is that the British administration of the province was largely defined by the quest to win-over and maintain useful collaborators. This occurred at two levels: at an elite level that involved Punjab's 'chiefs', local notables, and landlords; and at a lower, more broadly based, level that encompassed the peasantry. Andrew Major and Ian Talbot have noted how, although many British officials came to Punjab in 1849 with a notionally anti-elite pro-peasant agenda, an alternative vision was also implemented in some parts of the province. Led by Henry Lawrence, some officials looked to Punjab's elites as promising intermediaries and even partners through whom the British could rule more effectively. Thus, whilst the levelling pro-peasant policy, preferred by John Lawrence and Lord Dalhousie, might have prevailed in the central and eastern districts of Punjab, there were exceptions elsewhere in the province. Crucially, in western Punjab and along the Afghan Frontier, the British tended to co-opt and reward local elites. This incipient pro-elite stance was then generalised in the post-1857 'aristocratic reaction'.¹⁹

For, during the Rebellion, John Lawrence himself was forced to pivot. Andrew Major has highlighted how he offered dispossessed elites a chance to 'retrieve their character' by raising retinues and fighting for the colonial authorities. Major estimates that Punjab's chiefs furnished the British with about 14,000 irregular levies in the ensuing year – adding to the thousands of Punjabis directly recruited by the British. Even before the Rebellion had been fully crushed, the British had already begun to reward those chiefs who had sided with them. Dozens were given honorific titles, cash gifts, *jagirs*, pensions, and land grants.²⁰ Similar to elsewhere in India, the British now looked to partner themselves with a native

¹⁹ Talbot, *Punjab and the Raj*, p.10.

²⁰ Major, 'Punjabi Chieftains', pp.75-76.

landed elite, who would thenceforth use their local influence on behalf of their colonial patrons.

As Major and Talbot have emphasized, thenceforth, the British incorporated Punjab's landed elite into their formal administrative apparatus through the creation of new offices like that of Jagirdari Magistrate, Honorary Magistrate, and *zaildar*. This last was 'unique to the Punjab's local administration', and reflected the unusual importance the provincial administration now attached to co-opting local notables.²¹ Meanwhile, more Punjabis began to rise-up through the old administrative hierarchy, from *tehsildar* to Extra Assistant and then Assistant.²² Moreover, having demonstrated their military uses, Punjab's elites were increasingly courted as officers, and were encouraged to use their local influence for recruitment.²³ Such families with longstanding traditions of military enterprise, like the Shahpur Tiwanas, therefore found lucrative and politically fruitful opportunities that opened vistas for them beyond Punjab. As Talbot has shown, thanks to their cooperation with the imperial authorities, the Tiwanas went from being beleaguered local notables under the Sikhs to well rewarded players in a world system.²⁴

Thus, having often suffered severe diminution at British hands in the first few years following annexation, Punjab's chiefs were, in Major's words, 'resurrected' by the changes in British policy.²⁵ Over subsequent decades, in parallel with developments elsewhere in British India (especially Oude), the general tendency was increasingly to turn the old semi-independent lords of the land into landlords: individuals dependent on British favour, but

²¹ Talbot, *Punjab and the Raj*, p.35; Talbot, *Khizr Tiwana*, pp.71-72.

²² Major, 'Punjabi Chieftains', pp.77-76.

²³ *Ibid.*, p.77.

²⁴ Talbot, *Khizr Tiwana*, pp.34-35.

²⁵ Major, 'Punjabi Chieftains', pp.79-80.

also capable of controlling the countryside on behalf of the colonial authorities.²⁶ As Talbot's work has documented, these landlords would emerge as a major pillar of British rule; forming a mutually beneficial relationship that lasted well into the era of 'modern' representative politics via the Punjab Unionist Party, founded in 1923.²⁷

But the collaborative school is not solely concerned with the relationship between British officialdom and Punjab's elites. Its proponents also explore the nature and ramifications of the administration's distinctive pro-peasant paternalism. Even after the 'aristocratic reaction', the British continued to attempt to co-opt the broad sweep of the peasantry through programmatic policies in the form of investment in irrigation, relatively low rates of land taxation, and, perhaps above all, military employment. For, as with Punjab's elite, military considerations were perhaps the key factor behind the colonial authorities' relative beneficence towards Punjab's rural population.

In particular, Rajit Mazumder and Tan Tai Yong have emphasized the far-reaching repercussions of the post-1857 reforms of the Indian Army for Punjab. Yong has shown how, for a generation after the Rebellion, the British adopted a recruitment policy that revolved around preventing a repetition of the mutinies of 1857 by 'balancing' the now forever suspect Hindustanis from north-central India with Punjabis and Gurkhas.²⁸ Thus, in 1870, of the forty-nine infantry regiments in the Bengal Army, sixteen were Punjabi, four Gurkha, and twenty-nine Hindustani.²⁹ However, during the 1870s, the British once again became

²⁶ Thomas R. Metcalf, 'From Raja to Landlord: The Oudh Talukdars, 1850-1870' in Robert Eric Frykenberg (ed.), *Land Control and Social Structure in Indian History* (London, 1969), pp.123-142; Robinson, 'Consultation and Control', pp.313-336.

²⁷ Talbot, *Punjab and the Raj*, p.80-82; Ian Talbot, 'The Unionist Party and Punjabi Politics, 1937-1947', in D.A. Low (ed.), *The Political Inheritance of Pakistan* (Basingstoke, 1991), p.88.

²⁸ Yong, *Garrison State*, pp.52-56.

²⁹ *Ibid.*, p.54.

preoccupied with the Russian threat, with the result that their military priorities shifted from preventing internal rebellion towards increasing the outward-facing efficacy of the Indian Army. For reasons both practical (geographic proximity and cost) and ideological (the 'martial races' theory), the British increasingly turned to selected Punjabi groups as recruits.³⁰ The result was the 'Punjabisation' of the Indian Army; and, by 1900, Punjab provided the majority of its soldiers.³¹

According to Mazumder, this development resulted in the forging of a 'uniquely interdependent relationship' between the British authorities and Punjab's rural population or 'militarised peasantry'.³² Crucially, Mazumder argues that British military reliance on rural Punjabis placed constraints on what the colonial state could do in relation to that constituency. Indeed, the British felt compelled to go far further in conciliating certain heavily recruited groups – Muslim Rajputs, Sikh Jats, and Hindu Dogras – than perhaps any other mass demographic in British India.³³ Thus, Punjab's peasantry benefited from preferential treatment, including low land tax assessments. Yet Mazumder emphasizes that the authorities' disproportionate reliance on rural Punjabis did not just 'constrain colonialism'. For rural Punjabis had likewise become progressively dependent on colonial employment, patronage, and policies in a fashion that 'restricted' their nationalist sympathies.³⁴ Mazumder suggests that this was somewhat more than a matter of material self-interest, but poses the possibility that many Punjabi recruits genuinely believed that they were 'serving a benevolent and ascendant global power.'³⁵

³⁰ Ibid., pp.57-69.

³¹ Mazumder, *The Indian Army and the Making of Punjab*, pp.7-45; Yong, *Garrison State*, p.71.

³² Mazumder, *The Indian Army and the Making of Punjab*, p.6.

³³ Ibid., p.4.

³⁴ Ibid., p.5

³⁵ Ibid., p.45.

Mazumder writes that all this created a 'unique political environment', wherein collaboration was two-way and went further than anywhere else in British India; taking the form of 'political reciprocity between a paternal government and a loyal peasantry'.³⁶ Thus, the British were more attentive to the demands of Punjab's peasantry (epitomized by the withdrawal of the unpopular 1906 Colonisation Bill in 1907), whilst Punjab's peasantry were more 'loyalist' than virtually every other non-elite group in the Raj.³⁷ In Mazumder's words, 'the Punjabisation of the Indian army had constrained colonialism' – by which he means that it was rendered more responsive, conciliatory, and benevolent – at the same time as it 'restricted nationalism.'³⁸

Ian Talbot takes a similar line, highlighting how the administration had a relatively broad base of support in the countryside thanks to pro-agrarian policies that benefitted local elites and the peasantry alike. Most obvious in this regard, was the 1900 Punjab Alienation of Land Act, which protected rural debtors, whether large landlords or smallholders, from commercial creditors by barring the permanent transfer of land from those who were members of designated 'agricultural tribes' to those who were not. Significantly, Talbot contends that this was about more than protecting favoured constituencies, but was also partly designed to forestall destabilizing inter-communal tension between mostly Muslim debtors and mostly Hindu creditors. For the 'agricultural tribe' category included Muslim, Hindu, and Sikh groups in a fashion that provided a format for inter-communal cooperation. Talbot suggests that the British thereby intended to reinforce the cross-communal rural social foundations on which their rule was based – foundations which would crumble if

³⁶ Ibid., pp.45, 202.

³⁷ Ibid., pp.230-231, 247-257.

³⁸ Ibid., p.257.

fractured by inter-communal rivalry.³⁹ In all this, Talbot departs from a long tradition which has argued that the British deliberately sought to play divide-and-rule between Hindus and Muslims to promote their own authority.⁴⁰

In addition, Talbot highlights the significance of the Canal Colonies for fostering British-Punjabi collaboration. From the 1880s, large-scale canal construction opened-up millions of acres of potential farmland for settlement. What was to become the world's largest irrigation system involved 'twenty-six million acres being watered by canals... transforming the region from one of the poorest agricultural areas in the subcontinent into its granary.'⁴¹ Most of this occurred towards the end of the nineteenth century, when the pace of development increased quite markedly: between 1891 and 1921 per capita agricultural output increased by nearly forty-five per cent.⁴² Importantly, the Canal Colonies strengthened the government's hand politically by furnishing the administration with a large bank of valuable land that could be granted at discounted prices, or for free, to those they wished to co-opt and reward. According to Talbot, the Canal Colonies therefore enhanced the government's ability to play patron to Punjabi society. Consequently, 'ex-soldiers, landlords and peasant proprietors were all linked to the colonial administration in one vast web of patronage.'⁴³ This set Punjab's administration apart from other colonial administrations in India and elsewhere, 'which seldom had sufficient patronage to satisfy all their local allies.'⁴⁴

³⁹ Talbot, *Punjab and the Raj*, pp.54-56.

⁴⁰ Talbot, *Punjab and the Raj*, p.3; Asoka Mehta and Achyut Patwardhan, *The Communal Triangle in India* (Allahabad, 1942), pp.52-79.

⁴¹ Talbot, *Punjab and the Raj*, pp.11, 38.

⁴² *Ibid.*, p.39.

⁴³ Talbot, 'The Unionist Party and Punjabi Politics', p.102.

⁴⁴ Talbot, *Punjab and the Raj*, p.58.

The overall picture of British administration that emerges from the collaborative school is therefore a *relatively* positive one, wherein the British – albeit for their own self-interested political, military, and strategic reasons – poured investment and resources into Punjab and facilitated economic expansion.⁴⁵ At the same time, the British administered the province in a fashion that was designed to mitigate inter-communal tensions, whilst empowering selected rural elites or certain segments of the peasantry.⁴⁶ According to Talbot, this collaborative system broke down in the 1940s largely because the British ceased to uphold their end of the bargain by imposing policies that were directly inimical to the interests of their erstwhile supporters owing to the pressures of the Second World War.⁴⁷

By contrast, the distorted development school presents a more negative portrait of British rule in Punjab. Whilst the collaborative school highlights the degree to which colonial power was predicated on ‘negotiation’ with local society, and was therefore not purely extractive, historians of the distorted development school instead emphasize the significance of imperial domination and exploitation, implying that Punjabis had less bargaining power in relation to the colonial state. They contend that the British radically remade the region and its society to suit imperial interests in a myopic and pernicious fashion: distorting Punjab’s development with deleterious long-term repercussions. They also highlight the importance of ideology in shaping British activity. For, whereas the collaborative school sometimes gives the impression that the British were frequently responding to pre-existing conditions in a relatively pragmatic manner, the distorted development school sees the British as

⁴⁵ Mazumder, *The Indian Army and the Making of Punjab*, p.258.

⁴⁶ Talbot, *Punjab and the Raj*, pp.3-4, 66-67.

⁴⁷ Talbot, *Punjab and the Raj*, p.239; Ian Talbot, ‘Deserted Collaborators: The Political Background to the Rise and Fall of the Punjab Unionist Party, 1923-1947’, *The Journal of Imperial and Commonwealth History*, Vol.11, No.1 (1982), pp.73-93.

doctrinairely imposing their own preconceptions.⁴⁸ The proponents of this admittedly quite heterogeneous school include Imran Ali, Naved Hamid, Norman Barrier, David Gilmartin, M. Mufakharul Islam, Neeladri Bhattacharya, Richard Saumarez Smith, and Mridula Mukherjee.⁴⁹ Some, such as Bhattacharya and Mukherjee, adopt a more radically critical position than those whose position sometimes blurs with that of the collaborative school, like Gilmartin. Much of the analysis of the distorted development school is informed by a mixed combination of dependency theory with Marxist, post-modern, and post-colonial intellectual traditions, which highlight the damaging transformations wrought by exploitative colonial rule.⁵⁰

To varying degrees, Bhattacharya, Gilmartin, and Saumarez Smith have emphasized the way in which the British imposed distortive administrative categories and legal forms on Punjab. These, Bhattacharya and Gilmartin emphasize, were determined by the administrative and fiscal imperatives of the colonial state, which often overrode pre-existing conditions. Thus, the Village System of land taxation and administration was imported into

⁴⁸ Major, 'Return to Empire', p.289.

⁴⁹ Ali, *The Punjab Under Imperialism*; Imran Ali, 'Malign Growth? Agricultural Colonization and the Roots of Backwardness in the Punjab', *Past and Present*, No.114 (February 1987), pp.110-132; Naved Hamid, 'Dispossession and Differentiation of the Peasantry in the Punjab during Colonial Rule', *The Journal of Peasant Studies*, Vol.10, No.1 (1982), pp.52-72; Neeladri Bhattacharya, *The Great Agrarian Conquest: The Colonial Reshaping of a Rural World* (Albany, 2019); David Gilmartin, *Blood and Water: The Indus River Basin in Modern History* (Oakland, 2015); David Gilmartin, 'Environmental History, *Biradari*, and the Making of Pakistani Punjab', Anshu Malhotra and Farina Mir (eds.), *Punjab Reconsidered: History, Culture, and Practice* (Oxford, 2012), pp.289-319; Richard Saumarez Smith, *Rule by Records: Land Registration and Village Custom in Early British Panjab* (Delhi, 1996); Mridula Mukherjee, *Colonizing Agriculture: The Myth of Punjab Exceptionalism* (New Delhi, 2005); M. Mufakharul Islam, *Irrigation, Agriculture and the Raj: Punjab, 1887-1947* (Delhi, 1997); M. Mufakharul Islam, 'Irrigation and Panjab Agriculture, 1906-1945: Some Preliminary Notes', *Journal of South Asian Studies*, Vol.1, No.1 (1978), pp.29-37; Norman G. Barrier, 'The Formulation and Enactment of the Punjab Alienation of Land Bill', *The Indian Economic and Social History Review*, Vol.2, No.2 (April 1965), pp.145-165; Norman G. Barrier, *The Punjab Alienation of Land Bill of 1900* (Durham, 1966).

⁵⁰ Dadabhai Naoroji, *Poverty and Un-British Rule* (London, 1901); Paul Baran, *The Political Economy of Growth* (New York, 1957); Robert I. Rhodes (ed.), *Imperialism and Underdevelopment: A Reader* (New York, 1970); Michael Barrat Brown, *The Economics of Imperialism* (London, 1974); Amiya Kumar Bagchi, *The Political Economy of Underdevelopment* (Cambridge, 1982); Ranajit Guha, Gayatri Chakravorty Spivak (eds.), *Selected Subaltern Studies* (New York, 1988).

Punjab from the North-Western Provinces, settled farming was encouraged and enforced by state policies, and pastoralists were marginalised.⁵¹ After all, 'when fixed to a piece of land, peasants became knowable and controllable; their lands could be surveyed, assessed, and taxed.'⁵² In this and much else, Battacharya and Gilmartin are inspired by the work of James Scott, who has theorized and shown how states have attempted to enhance their authority by remaking societies and environments so that they are more 'legible' and governable by promoting and enforcing 'sedentarization' and 'simplification'.⁵³

Both Battacharya and Gilmartin argue that these developments were also informed by British officials' ideological assumptions. For Battacharya, Punjabi society was thus reshaped in the self-image of its paternalist and authoritarian administrators.⁵⁴ Meanwhile, Gilmartin places more emphasis on British officials' liberal ideas about private property as a necessary precondition for sustained economic growth, as well as with their countervailing conservative preference for the stability offered by communities defined by supposedly natural 'tribal' and 'customary' ties based on blood.⁵⁵ In addition, both Battacharya and Gilmartin argue that the British distorted local customs and identities through drawing-up customary laws and administering tribal categories. The latter simplified and calcified more complex and idiosyncratic pre-existing social realities, which had been more flexible and had involved greater reciprocity between individuals. Thus, influenced by Saumarez Smith, Gilmartin suggests that the British transformed old usufructuary rights based on work and cooperation into property rights based on heredity.⁵⁶ Battacharya highlights how, by relying

⁵¹ Gilmartin, *Blood and Water*, pp.70-73.

⁵² Battacharya, *Agrarian Conquest*, pp.69-70.

⁵³ James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, 1998), pp.1-4; Gilmartin, *Blood and Water*, p.73; Battacharya, *Agrarian Conquest*, p.2.

⁵⁴ Battacharya, *Agrarian Conquest*, p.12.

⁵⁵ Gilmartin, *Blood and Water*, pp.9-10.

⁵⁶ *Ibid.*, pp.70-76.

on chiefs and village elders as interlocutors, the British created codes of customary law that added to the privileges of these already relatively advantaged individuals and groups. For both Gilmartin and Bhattacharya, British interventions in Punjabi society consolidated the status and power of elders and brotherhoods, whilst reducing the rights of women, lower castes, and various 'outsiders'.⁵⁷ The effects of these distortions, Bhattacharya suggests, still cast their shadow some seventy years after Independence.⁵⁸

Besides the legally enforced sociocultural changes wrought by the British, historians of the distorted development school also emphasize the socioeconomic and environmental impact of British policies. Thus, Gilmartin argues that the British invested in irrigation in western Punjab largely for the sake of promoting the type of settled arable farming for which their administrative apparatus was best adapted – thereby displacing or 'reforming' the less easily governed semi-nomadic pastoral communities of the region.⁵⁹ Naturally, the Canal Colonies loom large in all this. But whereas historians of the collaborative school see British irrigation investment in a more positive light, the historians associated with the distorted development thesis take a more negative view – though some are more negative than others. They adopt a range of positions, from M. Mufakharul Islam, who argues that the canals were a net benefit, but that their 'full potential' was not realised, to those who take an almost unmitigatedly critical stance, like Mridula Mukherjee.⁶⁰

Indeed, as probably the most damning of the proponents of the distorted development thesis, Mukherjee sets out to slay the 'myth of Punjab exceptionalism'.⁶¹ That is, the idea

⁵⁷ Ibid., pp.78-79; Bhattacharya, *Agrarian Conquest*, pp.214-215.

⁵⁸ Bhattacharya, *Agrarian Conquest*, p.151.

⁵⁹ Gilmartin, *Blood and Water*, p.103.

⁶⁰ Islam, 'Irrigation and Panjab Agriculture', p.37.

⁶¹ Mukherjee, *Colonializing Agriculture*, p.xxiv.

that Punjab was an instance of colonial economic success; a view put forward in Neil Charlesworth's economic history of nineteenth century British India.⁶² Instead, for Mukherjee, Punjab conformed to the general rule (at least, according to dependency theory) that colonial policies resulted in the 'development of underdevelopment with its attendant features of deindustrialization, forced commercialization', declines in per capita agricultural productivity, and 'semi-feudal' levels of rural inequality.⁶³ Mukherjee argues that for all the superficial emphasis on canal irrigation or low tax paternalism, Punjab did not stand out from other provinces of British India.⁶⁴ Hence, she argues that, although the Canal Colonies might have increased agricultural productivity in the short to medium term, the rate of productivity growth ultimately stagnated for want of sufficient investment in labour-saving machinery or innovative farming practices. Furthermore, the unintended consequences of canal irrigation – salinisation, waterlogging, and the displacement of water from elsewhere – further limited the rate of growth.⁶⁵

Perhaps the most sophisticated exposition of the distorted development thesis in relation to the Canal Colonies comes from Imran Ali. He argues that they represented a particularly pronounced form of imperialist socioeconomic engineering, wherein the interests of the colonial state – particularly its military needs, like rewarding veterans and horse-breeding – were prioritized at the expense of long-term economic development. The ultimate result was the paradoxical coincidence of 'significant growth' and 'continued backwardness', which Ali summarizes as 'the simultaneity of growth and underdevelopment'.⁶⁶ Ali also argues that the way in which the British distributed the 'new landed resources' in the Canal Colonies, by

⁶² Neil Charlesworth, *British Rule and the Indian Economy: 1800-1914* (Basingstoke, 1982), pp.26-28.

⁶³ Mukherjee, *Colonializing Agriculture*, p.xxiv.

⁶⁴ *Ibid.*, pp.101, 137, 156-157.

⁶⁵ *Ibid.*, pp.163-165.

⁶⁶ Ali, *Punjab Under Imperialism*, pp.6-7.

giving or selling them to the politically favoured 'upper layers' of Punjabi society, undermined the region's long-term prospects for economic and political development.⁶⁷

Specifically, Ali contends that the landlords and peasants who benefitted from the land grants were unconcerned with making productivity-enhancing investments. Apparently, the landlords were just focussed on extracting rents, whilst the peasants were too conservative. This lack of investment meant that 'capitalistic forms of agriculture... did not emerge on any significant scale.'⁶⁸ Had the Canal Colonies been put to more economically productive use, then Punjab's economy might have developed along a higher trajectory, with the profits perhaps being expended on industrial investment.⁶⁹ Instead, because the British promoted a relatively unsophisticated form of extractive agriculture, and prioritized military demands, Punjab ended up in a subordinate 'colonial' or 'underdeveloped' position in global trade, as per dependency theory. Ali therefore concludes that the ultimate result of British rule was the 'ruralisation' and militarisation of Punjab: distorted developments which limited the prospects for the development of liberal democracy in Pakistan.⁷⁰

The idea that British policies increased rural inequality and fostered economically stagnant landlordism is a recurrent theme within the distorted development school, and is particularly apparent in the work of Navid Hamid and (again) Mridula Mukherjee. They contend that the way in which the British imposed novel forms of private property rights and contract law, whilst facilitating a market in land, meant that over the course of a few generations land ownership became increasingly concentrated in the hands of landlords, whilst tenants-at-will and landless labourers proliferated. Mukherjee emphasizes that the

⁶⁷ Ibid., p.46.

⁶⁸ Ibid., p.241.

⁶⁹ Ibid., p.239.

⁷⁰ Ibid., p.242.

inflexibility of the British system of land taxation forced poorer peasants into debt, because they were compelled to borrow in bad seasons to meet the fixed revenue demand.⁷¹ Eventually, many defaulted and were forced to sell their land to richer peasants and members of the rural elite, who benefitted from economies of scale, and on whom the 'regressive' system of taxation weighed less heavily.⁷²

According to both Hamid and Mukherjee, even those British policies which were ostensibly supposed to protect the peasantry from commercial moneylenders really benefitted landlords. Building on the work of Norman Barrier, Hamid contends that the famed 1900 Punjab Alienation of Land Act, although it might have stopped commercial groups and professional moneylenders taking over more farmland in Punjab, did not do that much to halt the decline in the proportion of farmland owned by peasant proprietors.⁷³ For both Mukherjee and Hamid, what the act did accomplish, however, was to give 'agriculturalist' landlords an even more advantageous position as buyers in the market.⁷⁴ According to Hamid, the British did this deliberately for cynical reasons, as 'concentration of land in the hands of the agriculturist landlords was desirable because their economic domination over the peasantry was the means by which the British maintained control over the countryside.'⁷⁵ Thus, the distorted development school represents British-Punjabi collaboration, in so far as it went, as revolving around extractive landlordism and the subordination of the peasantry. According to this view, collaboration was unproductive and increased inequality, bequeathing a toxic legacy.

⁷¹ Mukherjee, *Colonializing Agriculture*, pp.1-4.

⁷² *Ibid.*, p.19.

⁷³ Barrier, 'The Formulation and Enactment of the Punjab Alienation of Land Bill', p.161.

⁷⁴ Mukherjee, *Colonializing Agriculture*, pp.50, 84.

⁷⁵ Hamid, 'Dispossession', p.69.

More recently, historians specialising in colonial violence have turned their attention to Punjab and its Afghan Frontier, and have singled-out the administration's coercive institutions and violence, rather than its social or economic interventions, as its defining attribute. This coercive interpretation is put forward by Mark Condos, Kim Wagner, and Elizabeth Kolsky, who emphasize the extent to which imperial rule in the region was based on violence, and often violence of a very particular 'colonial' variety.⁷⁶ They highlight the way in which the province's civil administration was militarised: pointing to how officials wielded wide-ranging discretion as to the use of force, were unusually trigger-happy (even by the standards of imperialists), and often resorted to extreme forms of punishment, as well as peremptory and sometimes pre-emptive force. The arguments of the coercive school clearly merge with the wider critique of colonial violence present in the work of historians such as Caroline Elkins, Dierk Walter, Jon Wilson, Jordanna Bailkin, and Deana Heath, many of whom have sought to challenge the Cambridge School's emphasis on collaboration.⁷⁷

The historians of the coercive school, particularly Mark Condos, contend that British behaviour in Punjab was shaped by a combination of anxiety, insecurity, and perceptions of

⁷⁶ Condos, *Insecurity State*; Mark Condos, "'Fanaticism' and the Politics of Resistance Along the North-West Frontier of British India", *Comparative Studies in Society and History*, Vol.58, No.3 (2016), pp.717-745; Mark Condos, 'License to Kill: The Murderous Outrages Act and the Rule of Law in Colonial India', *Modern Asian Studies*, Vol.50, No.2 (2016), pp.479-517; Mark Condos and Gavin Rand, 'Coercion and Conciliation at the Edge of Empire: State-Building and Its Limits in Waziristan, 1849-1914', *The Historical Journal*, Vol.61, No.3 (2018), pp.695-718; Elizabeth Kolsky, 'The Colonial Rule of Law and the Legal Regime of Exception: Frontier 'Fanaticism' and State Violence in British India', *The American Historical Review*, Vol.120, No.4 (2015), pp.1218-1246; Elizabeth Kolsky, 'No 'Signs of Weakness': Gendered violence and masculine authority on the North-West Frontier of British India', *Modern Asian Studies*, Vol.55, No.3 (2021), pp.902-937; Kim A. Wagner, *Amritsar 1919: An Empire of Fear and the Making of a Massacre* (New Haven, 2019); Kim A. Wagner, "'Calculated to Strike Terror": The Amritsar Massacre and the Spectacle of Colonial Violence', *Past and Present*, No.233 (November, 2016), pp.185-225; Kim A. Wagner, 'Savage Warfare: Violence and the Rule of Colonial Difference in Early British Counterinsurgency', *History Workshop Journal*, Vol.85 (2018), pp.217-237.

⁷⁷ Caroline Elkins, *Legacy of Violence: A History of the British Empire* (London, 2022); Dierk Walter, trans. Peter Lewis, *Colonial Violence: European Empires and the Use of Force* (London, 2017); Jon Wilson, *India Conquered: Britain's Raj and the Chaos of Empire* (London, 2016); Jordanna Bailkin, 'The Boot and the Spleen: When Was Murder Possible in British India?', *Comparative Studies in Society and History*, Vol.48, No.2 (2006), pp.462-493; Deana Heath, *Colonial Terror: Torture and State Violence in Colonial India* (Oxford, 2021).

vulnerability. Thus, Condos argues that British violence was so much overcompensation for the supposed weakness of the colonial state, which he implies was exaggerated in the minds of British officialdom.⁷⁸ According to this view, Punjab was the quintessential 'insecurity state'.⁷⁹ Apparently, the empowered district officer, which was such a hallmark of the Punjab School from the beginning, was 'less the expression of a confident and powerful administration, than one desperate to uphold its own fragile power at all costs.'⁸⁰ Thus, the province's initial non-regulation system endowed even quite junior officials with far-reaching discretionary coercive authority. But even when this was altered in the 1860s, its officials continued to wield abnormal power owing to special legislation, like the 1867 Murderous Outrages Act, which Condos regards as having provided a precedent for emergency laws like the Defence of India Act and the Rowlatt Act.⁸¹ In a similar fashion, Kim Wagner draws attention to the seminal precedents established by the first generation of British officials in Punjab; above all, their response to the Rebellion. He argues that subsequent British atrocities – like the mass executions in response to the 1872 Kuka Uprising, and the 1919 Amritsar Massacre – were made conscionable for their perpetrators by a particular, semi-mythical, understanding of the 'Mutiny' and the role played in it by Punjab's British officials, which inculcated the salutary effects of the peremptory, even pre-emptive, use of overwhelming force.⁸²

What is more, Condos contends that even the Punjab administration's ostensibly more paternalistic social and economic policies were really informed by security concerns.⁸³ In

⁷⁸ Condos, *Insecurity State*, pp.25-26, 220.

⁷⁹ *Ibid.*, p.13.

⁸⁰ *Ibid.*, p.113.

⁸¹ *Ibid.*, pp.142-144, 222-223.

⁸² Wagner, *Amritsar 1919*, pp.xxi-xxiii, 7, 253-257.

⁸³ Condos, *Insecurity State*, p.13.

particular, he highlights the degree to which the colonial authorities had a deeply ambivalent relationship with the province's population. On the one hand, they were regarded as naturally 'warlike' and 'martial', and therefore a special threat to British authority. For this very reason, the British conciliated them by imposing lower levels of land taxation than elsewhere in India, as well as by investment in irrigation projects.⁸⁴ At the same time, the colonial state also sought to co-opt segments of Punjab's population as military employees. In this way, British officials hoped to turn Punjabis' supposed military prowess to their own advantage. The result was a peculiar love-hate relationship between British officialdom and the province's population, which was fraught with anxieties over their 'loyalty', and was hyper-sensitive to the first sign of rebellion. Ironically, because of the strategy of co-opting the population through military employment, Punjab's administration was therefore 'held hostage by the very same subjects who were supposed to ensure its safety.'⁸⁵ Whilst Condos' argument has clear parallels with aspects of Rajit Mazumder's collaborative interpretation, it obviously views British-Punjabi military collaboration in a far more malignant light.

The coercive school also places much greater emphasis on racism as a factor shaping imperial behaviour. For Condos, the Punjab administration produced coercive violence in gratuitous quantities (above what was practically necessary to maintain the authority of the colonial state, even on its own terms), owing to the anxieties of its racially exclusive overlords. He argues that British officials saw themselves as a racially beleaguered minority, and overreacted accordingly in order to affirm their racial 'prestige'.⁸⁶ Similarly, Kim Wagner

⁸⁴ Ibid., pp.83-91.

⁸⁵ Ibid., p.102.

⁸⁶ Ibid., pp.14-16.

has argued that imperial violence was not purely shaped by calculations of ‘tactical necessity’, but was instead ‘based on deeply encoded assumptions concerning the inherent difference of local opponents.’⁸⁷ Referring to the Afghan Frontier, Elizabeth Kolsky has also discerned a gendered dimension to imperial violence; arguing that the British resorted to violence as a form of ‘masculine overcompensation’ in a region where they themselves were exposed and frightened. ‘Colonial violence on the frontier was not simply about protecting a vulnerable geopolitical space; it also aimed to assert white masculinity and fortify the race-gender hierarchy upon which the empire was built.’⁸⁸

At the outset it is crucial to note that whilst the three schools discussed place varying weight on the importance and nature of collaboration, exploitation, and violence for British power in Punjab, they are not necessarily mutually exclusive. In fact, it is a core contention of this thesis that they can be synthesized and reconciled with respect to the period studied. To do this, however, it is important to acknowledge the variations in the Board’s work. Punjab was a large and varied region, and the Board of Administration brought to bear different administrative strategies on different parts of the province and different groups within it at different times.

Moreover, despite the implication of terms like ‘the Punjab School’ or ‘the Punjab Tradition’, British officialdom in the province was not entirely monolithic. This is not to say that there were not real and meaningful commonalities shared by these officials, which set them apart from officials elsewhere in British India. But at the same time, there were

⁸⁷ Wagner, *Amritsar 1919*, p.256.

⁸⁸ Kolsky, ‘No ‘Signs of Weakness’’, pp.907, 935.

different strains to the muscular paternalism which was the essence of the Punjab School. Put broadly, there were two strands: a military-political strand and a civilian-fiscal strand. The first, associated with Henry Lawrence and his followers, placed greater emphasis on the use of force, the individual discretion of officials, and the co-optation of the province's native elite. The second, embodied by John Lawrence and his supporters, was more concerned with the orderly fiscal and legal administration of the province, and was somewhat more inclined to see the necessity of administrative rules and regularity (as opposed to relying solely on the *ad hoc* individual judgment of officials), and it looked to co-opt the peasantry. These two aspects of the Punjab School were implemented in different parts of the province, largely in response to local conditions: the determinative factor frequently being the relative distribution of power between the colonial state and local society. The variegated picture of the Board's work that thus emerges makes it possible to reconcile the various historiographic tendencies that have previously been applied to Punjab around a new thesis that emphasizes the imperatives and challenges of state formation.

This approach departs somewhat from the biographical framework that has framed much prior understanding of the Board's work. Specifically, there has been a tendency to see the inconsistencies of the Board as stemming almost solely from the personal differences between Henry and John Lawrence – above all, regarding the treatment of the province's elite, as well as the relative importance each brother gave to administrative rules versus official discretion.⁸⁹ This trend was started by their contemporaries. Typically, the propagandists of Henry Lawrence portrayed him as a romantic hero and Christian soldier,

⁸⁹ Merivale and Edwardes, *Henry Lawrence*, Vol.II, pp.184-195; Frederick Gibbon, *The Lawrences of the Punjab* (London, 1908), pp.186-194; John Lawrence, *Lawrence of Lucknow: A Biography* (London, 1990), pp.192-201.

whereas John Lawrence was presented as a dour Cromwellian tyrant.⁹⁰ Ironically enough, the champions of John Lawrence also represented him in Cromwellian terms, though they meant it as a compliment; portraying him as a far-sighted statesman who was determined to improve the lives of the many.⁹¹ As for Henry Lawrence, his detractors saw him as sentimental, impulsive, and too preoccupied with the fortunes of the native aristocracy, and therefore an impediment to progress.⁹²

But whilst their personal differences were both real and substantive, Henry and John Lawrence's fraternal arguments reflected forces beyond themselves. As one modern biographer, Harold Lee, has noted, their differences were partly rooted in the divergent institutional perspectives of the Company's army and its civil service.⁹³ Henry Lawrence was a product of the army and the political department. He was therefore wont to view Punjab through a military-political lens that prioritized matters like internal and external security as well as military recruitment. Meanwhile, as a trained civilian, John Lawrence was naturally more concerned with issues of revenue, law, and economic development. Hence, institutional ethos, as much as personality, explained the Lawrences' discordance during the years of the Board. But for this very reason, a biographical approach is too limited a framework with which to understand the work of the Board. Moreover, the brothers did not administer the province by themselves, and the institutionally rooted differences extended through the administration as a whole: army officers tended to take after Henry Lawrence

⁹⁰ Emma Edwardes, *Memorials of the Life and Letters of Major-General Sir Herbert B. Edwardes*, Vol.I (London, 1886), pp.59, 206.

⁹¹ Cust, *Pictures*, pp.246-250.

⁹² John Marshman, 'Changes in the Government of the Punjab, *Friend of India*, Vol.19, No.943 (27th January 1853), p.2.

⁹³ Lee, *Brothers in the Raj*, p.5.

and administer very much in his fashion, whereas civilians looked to John Lawrence and followed his lead.

But perhaps more important than the variables of personality and institutional ethos were the pre-existing conditions in Punjab itself. Or, more specifically, the different levels of state formation that existed in Punjab at the time of annexation. Arguably, the key to understanding the work of the Board is to see its endeavours through the lens of state-building. The colonial state was not imposed on Punjab all at once in a complete form, and its control over the province was highly uneven. Punjab was far from homogeneous, and the British were faced with varying social, political, and economic conditions, which themselves had been both cause and effect of the limitations of the Sikh State. The British inherited these limitations – and added new colonial ones of their own – and much of early British rule was shaped by trying to overcome or adapt to these constraints.

As Charles Tilly has emphasized, throughout history states have been moulded by the underlying social conditions of their territories. The relative strength and autonomy of certain groups, particularly elites with accumulations of capital or access to their own means of coercion, have shaped the organizational structures and administrative strategies adopted by rulers.⁹⁴ Punjab was no exception. There, it behoved the British, as it had behoved the Sikh State before them, to accommodate and co-opt those dominant groups and elites who were either powerful enough to resist the state if confronted head-on, or constituted promising allies, or else were better placed to manage local society than the state itself. Usually, a dominant group combined all three of these attributes.

⁹⁴ Charles Tilly, *Coercion, Capital, and European States, AD 990-1992* (Oxford, 1992), p.15.

After all, the Sikh State had emerged out of Ranjit Singh's ability to conquer and co-opt other chiefs in the region. Over time, he had been able to diminish their autonomy so that they increasingly resembled courtiers and officeholders rather than a territorial aristocracy.⁹⁵ Meanwhile, during the second half of his reign, Ranjit Singh had built-up a new army, primarily recruited from the Sikh Jats of the Manjha, who collectively constituted a semi-dominant group within the region. By Ranjit Singh's death, the result of these policies had been the consolidation of a 'core' zone in Punjab, which encompassed the Jullundur Doab and the areas around Lahore and Amritsar, where state formation had gone farthest. Of course, Ranjit Singh was not starting from scratch: for at least the past two centuries, this region had been more developed than those to its north and west. Perhaps not uncoincidentally, this core had a relatively fortunate 'economic ecology': it received over twenty inches of rainfall a year and had comparatively fertile soils.⁹⁶ Partly for these reasons, sedentary arable farming was the norm, and its population therefore yielded reliable surpluses of grain and other readily taxable commodities, providing what James Scott has identified as propitious conditions for the state.⁹⁷ Hence, in this accessible and profitable region, Ranjit Singh's authority had been comparatively strong in relation to local elites and society.

Beyond this, however, there lay 'peripheral' regions – roughly forming a crescent to the north and west of the core – where the state was weaker; or, to put it another way, local elites and society were stronger in relation to the state. This was partly determined by geographical conditions. For in this peripheral arc, which encompassed western Punjab and

⁹⁵ Major, 'Return to Empire', pp.65-71; Khushwant Singh, *A History of the Sikhs: Volume 1: 1469-1838*, Second Edition (Oxford, 2004), pp.188-201; Atwal, *Royals and Rebels*, pp.43-84.

⁹⁶ Major, 'Return to Empire', p.8.

⁹⁷ James C. Scott, *Against the Grain: A Deep History of the Earliest States* (Yale 2017), p.21.

the Afghan Frontier, rainfall was lower, and soils were less fertile. Thus, pastoralism and semi-nomadic herding were more prevalent, settled arable farming was less productive, and population density was lower.⁹⁸ As James Scott and David Gilmartin have argued, such factors were inimical to state control and taxation.⁹⁹ Overlaying these material conditions was the fact that western Punjab and the Afghan Frontier were Muslim majority, putting them at variance with the mostly Sikh and Hindu government of the Sikh State. Whilst there was a good deal of syncretism and blurring of religious boundaries, religious differences still mattered. Thus, for a combination of social, cultural, and economic reasons, the Sikh State had generally been less able to assert itself in these areas. True, Ranjit Singh had co-opted some elite groups and integrated them into state structures, but this process of assimilation had not gone as far as it had for the Sikh chiefs of the core. Thus, some Muslim chiefs still retained a territorial power base; or, even when dispossessed, continued to wield considerable local influence.¹⁰⁰

At annexation, the core-periphery dichotomy still held, and, if anything, it was arguably more strongly marked than before. For the conflicts of the 1840s had done much to 'level' the elites and semi-dominant groups of Punjab's core, so that they posed less of a threat to state power than previously. After all, a considerable portion of the old elite families of the Sikh State's core had been culled by the rivalries of the 1840s, and the Jats of the Sikh Army had been dealt a heavy blow by defeat in two wars. Meanwhile, however, the Muslim elites of western Punjab and the Afghan Frontier remained not only largely undefeated at the

⁹⁸ Major, 'Return to Empire', p.8; Scott, *Against the Grain*, p.33.

⁹⁹ Scott, *Against the Grain*, pp.21, 33; Gilmartin, *Blood and Water*, p.103.

¹⁰⁰ Talbot, *Khizr Tiwana*, pp.22-31.

point of annexation, but were perhaps in a position of greater relative strength than before, not least because many of them had sided with the victorious British.

For, during the Residency and the Second Anglo-Sikh War, the British had often looked to the Muslims of the periphery as allies against the Sikh *sardars* and the Sikh Army. Indeed, the British played divide-and-rule far more deliberately and ruthlessly in the years *before* formal annexation than they ever would do once Punjab was theirs. In 1847, Henry Lawrence had abstained from trying to disarm the Muslim population of western Punjab so that 'the Durbar should be kept in some degree of awe of their ability to rise and redress their own grievances.'¹⁰¹ As has been seen, in 1848, British officials had leaned heavily on the west's Muslim Rajputs and Multani Pathans to counter the rebels, empowering them in the process. Hence, in 1849, whilst the elites of the core and the semi-dominant Sikh Jats were (for the moment) in abeyance, the Muslim chiefs of the west were enjoying something of a renaissance.

Crucially, the province's variegated levels of state formation fed into and exacerbated the biographical and institutional differences within the Company's administration. At the point of annexation, Henry Lawrence and his military associates had much more experience of Punjab's periphery, and saw the rest of the province in this light. Informed by their experiences along the Afghan Frontier and in west, they were more alive to the indispensability of local intermediaries. Moreover, they also seem to have anticipated that there would be future crises in which the British would need to call on local supporters from the native elite. By contrast, as of 1849, John Lawrence and his civilians only really knew Punjab's core and extrapolated from it. To them, Punjab therefore appeared to be a land of

¹⁰¹ H.L. in Major, 'Return to Empire', p.143.

peasant proprietors, whilst the Second Anglo-Sikh War seemed more decisive.¹⁰² Thus, they concluded that the British could mould the province almost at will.

Over the ensuing years under the Board, Henry Lawrence's officers were generally despatched to administer the periphery, whereas John Lawrence's civilians were typically appointed to administer the core. Accordingly, the latter found that they were in a stronger position to implement the full panoply of John Lawrence's administrative vision. In fact, these more intensively farmed and densely settled districts did bear a closer resemblance to the North-Western Provinces, which provided the inspiration for many of John Lawrence's schemes. Thus, in the core, the British pursued a more classically programmatic and interventionist agenda that was indicative of a stronger state: old elites were (initially) bypassed and often expropriated, and the British imposed the Village System in full, and looked to base their rule on the peasantry.

In connection with this, British officials aspired to pitch the land tax at a low rate. However, as will be seen, this was initially more honoured in the breach. In fact, the dislocations and miscalculations attending the establishment of formal Company control, especially the rigidities of their system of land taxation, temporarily made life worse for the peasantry. In its deleterious short-term economic consequences, the Board's administration seems partially to validate the pessimistic interpretation put forward by the distorted development school; including Mridula Mukherjee's contention that a disproportionate land tax played an important role in pushing many landowners into debt, and that officials were too slow in giving remissions.¹⁰³

¹⁰² Campbell, *Modern India*, pp.95, 338-341.

¹⁰³ Mukherjee, *Colonializing Agriculture*, p.4.

Meanwhile, in large tracts of the peripheral west of the province and along the Afghan Frontier, the Board frequently adopted a different course from the levelling and interventionist agenda imposed on Punjab's core. Of course, there were exceptions; although, tellingly, where the more interventionist approach of the Village System, with its rigidly fixed land tax, was tried in these peripheral districts the results were especially disastrous. Nevertheless, the pattern broadly held that, in the west and along the Frontier, the British looked to co-opt local elites as partners in government, and sometimes relied on them to continue old forms of land administration. However, this too was far from seamless. On the Afghan Frontier, the collaborative approach ran into difficulties, in part because the relative egalitarianism of the Pashtun tribes made it more difficult for the British to identify or promote durable local leaders as intermediaries and allies.

By contrast, the collaborative approach was more successful in the Cis-Indus west. Here, a somewhat more hierarchical society provided local elites with whom the British could deal. Some, such as the Shahpur Tiwanas, had previously been co-opted by the Sikh State and had served as military contractors, and now were willing to work with the British.¹⁰⁴ Others, like the Khattars, had been quick to side with the British during the Residency period. As Ian Talbot has highlighted, this was a mutually beneficial relationship that would only deepen over the years. In the 1930s and 1940s, the Khattars and Tiwanas would provide respectively the first (Sikander Hayat Khan Khattar) and last (Khizr Hayat Khan Tiwana) premiers of Punjab under British rule. Thus, the Board's management of Punjab's periphery was characterised by patron-client relationships with local elites to a much greater extent than in Punjab's core, where it was defined by attempts to govern more directly and thoroughly.

¹⁰⁴ Talbot, *Khizr Tiwana*, pp.4-6, 26-33.

None of this emphasis on collaboration is to minimize the importance of coercion, however. In many respects, coercion and collaboration were really two sides of the same coin of projecting British authority. The fact was that the British needed collaborators in order to be able to coerce, whilst the threat of coercion helped to prompt collaboration. What is more, as historians of both the collaborative and coercive schools have written, the province's new coercive institutions provided a vehicle for collaboration in the form of military employment – whether in the Company's regular army, the Punjab Irregulars (better known by their later name as the Punjab Irregular Frontier Force), or the administration's military police. Seen in this light, the muscular paternalism of the Punjab School – by turns protective and punitive – was forged to find a way of simultaneously coercing, conciliating, and co-opting the province's population in a fashion that was consistent with the self-image of its British administrators.

The nature of British coercion varied over the province, and appears largely to have turned on British perceptions of insecurity, much as Mark Condos has argued. However, *pace* Condos, this insecurity was not exaggerated – the colonial state really was weak in large parts of Punjab. Generally, where the state was weaker, coercion took the form of short and sharp bursts of intense violence. By contrast, where the state was stronger, coercion was more sustained and encompassing, but for that reason was also less intense. At the same time, and somewhat paradoxically, where the state was weak, collaboration was more necessary than where the state was strong. Thus, in the periphery a weak and sometimes intensely violent state collaborated with selected local elites, whilst in the core, a stronger, more dominant, and somewhat less vicious, state tended to bypass local elites and attempted to administer society directly according to its own designs.

As this thesis will demonstrate, in many respects the Board set the pattern for the violent methods and coercive institutions that have since become rightly infamous. Crucially, the idea of pre-emptive force, which became something of an informal doctrine amongst officials and officers in Punjab, was not the product of the Rebellion (as Wagner suggests) but had been a core tenet of the Punjab School from the very beginning – nay, before formal annexation, in fact. Recall Abbott remonstrating in 1848 that the first signs of enmity had to be met with ‘fearful and instant retribution’. To this he added: ‘we hold our position in the Punjaub wholly by the force of opinion, by the general belief in our superior courage and resources. Our Empire in India has the same foundation, and one or both may pass away if we evince any symptoms of hesitation.’¹⁰⁵ This eerily foreshadowed Michael O’Dwyer’s justification for Brigadier Reginald Dyer’s actions at the Jallianwala Bagh on April 13th 1919. ‘Hesitation would have been fatal.’¹⁰⁶ The logic was simple – it was better to strike too hard and too fast than too little, too late – and it ran like a red thread throughout the period of British rule in Punjab.

However, unlike later essays in brutality, the violence inflicted by the Board and its subordinates was for the most part not primarily determined by racism – at least in the strict sense of being based on notions of inherent biological difference. It was not until British India’s clarifying crisis in 1857 that the racialization of violence became absolutely overt, and it is important not to project back onto the past later developments. Indeed, whilst it is outside the scope of this thesis, it appears that many of those officials who had worked under the Board were themselves radicalised over the course of 1857. Nevertheless, during the years of the Board, it seems that the violence inflicted by its officials was based on a

¹⁰⁵ *Journals and Diaries of the Assistants to the Agent*, pp.165-166.

¹⁰⁶ O’Dwyer, *India as I Knew It*, p.285.

broader range of considerations and emotions, wherein racial prejudice, though certainly present, was not primary.

Throughout the Board's existence, John Lawrence's more uncompromising assertion of the Company's authority aligned with Lord Dalhousie's own preferences. Even before the end of 1849, the Governor-General was anxious to find an excuse to retire the Board, jettison Henry Lawrence, and place John Lawrence in charge of the province.¹⁰⁷ At the end of 1852 he got his chance when Henry Lawrence recklessly suggested that either he or his brother might assume the Hyderabad Residency, leaving the other in sole charge of Punjab. Dalhousie seized his opportunity. Thus, in January 1853, Henry Lawrence departed Punjab, leaving John Lawrence to assume the new role of Chief Commissioner for the province. At least superficially, it appeared as though John Lawrence had won, and that Punjab would thenceforth be subjected to his more programmatic and levelling agenda.

However, first appearances deceived. Whatever John Lawrence and his civilian acolytes might have desired, Punjab imposed its own realities. Before long, it fell to him to enact the pro-elite policies once favoured by his brother, not just in Punjab's periphery, but in its core as well. The fact was that in a time of crisis the British could not hold Punjab (let alone the rest of India) without the active cooperation and participation of the native elite, whether in the periphery or the core. This was something that John Lawrence would come to accept, if not in word, then most certainly in deed. For, in 1857, the erstwhile scourge of the *jagirdars* would call on those he had so recently expropriated, offering them the chance to recoup what they had lost by fighting for the British. The result of John Lawrence's mid-'Mutiny'

¹⁰⁷ Khilnani, *Punjab under the Lawrences*, p.121.

pivot was a partnership with the native elite that resembled what Henry Lawrence had previously argued for.¹⁰⁸

Indeed, during the Rebellion, British authority was rendered insecure throughout the land in a fashion that encouraged officials to resort to pro-elite collaboration and massive coercion simultaneously. The British maintained control over the province during 1857 in large part through a forbidding use of violence: thousands were summarily executed, often in grotesque fashion. This must complicate somewhat the province's subsequent reputation for 'loyalty'. True, many groups in the province did side with the British and energetically aided them against their foes; though it is difficult to know how far this was a result of genuine enthusiasm, opportunism, or terror. This paradoxical juxtaposition of support for British rule with forceful opposition to it would recur in future decades, when the province was likewise the scene for simultaneous large-scale coercive and collaborative endeavours. Thus, the 1910s witnessed the phenomenon of hundreds of thousands of Punjabis fighting for the Empire in the First World War, but also the Ghadar Movement, the 1919 Disturbances, and of course the Amritsar Massacre.

In the aftermath of the Rebellion, the invigorated partnership between the British and Punjab's elite would be consolidated and formalised, with the result that British administration in Punjab swung from its 'levelling' tendencies (especially in the core) to being almost neo-feudal in many respects. As the collaborative school have emphasized, henceforth, those British administrators most closely associated with Punjab would look to govern with and through the local elite, whilst resisting the introduction of more 'modern' political institutions like councils and representative assemblies. 'Down country orators'

¹⁰⁸ Major, 'Punjabi Chieftains', pp.74-80.

were spurned in favour of chiefs, who supposedly possessed 'traditions of rule' and 'administrative experience'.¹⁰⁹ For all that, the programmatic agenda of statist intervention was not dropped, but was renewed and revitalised, albeit in a non-levelling fashion that improved the conditions of such semi-dominant groups, like the Sikh Jats, simultaneous to enhancing the standing of the rural elite. From the 1880s, rather than refereeing a zero-sum game between the peasantry and the elite, the construction of the Canal Colonies provided the British with the means to reward both key constituencies. Meanwhile, the British became increasingly jaundiced against Punjab's small, but growing, urban population – even though they had treated them with relative leniency, if not favour, for the first few decades after annexation.

The research for this thesis occurred during the Covid-19 Pandemic. As such, long distance travel to the Punjab State Archives at Lahore, Pakistan, was not possible. This was unfortunate given that it houses a wealth of archival material, including the records of the Lahore Residency, the Cis-Sutlej and Trans-Sutlej Commissionerships, and the Board of Administration itself. To compensate for this, the personal papers of the Board's officials, which are housed at the India Office Records in the British Library, have been used, alongside the many official reports that were often published. Furthermore, because of my own linguistic inadequacies, native sources have too rarely been used, and I have instead relied on translations where available. It practically goes without saying that the opportunity to carry out research in Pakistan and India would be most valuable, as would the time to get to grips with Punjabi, Urdu, Persian, and Pashto.

¹⁰⁹ O'Dwyer, *India as I Knew It*, p.125.

Nevertheless, for all its faults, the source material that has been used – official correspondence and reports, demi-official and private correspondence, published memoirs, diaries, and journals, as well as the views of other observers – offers a plethora of perspectives that can be compared, contrasted, and collated, to piece together a more rounded view of the history of the Board. British officialdom was not monolithic: both within generations and between them there were numerous stances and opinions. Disputes and rivalries between officials, or between the civilian and military branches of the Company-State, multiplied the perspectives and insights on offer. Official pronouncements often had their more candid analogue in private correspondence. Similarly, whilst officials tended to be overly optimistic and self-congratulatory about their own work, others were quick to highlight their failings, thereby providing the historian with a more critical second opinion. Of course, there were still errors and oversights. The entire range of the perspectives offered by British sources was ultimately an imperialist one that reflected their misunderstandings, prejudices, and agendas. Indicatively, aspects of life that had less bearing on the security and fiscal priorities of the colonial state featured less – attesting to the limitations of the administrative apparatus that the British brought to bear on the region. Indeed, a want of accurate information seems to have been one of the defining problems of the Board's period in power.

Chapter One: The Founding of the Punjab School

The Board of Administration of Punjab was activated on March 31st 1849 by a despatch from Henry Elliot, written under the direction of Lord Dalhousie. It was addressed to Henry Lawrence, its prospective President, as well as its two other members – John Lawrence and Charles Mansel. The letter adumbrated the broad principles which were supposed to guide the new administration. Aside from the document's self-confident paternalism, what was most notable about it was that it was riddled with contradictions regarding the pace and extent of the impending changes which the British would bring about. What did it mean to 'uphold Native institutions and practices', whilst introducing the 'British system' in a 'gradual' fashion, but 'at the earliest possible period'?¹ As these inconsistencies suggest, there was a congenital tension between continuity and change laid at the heart of the Board's mandate. This, and other conflicts, would bedevil the Board's operation over the ensuing years and play a critical role in its collapse.

Even so, the task facing these three men was daunting enough by itself. Before them lay the challenge of restoring order to a war-torn land; reintegrating many erstwhile rebels into civilian life; securing the porous Afghan Frontier; and, of course, making the province 'pay'. Added to this, for reasons both ethical and practical, the members of the Board were committed to developing the resources of the country and (at least notionally) improving the lot of its inhabitants. Looking back on the Board's work, its sometime Secretary, Richard Temple (1826-1902), later painted a triumphant picture of civilizational 'progress'. According to him, the Board had instituted 'a great revolution', the like of which 'we

¹ Henry Elliot to H.L., J.L., Charles Mansel, 31st March 1849, C.L. Tupper (ed.), *Punjab Customary Law: A Selection from the Records of the Punjab Government*, Vol.I (Calcutta, 1881), p.49.

honestly believe that history can supply no parallel.² Others too have since adopted much the same line: that 'the administration by the Board was an unqualified success. It brought peace and prosperity to the country which had passed through ten years of civil strife.'³ However, the reality was by no means so unequivocal – and both peace and especially prosperity would remain elusive. Narratives of heroic modernisation notwithstanding, much of the Board's work was essentially 'of a conservative, political nature', in which the blood and iron imperatives of state-building and regime-founding were paramount.⁴

From the outset, Punjab was intended to be the model province. Having annexed the country on his own authority, Dalhousie naturally had 'the strongest motives for ensuring' its 'speedy success'.⁵ He wanted the brightest and the best, regardless of seniority, and the Board-members were allowed to nominate their subordinates subject to Dalhousie's confirmation.⁶ Both Henry and John Lawrence were alive to the significance of this. In the adolescent bureaucracy of the Company-State, personnel and policy were practically one. Both men looked to the next generation to implement their ideas and carry on their work, and sedulously cultivated and promoted subordinates for this purpose. Thus, John Lawrence poached several men from his old stomping ground, the North-Western Provinces, including the likes of Robert Montgomery (1809-1887), Donald Macleod (1810-1872), Edward Thornton (1811-1893), and (in due course) Richard Temple. He also came to look benevolently on the careers of Robert Cust (1821-1909) and George Campbell.⁷ All these

² Richard Temple, 'The Administration of the Punjab', *Calcutta Review*, Vol.21, No.41 (July 1853), p.225.

³ Singh, *History of the Sikhs*, Vol.II, p.94.

⁴ Major, 'Return to Empire', p.183.

⁵ Temple, *Lord Lawrence*, p.53.

⁶ Dalhousie to Couper, 16th March 1850, Baird, *Letters*, p.113.

⁷ Temple, *Men and Events*, p.43; Reginald Bosworth Smith, *Life of Lord Lawrence*, Vol.I (London, 1883), pp.352-353; Petrus van den Dungen, *The Punjab Tradition: Influence and Authority in Nineteenth Century India* (London, 1972), p.44.

men were trained civilians: initiates in the esoteric arts of the Company's fiscal administration. They saw themselves as dedicated public servants and progressive paternalists: sensible men capable of making life's difficult trade-offs (on behalf of others). Predictably, in the ensuing years, they tended to side with their patron, John Lawrence, over questions of policy.

Meanwhile, Henry Lawrence 'naturally leaned towards those who, like himself, had been drawn from the army'; in other words, military men seconded to civilian office, whose administrative expertise was accrued in real-time as they learned on the job.⁸ Many had already worked for him as Assistants in Punjab over the preceding few years.⁹ Most were genuine friends of his, and he felt a strong sense of loyalty to them that was broadly reciprocated. Amongst their number were his older brother, George Lawrence (1804-1884), as well as Herbert Edwardes, James Abbott, Harry Lumsden (1821-1896), John Nicholson (1822-1857), Reynell Taylor (1822-1886), William Hodson (1821-1858), Richard Pollock (1827-1899), and Neville Chamberlain (1820-1902).¹⁰ Like Henry Lawrence himself, they were adventurous, instinctively hostile to deskwork, and disinclined to take orders. They fashioned themselves as rough-and-ready men of action, and presented themselves (and were represented by others) in heroic terms, as latter-day knights and beacons of no-nonsense Christian moral rectitude in a heathen land.¹¹

These attributes, particularly the energetic self-promotion, were epitomized by Herbert Edwardes, who lost little time in turning his exploits as an Assistant in Punjab to account. Whilst back in Britain on leave between 1849 and 1851, he was widely *fêted*. Besides

⁸ Temple, *Men and Events*, p.57.

⁹ *GR1849-51*, p.21.

¹⁰ Merivale and Edwardes, *Lawrence*, Vol.II, pp.155-156.

¹¹ Edwardes, *Punjab Frontier*, Vol.I, p.xi.

receiving the thanks of both Houses of Parliament, he was hosted by the Duke of Wellington at Apsley House, and addressed gatherings of local worthies, such as a banquet in the Liverpool Town Hall, on the moral duty of empire.¹² Only a generation or two before, he might have been considered insane, but now he was the prophet of a new high-minded imperial creed. Meanwhile, still feeling that he had been unfairly overlooked by Dalhousie, Edwardes published *A Year on the Punjab Frontier*, wherein he recounted how he had brought a 'barbarous people' – the inhabitants of Bannu would have been indignant to learn that he was referring to them – 'within the pale of civilization'. According to himself, Edwardes had achieved in 'three months, without a struggle, a conquest which the fanatic Sikh nation had vainly attempted with fire and sword, for five-and-twenty years.'¹³ This was stirring stuff, and was precisely what the British public wanted to hear, and the two-volume work was a best-seller. None other than John Ruskin later touted Edwardes as 'a Christian missionary, or modern military Bishop', and as (supposed) proof of 'how a decisive soldier and benevolent governor can win the affection of the wildest races, subdue the treachery of the basest, and bind the anarchy of dissolute nations – not with walls of fort or prison, but with the living roots of Justice and Love.'¹⁴ Such were the psychological wages of empire – both for those directly involved, liked Edwardes, and those who vicariously revelled in the enterprise from afar, like Ruskin.

More than John Lawrence, Henry Lawrence regarded his followers with almost paternal solicitude: advising them, cajoling them, steering their careers as he thought best, and inducting them into civilian work. He and his wife, Honoria Lawrence, even ministered unto

¹² Edwardes, *Memorials*, Vol.I, pp.168, 186-189.

¹³ Edwardes, *Punjab Frontier*, Vol.I, p.viii.

¹⁴ John Ruskin, *A Knight's Faith* (Vol.IV of '*Bibliotheca Pastorum*') (1885), pp.384-385.

their spiritual welfare.¹⁵ Unsurprisingly, these young men tended to side with him in the ensuing debates over how Punjab ought to be governed; particularly on the important question of how far the men on the spot were to be bound by forms and rules, or free to use their own discretion. And, it was to this fundamental issue that attention had turned once the issue of annexation had been determined.

Henry Lawrence's views on this crucial matter remained consistent. Armed with a romantic and somewhat Orientalist conviction that, in India, personal discretion governed best, he believed that officials should be given far-reaching, 'almost despotic', powers that were supposedly equivalent to the 'Oriental Nazim'. He preferred that officials should govern according to the 'spirit' rather than the letter of the law, dispensing 'speedy justice', whilst watching 'in paternal manner the interests of the poorer classes'.¹⁶ All this departed from the so-called 'Regulations'. That is, the rules and laws adumbrated by successive Governor-Generals since the late eighteenth century for the administration of the Company's established territories, the so-called 'regulation provinces'.

The regulation system had largely been devised to curb what had once been viewed as the dangerous over-empowerment and corruption of Company officials. Thus, in the regulation provinces, executive and judicial powers had been separated somewhat, with the judiciary being capable of checking the executive branch to some degree, whilst both were constrained by certain procedural and substantive rules. However imperfectly, the quintessentially Whiggish idea had been that officials would be bound by the rule of law and

¹⁵ H.L. to James Hogg, 31st October 1852, MSS Eur F85 13, HLP; William Hodson in George Hodson, *Twelve Years of a Soldier's Life in India: Being Extracts from the Letters of the Late Major W.S.R. Hodson, B.A.* (London, 1859), p.29.

¹⁶ H.L. to Alexander Duff, 7th July 1850, MSS Eur F85 10, HLP; Henry Lawrence, 'The Kingdom of Oude', *Calcutta Review*, Vol.3, No.6, (June 1845), p.377.

govern according to it. Thus, when it came to the criminal law, officials administered an Anglo-Mughal hybrid of Islamic law combined with the Regulations. The latter included special pronouncements by successive Governors-General in Council on certain issues anathema to the 'good conscience' of officialdom, like *sati* and female infanticide. As for the civil law, British officials basically presided over a triple system: Hindu law for disputes involving Hindus, Muslim law for Muslims, and English common law for the growing Anglo-Indian community and themselves.¹⁷

The problems with this system – if such it can be called – were multiple. Because the courts administered a variety of different laws it was endlessly confusing. Meanwhile, most officials administering the law had no meaningful legal training, though they were advised by Indian law officers, and from 1832 Judges could appoint *panchayats* as arbitrators or juries (though were not bound by their decisions).¹⁸ Indeed, British officials were often unsure about what the law even was. After all, there were a plurality of Hindu, Muslim, and British sources, as well as Indian law officers to consult. What is more, the authorities did not consistently publish complete digests of their own regulations. Even the British – let alone those they judged – were dissatisfied with all this. To many, it seemed infuriatingly arbitrary, whilst there was often the lurking suspicion amongst British officials that they were being manipulated by Indian law officers and lawyers. Those in the metropole interested in such matters wanted to impose a Utilitarian-inspired rationalisation of the law, codifying it so that in future officials' judicial discretion would be minimized. Hence, in 1833, the British Parliament legislated for an Indian Law Commission, with a mandate to formulate

¹⁷ William H. Morley, *The Administration of Justice in British India: Its Past History and Present State* (London, 1858).

¹⁸ *Ibid.*, pp.67, 73-74.

a new court system and legal code; though the implementation of this would not occur until nearly two generations later.¹⁹ As for officials in India, they often took the opposite stance, and were instead increasingly inclined to maximize executive officials' judicial discretion in what was then termed a 'despotic' fashion.

Indeed, by the late 1840s, 'despotism' had been salvaged by some respected Company officials, most notably Thomas Munro and John Malcolm, and was once again increasingly fashionable.²⁰ In fact, the Company's newly annexed territories typically went through a phase wherein they were treated as conquests, and so subject to the personal discretion of the conqueror. This was often justified by the idea that the more 'peripheral' parts of India (from the Company's perspective) represented lower stages of civilization. Looking back on this process, John Kaye asserted with typical forthrightness that 'the extension of our empire has brought us closer and closer to the outskirts of civilisation, and that having to do with a ruder people, we have expediently subjected them to a ruder system of government.'²¹ The view was that in a 'new', and supposedly unruly, district or province it was better for the men on the spot to govern as they saw fit; acting despotically or extra-legally, with a firm but paternal hand, rather than being the mere servants of the laws set down in the Regulations, or thwarted by noisome Judges who would obstruct their endeavours.²²

¹⁹ David Skuy, 'Macaulay and the Indian Penal Code of 1862: 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*, Vol.32, No.3 (July 1998), pp.513-557; Elizabeth Kolsky, 'Codification and the Rule of Colonial Difference: Criminal Procedure in British India', *Law and History Review*, Vol.23, No.3 (Fall 2005), pp.631-683.

²⁰ Eric Stokes, *The English Utilitarians and India* (Oxford, 1959), pp.9-22; T.H. Beaglehole, *Thomas Munro and the Development of Administrative Policy in Madras, 1792-1818: The Origins of the Munro System* (Cambridge, 1966), pp.4, 126-127, 132.

²¹ Kaye, *Administration of the East India Company*, p.434.

²² *Annexation of the Punjab*, p.44.

However, those associated with Punjab's fledgling administration did not just envisage non-regulation despotism as a brief stopgap, and many saw it as an intrinsically superior arrangement. Indeed, the non-regulation system had never been tried on so large a scale. They believed, almost as a matter of principle, that officials should unite executive and judicial powers, and enjoy wide-ranging discretion as to their use. Fresh from carrying on a guerrilla campaign against the Sikh rebels, John Nicholson wrote indicatively to Henry Lawrence of his 'horror of being put under a red hot English law man, who would allow 'precedent to overrule all reason and routine all justice', [and] acquit a murderer because a letter of his name was omitted in the charge'. He averred that 'our regulations cannot be all at once introduced into this country and if it be tried to do so, the failure will not be long in becoming apparent.'²³

For his part, John Lawrence was of much the same mind, although he and his followers were not so extreme. Basically, whereas those with military backgrounds (like Henry Lawrence and John Nicholson) wanted to eschew the Regulations so that they might wield criminal judicial powers, and summarily dispense punishment as they liked, John Lawrence and his civilians tended to place more emphasis on the importance of streamlining the civil law. John Lawrence's personal experiences partly accounted for his views. Back in 1831, his first proper appointment had been as an Assistant to the Resident at Delhi during its last year as a non-regulation district. Hence, in the formative dawn of his administrative experience he had briefly exercised the combined powers of Collector, Magistrate, and

²³ Nicholson to H.L., 2nd April 1849, MSS Eur E 211 8, HEP.

Judge, and it seems to have left him with the lasting impression that this was how things ought to be done.²⁴

Meanwhile, a (somewhat self-serving) post-mortem of developments in the regulation North-Western Provinces only reinforced the despotic preferences of John Lawrence and likeminded young civilians. There, the rulings of Judges following the letter of the Regulations were thought to have contributed to a worryingly high rate of land transfer. This was deemed to have dangerously frayed the social fabric by dispossessing many of the supposedly traditional 'village communities', which were increasingly romanticised as the quintessential units of Indian society.²⁵ India, it was alleged, was best served by a paternal despotism that stopped this sort of thing from happening by prioritizing 'equity' over the letter of the law. Latterly, as Commissioner of the non-regulation Trans-Sutlej Division (1846-1849), John Lawrence had headed-off any attempt to foist a semi-separate judiciary upon it, as per the Regulations, in precisely these terms. 'I have a great objection to the civil and revenue work being separated', he had warned Elliot. 'A regular civil court plays the very devil. Its course of procedure is ruinous to the tenures of the country.'²⁶

Dalhousie also favoured the 'despotic' model of a non-regulation province for Punjab – albeit for his own reasons. Not least, it would afford him much greater personal authority over the country than if it was a regulation province. This was because non-regulation provinces were treated by the Company-State as 'foreign' territory, and as such existed in a sort of legal state of exception. Thus, the Governor-General could influence non-regulation provinces entirely according to his own personal discretion – unlike regulation provinces,

²⁴ Smith, *Lawrence*, Vol.I, pp.42-44.

²⁵ Charles Raikes, *Notes on the North-Western Provinces of India* (London, 1852), pp.66-69.

²⁶ J.L. in Smith, *Lawrence*, Vol.I, p.232.

where he was constrained by prior rules, precedent, and the requirement of passing laws by majority vote in his Legislative Council. Similarly, in a non-regulation province, the Governor-General could appoint whoever he saw fit to the administration, whether they were trained civilians or not, so opening the berths to military men – who were cheaper to employ.²⁷ After another expensive war, considerations of cost loomed large, and this told in favour of a non-regulation system in a further way. For, if there was a division of powers, in keeping with the regulation system, there would necessarily be multiple officials and establishments overseeing the same geographic area, multiplying costs accordingly. Logically, uniting powers in the hands of omnicompetent officials would help keep costs down. In the event, this was relatively successful – but whether it was worth it, in terms of the administrative blunders to which it gave rise, was another issue. To look ahead somewhat, for the year following annexation, the so-called ‘civil and political’ and ‘judicial and police’ charges of Punjab were roughly £270,000. This compared well with charges of approximately £650,000 for the North-Western Provinces (the most relevant comparison), which had a population of roughly double Punjab’s. Thus, on a per capita basis the non-regulation province was indeed cheaper.²⁸

However, it is also true that, at least to some degree, the British were simply adapting to prior conditions when they implemented a despotic non-regulation system in Punjab. In the erstwhile Sikh State, there had been very little in the way of division of powers: from the *kardars* up, its executive officials had also possessed judicial powers. There was therefore an element of path dependency in the British decision to treat Punjab as a non-regulation province. In fact, the separation of executive and judicial powers really did appear to go

²⁷ Campbell, *Modern India*, pp.180-181, 233.

²⁸ *Ibid.*, pp.424-425.

against the grain of local conditions. For instance, whilst Resident at Lahore, Henry Lawrence had attempted to introduce a separate judiciary to the Sikh administration, and the results had been discouraging. Officials had squabbled amongst themselves, and massive arrears of cases had built-up.²⁹

Thus, in 1849, the ideas, inclinations, and interests of British officials, as well as pre-existing local conditions, all tended in the same direction, and so it was practically a foregone conclusion that Punjab would be a non-regulation province. Accordingly, the administration's founding dispatch announced that 'every civil functionary, from the Board to the *kardar*' – a revealing slip – was 'vested with judicial, fiscal, and magisterial powers.'³⁰ Therefore, each and every district official was to be his own Judge, Revenue Collector, and Magistrate. In other words, the new province would be governed not by the rule of law but by the ruler's law. Indeed, the Board was incorporated almost as though its members and subordinates were to be the despotic guardians of the proverbial village communities, with a commission to 'exert themselves to maintain those important bodies in all their integrity.'³¹ In theory at least, they were to be the paladins of Punjab.

Thus it was that the new province's administration took the form of a thoroughly simplified and streamlined administrative hierarchy.³² As Mark Condos has written, 'efficiency and expediency' were prioritized, often at the expense of accuracy, procedure, and fairness.³³ Doubtless, the comparative simplicity of non-regulation despotism, which made it a relatively easy and quick type of system to set-up, was one of its key advantages

²⁹ *Political Diaries of the Agent*, pp.94, 110-111, 116, 188, 199, 215, 226.

³⁰ Elliot to H.L., J.L., Mansel, 31st March 1849, Tupper, *Punjab Customary Law*, Vol.I, p.49.

³¹ *Ibid.*, p.49.

³² Thorburn, *Punjab in Peace and War*, pp.164-165; *GR1849-51*, p.20.

³³ Condos, *Insecurity State*, p.110.

for the British, and it seems that they were pushed to their limits by what little administrative refinements they did attempt. In a letter home, written only a couple of weeks after annexation, William Hodson exclaimed that 'you may imagine the turmoil and unrest of this eventful time; but I defy you to imagine the confusion'.³⁴ Whilst Hodson may have had his own agenda, his views were seconded by more bureaucratically inclined officials with civilian training. The newly appointed Commissioner for Jhelum Division, Edward Thornton, later wrote of how he and many of his subordinates were 'devoid' of knowledge of the area, lacked maps, and were not even sure how 'to determine the limits of districts'. He added that 'these difficulties were not overcome speedily', and admitted that the division's administrative establishments were not fully organized until several months after annexation.³⁵

At the top of the provincial administration stood the Board – although in truth Dalhousie presided Zeus-like from on-high, setting the overall direction of policy, and personally deciding inter-official disputes (one of the reasons why the non-regulation format had appealed to him). Besides the Board's executive functions overseeing the enforcement of law and order, it was Punjab's ultimate court of appeal in both civil and criminal cases. It had the power of life and death: its assent being necessary for awarding the death penalty or transportation for life. The Board also had final discretion over the revenue settlements. As such, it was the equivalent of the typical regulation province's Governor (or Lieutenant-Governor), Sudder Court, and Revenue Board, all rolled into one.³⁶ As President of the Board, Henry Lawrence was supposedly paramount, with special responsibility for 'political'

³⁴ William Hodson, Hodson, *Twelve Years*, p.89.

³⁵ *GR1849-51*, p.206.

³⁶ *GR1849-51*, p.20; Major, 'Return to Empire', p.192.

affairs. But his supremacy was more nominal than real. For it was John Lawrence, whose remit was the revenue, who increasingly made the weather. As for Charles Mansel, he was charged with police and justice. An unassuming and somewhat diffident man, Mansel was able to maintain a remarkable degree of neutrality (or just irrelevance) between the conflicting views of the two brothers, and would be replaced by Robert Montgomery – an old schoolfriend of the Lawrences – at the start of 1851.³⁷

Beneath the Board there were seven Commissioners, who were responsible for the divisions into which the province was now divided: namely, Lahore, Jhelum, Multan, Leia, Peshawar, the Trans-Sutlej (or Jullundur), and the Cis-Sutlej Divisions. Consistent with the despotic ideal, the Commissioners united executive and judicial functions. In addition to their authority over revenue collecting and policing, they therefore possessed the powers corresponding to those of Sessions Judges in the regulation provinces, and could award the death penalty subject to the Board's confirmation.³⁸ Tellingly, in March 1851, the power wielded by Commissioners was enhanced when they were authorised to award up to seven years' imprisonment on the basis of records prepared by junior officials, without the need for a formal trial. Again, such empowerment was intended to strengthen the hand of British officialdom over the new province.³⁹

Below the Commissioners there were nearly thirty Deputy Commissioners. Each headed one of the three to five districts into which each division was subdivided. These men were perhaps the real workhorses of the administration: the equivalent of District Collector, Magistrate, and Judge. Thus, they presided over their own courts wherein they had the

³⁷ Smith, *Lawrence*, Vol.I, p.283.

³⁸ *GR1849-51*, p.20; Temple, 'Administration', pp.230-231.

³⁹ Condos, *Insecurity State*, p.110.

authority to decide all civil suits, and in criminal cases could award up to four years' imprisonment.⁴⁰ In practice, the authority of Deputy Commissioners went further. Armed with magisterial powers, they and their subordinates could end up taking life in whatever qualified in their eyes as an emergency, above all, on the Afghan Frontier. They were supported by Assistants (totalling 43-45 provincewide) and Extra-Assistants (about 44).⁴¹ Both had authority delegated to them as their Deputy Commissioners thought appropriate. They could be permitted to try civil suits worth up to Rs.1,000; whilst in criminal cases, they could award up to four years' imprisonment.⁴² It might be noted that this gave them quite considerable competency, particularly since suits involving land were valued only according to the assessed land tax, rather than the asset's actual value.⁴³

Whilst the Commissioners, Deputy Commissioners, and Assistants were recruited from amongst the Company's British covenanted civil officials or commissioned officers, the office of Extra-Assistant was open to men hired in-country by the administration. Likewise, 'the ranks of the official subordinates' – that is, the numerous clerks, secretaries, and personal assistants, which each official relied on – 'were to be filled as much as possible by natives of the country.'⁴⁴ Indeed, a couple of months prior to annexation, Henry Lawrence had written to Dalhousie: 'I hope that your Lordship will... allow me to manage the country by mixed European and native superintendence, getting the best men we can from all quarters, whether covenanted or uncovenanted.'⁴⁵ It seems that part of Henry Lawrence's intention had been to limit the number of covenanted civil officials who would be appointed,

⁴⁰ *GR1849-51*, p.20; Major, 'Return to Empire', p.192; Condos, *Insecurity State*, p.110.

⁴¹ *GR1849-51*, p.20; Temple, 'Administration', pp.230-231.

⁴² *GR1849-51*, p.20; Major, 'Return to Empire', p.192.

⁴³ *APL*, p.63.

⁴⁴ *GR1849-51*, p.20.

⁴⁵ H.L. to Dalhousie, 26th February 1849, MSS Eur F85 8.

apprehending that they would take a more by-the-book approach than he liked. Later, he repeated his preference that the Extra-Assistants be recruited from amongst Punjabis, and ‘such natives as might have filled offices of trust under the durbar.’⁴⁶ By the mid-1850s, over half of Punjab’s Extra-Assistants were Indians, but of these only roughly half were Punjabis, which was fewer than Henry Lawrence would have liked.⁴⁷ At the time, many felt that Punjabis lacked the experience, competence, or political reliability for these offices, which were often given to old employees from the North-Western Provinces instead.⁴⁸

Apart from the question of morality, the exclusivity of the administration was a major practical issue. Employment at higher levels of the civil administration would have provided a means of co-opting locally influential Punjabis who had previously wielded power – instead they had to find opportunities at lower levels or (crucially) in military employ. Furthermore, by excluding Punjabis from high office, the administration effectively denied itself the information, local understanding, ‘affinitive knowledge’, and legitimacy, that men of local influence had to offer.⁴⁹ This lapse was partly responsible for some of the early blunders and violence of the administration, which was forced to stumble about in the dark, lurching from one crisis to the next, often for want of accurate information or local support. In time, the British would partially remedy this by creating various offices during the post-Rebellion ‘aristocratic reaction’ with which to co-opt local notables and incorporate them into the administration, such as that of Jagirdari Magistrate, Honorary Magistrate, and *zaildar*. Under the Board, there were local exceptions to this exclusivity, particularly in the province’s ‘periphery’ along the Afghan Frontier and in the west, where the British did give

⁴⁶ *GR1849-51*, p.20.

⁴⁷ Major, ‘Return to Empire’, pp.188-190; Major, ‘Punjabi Chieftains’, pp.77-76.

⁴⁸ Major, ‘Return to Empire’, pp.190-191.

⁴⁹ Bayly, *Empire and Information*, p.7.

higher appointments to Punjabis, often in the police or irregular forces, or recognised their pre-existing authority, by making them (if they were not already) *jagirdars* or tax farmers.

Beneath the Extra-Assistants there were the *tehsildars*, each presiding over one of the three to five *tehsils* into which a district was subdivided. Akin to their superiors, the *tehsildars* unified in their hands magisterial, judicial, and fiscal powers – albeit at a lower level. Thus, they presided over small cause courts and had cognizance of petty criminal cases, with authority to pass sentences of up to eight weeks' imprisonment.⁵⁰ In one crucial respect, the *tehsildars* arguably had more practical sway over the fortunes of Punjab's population than their official superiors. For they were the ones physically responsible for collecting the land tax from the villages. Obviously, this gave them significant power – for better or for worse. They were much more aware of local conditions, and could draw attention to where relief was needed, or press ahead and make the collection in full, sometimes with ruthless initiative.⁵¹ Again, the fact that many *tehsildars* were initially not from Punjab, but came from the North-Western Provinces, meant that they lacked local know-how and sympathies, which may have contributed to their playing a more extractive role than would otherwise have been the case.⁵²

The administration's authoritarian vertical structure provided the basic skeleton around which what has been termed 'the Punjab Tradition' was built; the overarching aim of which, according to Petrus van den Dungen, was the creation and preservation of a 'stable rural base'.⁵³ Given that about three-quarters of Punjab's population was rural, the political and

⁵⁰ Major, 'Return to Empire', p.192.

⁵¹ Robert Cust, 'The Collector of Revenue in the North West Provinces of India', *Calcutta Review*, Vol.23, No.45 (July 1854), p.149; Edward O'Brien, *Report on the Land Revenue Settlement of the Muzaffargarh District* (Lahore, 1882), pp.89-91.

⁵² Major, 'Return to Empire', p.190.

⁵³ Dungen, *Punjab Tradition*, p.31.

economic viability of the regime necessarily turned on producing and maintaining a relatively quiescent and productive countryside. Partly in pursuance of this, and partly for its own sake, the ethos of the Board and its British subordinates combined romantic paternalism with a self-consciously rough-and-ready pragmatism – that was not necessarily all that pragmatic in reality. Somewhat counter-intuitively, they also harboured a populist conceit. Officials believed that they knew what ‘the people’ wanted, and that they could personally deliver this in direct interactions in patriarchal fashion. According to Herbert Edwardes, Henry Lawrence instructed his subordinates ‘to ride about their districts and see and hear [things] for themselves, instead of through the police and Omlah [native subordinate]’.⁵⁴

Much of this ethos dovetailed with the self-image and aspirations of the British officials involved – macho, adventurous, tough, and Christian. At the same time, however, aspects of it also went with the grain of rural society in Punjab. In general, life in Punjab’s countryside was already quite patriarchal even by contemporary standards. Meanwhile, it had a sturdy strain of peasant populism, as manifest in the village assemblies or *panches* and *jirgas*. Significantly, it was also characterised by a fair degree of violence, which took various forms, from family or inter-village rivalries, to competitive cattle-lifting, and honour killings. As such, the Punjab School’s celebration of officials who were ‘rough and ready’, robustly physical, patriarchal, and had the common touch, arguably made a virtue of necessity.⁵⁵

Indeed, right down to the growing of beards, which Henry Lawrence had long considered necessary ‘to win... favour with the Sikhs’, many British officials seem consciously to have

⁵⁴ Raikes, *Notes on the Revolt*, pp.35-36.

⁵⁵ *Ibid.*, pp.27-28.

appropriated some of the attributes and practices of Punjab's old governing elite – or at least what they supposed were such.⁵⁶ This was perhaps more pronounced with those following Henry Lawrence than John Lawrence – as signified by the superficial though telling fact that the acolytes of the former were more likely to be bearded than the latter. In fact, Nicholson later half-fantasized about being compared by his erstwhile subjects on the Afghan Frontier to 'a good Muhammadan of the kind told of in old books, but not to be met with nowadays.'⁵⁷ The ethos of the Board and its officials was partly the product of an ongoing interaction between British culture and Punjabi realities (or at least British perceptions of these), with the two redounding on each other.

The character of the emerging Punjab School – including some early indications of its failings and fissures – was epitomized by the working of civil and criminal law in the new province. Given that it was a non-regulation province, the Board and its subordinates were *in theory* free to do what they liked, subject to the Governor-General's specific instructions. And in this, Dalhousie had given them a relatively free hand. As his and Henry Elliot's dispatch had instructed, the aim was 'to ensure substantial justice, without the observance of unnecessary forms and the technicalities which fetter our regular Courts of law.'⁵⁸ On this, both Henry and John Lawrence were largely in agreement. John Lawrence understood the practical advantages of simplicity and speed, whilst Henry Lawrence was eager that 'justice' be brought close to the people. Edwardes later recalled how Henry Lawrence was 'for ever talking the new officers into his own views; and influencing them to live among the

⁵⁶ Lawrence, *Adventures*, Vol.I, p.3.

⁵⁷ Nicholson in Lionel Trotter, *The Life of John Nicholson, Soldier and Administrator: Based on Private and Hitherto Unpublished Documents* (London, 1897), pp.230-231.

⁵⁸ Elliot to H.L., J.L., Mansel, 31st March 1849, Tupper, *Punjab Customary Law*, Vol.I, p.50.

people, to do as many cases under trees, and as few under the punkah, as possible'.⁵⁹ Again, this was partly informed by personal experience. As a Revenue Surveyor in the regulation North-Western Provinces (1833-1838), Henry Lawrence 'had gathered the impression, in village talks... that those Courts were hard of approach, technical in operation, and expensive even in their happiest issues'. Naturally, he was determined that things should be otherwise in Punjab – a sentiment with which John Lawrence agreed.⁶⁰ Thus, from the outset, the emphasis was on simplicity, speed, and 'equity' – as opposed to procedure.⁶¹

In practice, however, even though it was a non-regulation province, Punjab could not be governed solely by the personal discretion of its new rulers. The Board deemed that some rules were necessary to ensure their subordinates acted in a consistent fashion in keeping with their objectives. But, more importantly, the British were not in a strong enough position to impose their will unilaterally onto Punjabi society, but had to align themselves to some extent with local customs and practices. Broadly speaking, the Board were more willing to accommodate local custom in matters of civil law than criminal law, where the state's monopoly of legal force, and thus its sovereign authority, was more directly implicated.

Fundamentally, the civil law implemented by the Board reflected a trilateral compromise between British ideals, Punjabi customs, and the felt imperatives of establishing and maintaining the authority of the colonial state. Given the presence and political significance of the Sikhs in Punjab, as well as the heterogeneity of local customs, it was obvious from the outset that the Hindu-Muslim duality recognized by the Regulations had to be added to and

⁵⁹ Edwardes in Raikes, *Notes on the Revolt*, pp.35-36.

⁶⁰ *Ibid.*, pp.35-36.

⁶¹ *GR1849-51*, p.50.

made more flexible. As Commissioner for the Trans-Sutlej Division, John Lawrence had previously paved the way for this by improvising a system that acknowledged local customs (or, what were supposed to be such) in so far as they had not conflicted with British notions of 'natural justice' or 'good policy', in which case an official might consult a superior, or have recourse to the letter of the Regulations.⁶² In the meantime, as Resident, Henry Lawrence had arranged for the codification of the Sikh laws; particularly to mitigate 'family contentions between brother chiefs' over disputed property. He had called for 'fifty of the elders of the principal Jaut Sikh villages in the Manjha to be summoned to Lahore, for the purpose of forming themselves into a commission to lay down rules of inheritance, marriage contracts, etc.'⁶³ Unlike the essays in codification implemented in the 1860s, however, this was not about tying the hands of officials. Rather, Henry Lawrence seems to have desired an impersonal mechanism for resolving intra-elite disputes that would have obviated the need for him personally to pick a side and thereby risk the animus of the losing party. But, because the Sikhs were a minority, the resulting code only pertained to a small portion of Punjab's population.

Thus, throughout most of the annexed province, in the absence of anything more comprehensive or concrete, officials were meant to keep their ear to the ground, and be in tune with local custom and public opinion – albeit up to a point.⁶⁴ This willingness to adapt to local custom, however imperfectly, differentiated Punjab somewhat from the recent precedent set by Sir Charles Napier's non-regulation administration of Sindh. There, Napier had made virtually no concessions to local custom, but had administered as he saw fit.⁶⁵ It

⁶² Charles Aitchison, *Lord Lawrence* (London, 1892), p.49.

⁶³ H.L. to the Secretary to the Governor-General, 2nd August 1847, *PRP*, p.33.

⁶⁴ *APL*, pp.v-vi.

⁶⁵ Kaye, *Administration of the East India Company*, pp.435-440.

was, in Mark Condos' words, 'a military despotism in its most absolute sense.'⁶⁶ By contrast, the Board recognised that in Punjab such a system was neither viable nor desirable. They saw that local society was too strong for the British entirely to disregard local feeling, and believed that they might win some degree of favour and legitimacy if they were seen to be administering the law according to local customs in an impartial manner.⁶⁷ In all this, the British partly resumed where the Sikh State had left off. Previously, most civil law had been self-administered at a local level by the communities themselves through appointed arbitrators, judges, or religious figures. Meanwhile, executive officials, from the *kardars* up to the maharaja, had also wielded judicial authority.⁶⁸ At least initially, the Board's system resembled this, owing to the continuation of private arbitration, and the way in which judicial and executive authority were united.

Generally, the British were much more willing to entertain local custom in those civil cases which turned on matters of 'civil rights and social importance' that tended not to pose an overt challenge to their own authority or impinge on their tax-base.⁶⁹ Similarly, where their grip over Punjabi society was more attenuated, they were more accommodating almost by default. As John Lawrence's secretary, Philip Melvill later wrote, 'in many places the decision of simple social questions becomes of political importance. A sense of individual wrong arouses the passions; and the losing party avenges the injury which he has sustained by the strong hand.'⁷⁰ Nowhere more so than on the Afghan Frontier, where state capacity was relatively weak, the British quickly realised that if they did not meet local custom at least halfway, people would take matters into their own hands, and violent

⁶⁶ Condos, *Insecurity State*, p.107.

⁶⁷ *Ibid.*, pp.108-109.

⁶⁸ Parshad, 'Waqai Jang-i-Pheroshahr', p.54.

⁶⁹ *APL*, pp.91-92.

⁷⁰ Philip Melvill, 25th July 1853, in Tupper, *Punjab Customary Law*, Vol.I, p.53.

escalation might ensue. Obviously, this would undermine what little control officials had, and was 'fraught with such consequences as crime and even rebellion.'⁷¹ Therefore, the Board's assimilation of Punjabi customs was meant to canalize disputes into peaceful channels over which the state had some control.

After all, as with criminal law, the ultimate aim of the civil law was to promote British authority. The idea was to bring 'justice' – and with it, the authority of the state – closer to the people: both tangibly, in terms of physical hearings and the enforcement of decisions, and intangibly, in terms of widespread legitimacy. In part, this meant making the law popular, or at least generally accepted. This, the British supposed, would be achieved by tailoring the law to Punjab's alleged 'stage of civilization', so that it would be comprehensible to the people and thereby give 'satisfaction'. But, this also served as a convenient justification for the extreme 'simplification of procedure' instituted by the Board, and, crucially, the associated empowerment of its officials.⁷² Thus, a few courthouses were set-up in each district, wherein an official (either a Deputy Commissioner, Assistant, or Extra Assistant), acted as Judge; hearing the litigants and witnesses, and delivering an immediate verdict and award.⁷³ Whilst the presiding official was totally at liberty to decide the case unilaterally, he could appoint a jury or encourage recourse to private arbitration.⁷⁴

This was obviously very rough-and-ready, and deliberately so. In many respects, it was a conjuncture of the Board's paternalistic self-image with the felt imperatives of their situation. Envisaging themselves as benevolent patriarchs, British officials sought a free hand to rule as they saw fit. And a system that turned on considerations of equity, rather

⁷¹ *APL*, pp.91-92.

⁷² *GR1851-53*, p.91; *GR1854-56*, p.5.

⁷³ *GR1854-56*, p.4.

⁷⁴ *APL*, p.71.

than formal procedures and precedent, necessarily invested so much more power in the personal discretion of the adjudicating official.⁷⁵ This dovetailed with their somewhat Orientalist belief that a complex and highly procedural system would confuse the population. In fact, the relatively large number of civil suits that were lodged over the ensuing years, relative to the size of the population, rather undercut the stereotype of Punjabis as simple rustics unaware of legal nostrums. By 1854, it was estimated that there was one suit for every 220 people.⁷⁶

British officials also claimed that a more procedural system would be taken advantage of by literate and educated classes to the detriment of everyone else. The British represented themselves as protecting those of ‘middle rank and fortune and intelligence’, who might ‘easily fall victims to fraud, and a prey to the designing’ in a more complex system.⁷⁷ As Herbert Edwardes self-servingly declaimed, ‘the genius of the East is not yet honest enough for... English procedure’.⁷⁸ Likewise, the Board and its British subordinates had a visceral distrust of lawyerly technicalities and ‘pettifogging practitioners’, and they barred lawyers from the province’s courts.⁷⁹ To widen the aperture of official discretion further, no case could be non-suited on ‘technical’ grounds, and there was little restriction on the types of evidence that could be admitted.⁸⁰ In all this, considerations of paternalism and the power of the state aligned with suspicious convenience. ‘Justice’ was to be delivered directly by officials in unmediated interactions with the local population. Nothing, therefore, would get in the way of the sovereign authority of the state.

⁷⁵ *APL*, p.131; Edwardes, *Memorials*, Vol.I, pp.205-206; Cust, *Pictures*, pp.111-112.

⁷⁶ *GR1854-56*, pp.6-7.

⁷⁷ *GR1849-51*, p.50.

⁷⁸ Edwardes in Edwardes, *Memorials*, Vol.I, pp.205-206.

⁷⁹ *APL*, pp.131-132; *GR1849-51*, p.50; Edwardes, *Memorials*, Vol.I, pp.205-206.

⁸⁰ *APL*, pp.72, 90.

However, not all of this was done entirely in bad faith, nor was it purely a pretext for personal authoritarianism. Importantly, litigants had the right to appeal the decision of a civil court; and, by the mid-1850s, nearly one in ten rulings were appealed, of which about one-fifth were successful. The province's third *General Report* averred that this 'privilege' was 'much prized by the people', and welcomed the fact that 'the number of appeals will probably increase, as years roll on'.⁸¹ Clearly, had the Board really been incorrigible authoritarians, they would not have allowed appeals, let alone had a relatively positive attitude towards them. In March 1850, they had explained their reasons, averring that 'too great a facility for appeal is doubtless an evil, but a complete sense of irresponsibility [on the part of officials] is a greater one'.⁸² It seems that part of the reason the Board allowed appeals was because they provided a practical opportunity to discover and adjust to local custom – about which the British were largely in the dark.⁸³

Moreover, the Board made genuine efforts to make the civil courts both accessible, speedy, and inexpensive for litigants. Given that justice was previously something that had often been purchased from the officials of the Sikh State, the issue of cost should not be taken lightly. Ultimately, the costs of hearings were paid via stamps on legal papers and decrees that were indexed to the value of the suit, or by an additional levy on either the plaintiff or defendant depending on the discretion of the official. Moreover, the poorest could sue as 'paupers', in which case (if deemed genuine) their plaint was admitted free of

⁸¹ *GR1854-56*, pp.7-8.

⁸² Quoted in in Condos, *Insecurity State*, p.109.

⁸³ Philip Melvill, 25th July 1853, in Tupper, *Punjab Customary Law*, Vol.I, p.53.

charge.⁸⁴ Legal costs do not seem to have been prohibitive, and by the second half of the 1850s, the cost for litigants of a civil suit averaged about five per cent of the case's value.⁸⁵

Furthermore, the British were willing to delegate authority to native officials so as to make the law more accessible and popular. Here, the *tehsildars* played a crucial role by presiding over what came to be called 'small cause courts'. With one to each *tehsil*, these courts were rarely more than fourteen miles from a potential litigant, purposely making recourse to the law easy and cheap.⁸⁶ Testament to the *tehsildars'* utility, within a couple of years, most of them had been given jurisdiction over civil cases up to the value of Rs.300. Since the average suit in Punjab was then estimated to be only Rs.60, the *tehsildars* were thenceforth more than competent to dispose of the large majority of cases; and, by the mid-1850s, they dealt with about two-thirds of all civil cases.⁸⁷ Writing in 1851, Robert Montgomery (then Commissioner of Lahore Division) declared that the British officials could not have got on without them, and recommended a few of these 'hardworking, energetic public servants' to the Board for commendation.⁸⁸ Montgomery and others also supposed that because *tehsildars* necessarily lived in closer proximity with those over whom they judged, they were more in touch with 'public opinion' and custom in their locale than British officials could ever hope to be.⁸⁹

Moreover, it ought to be noted that British officials were not always in the business of shoehorning Punjab into some Orientalist image of a timelessly backward society, wherein the law had always been unsophisticated, and legal niceties were the gift of the Promethean

⁸⁴ *APL*, pp.70-71, 84.

⁸⁵ *GR1856-58*, p.1.

⁸⁶ *GR1854-56*, p.5; *GR1851-53*, p.80.

⁸⁷ *GR1851-53*, pp. 80, 88; *GR1854-56*, p.5.

⁸⁸ *GR1849-51*, pp.184-185.

⁸⁹ *GR1851-53*, pp.80-81; *APL*, p.126.

West. Indeed, Robert Cust later publicly pronounced how ‘in some things they are in advance of even English legislation.’⁹⁰ Clear proof that officials were open to the idea that they had much to learn from native law, was their treatment of the custom of limited liability, which was generally prevalent amongst the province’s merchants, and which was upheld by the British – notwithstanding that the rule was ‘not yet accepted in England’, where limited liability became statute law in 1855.⁹¹ Had they been entirely blinded by Orientalist prejudice, surely they would not have noticed the practice of limited liability, or just dismissed it as some quirk, and instead imposed on commerce what to British minds was the far more ‘traditional’ rule of unlimited joint and several liability.

As for the emphasis placed on local custom – as opposed to the use of religious law in the regulation provinces – this had the effect of empowering local society, albeit unevenly and only up to a point. Because of the Board’s desire to align themselves with custom as a route to legitimacy and popularity, they necessarily had to give local society a say in cases; allowing individuals and groups to decide not only matters of fact (like an English jury), but matters of law too. After all, in the years following annexation, the British had little idea of local custom, so had to defer to the *vox populi* to some degree. Thus, the Board encouraged ‘private arbitration’ in civil cases by recourse to the ‘traditional’ village juries, or *panchayats*. Henry Lawrence had long been an admirer of these, noting that they could ‘decree justice; [while] an English Court of law, perpetuate wrong.’⁹² He had extolled them as a more accessible, faster, and satisfying alternative to the Company’s formal civil courts; opining that through them, a ‘matter that would have caused a month’s vexatious hanging on in

⁹⁰ Robert Cust, ‘Non-Regulation Justice’, *Calcutta Review*, Vol.32, No.64 (June 1859), p.267.

⁹¹ *APL*, pp.113-114.

⁹² Henry Lawrence, ‘Recent History of the Punjab’, *Calcutta Review*, Vol.1, No.1 (May 1844), pp.466-467.

Kutchery [court], [might be] settled by acclamation in an hour; and both parties go home contented, blessing John Company.⁹³ Again, the civil law was seen as a route to popular legitimacy for the Company-State, and therefore as something which would cement its hold on power.

Not altogether unreasonably, the Board regarded the 'cherished' *panchayats* as 'especially useful', because they reflected 'local usages, and social practice', and were 'a potent means of popular justice'.⁹⁴ There must have been some truth in this, but as Neeladri Bhattacharya has argued, it was also naïve to suppose that the arbitrators would always be *bona fide* neutral repositories of custom. Bhattacharya has also suggested that the *panchayats* were not all that traditional, but were the dreamchild of the 'patriarchal' prejudices and the 'agrarian imaginary' of British officials.⁹⁵ Indeed, whilst some sort of communal arbitration, in the form of *panchayats* or *jirgas*, really had predated the coming of the British, there certainly was some innovation. In particular, the Board regularized the operation of *panchayats* and introduced guardrails, at the same time as stamping British authority on them. Accordingly, the *panchayats* were subjected to official supervision, under which the disputants would nominate five mutually agreed-on arbitrators, who would then hear the case in court and make an award, subject to official confirmation.⁹⁶ The arbitrators were paid for their work, receiving up to four per cent of the value of the suit.⁹⁷ Again, the Board's declared intent was to make 'civil justice popular and simple', whilst

⁹³ Ibid., p.468.

⁹⁴ GR1849-51, p.50.

⁹⁵ Bhattacharya, *Agrarian Conquest*, p.142.

⁹⁶ GR1849-51, pp.50-51.

⁹⁷ APL, p.72.

preventing the corruption and 'discredit' of the *panchayats*, which were supposed to be Punjabis' 'best institution'.⁹⁸

However, so far as the British were concerned, this last was exactly what happened. By 1853, enough officials had come to apprehend that the *panchayats* were doing more to stoke than resolve disputes, while their perennial suspicions about corruption had not been allayed. Henceforth, *panchayats* ceased to resemble independent tribunals, and became increasingly mere adjuncts of the courts.⁹⁹ All the same, by the mid-1850s, *panchayats* were recorded as deciding about one-third of civil cases, while (only) one-third of their awards were subsequently modified by the presiding official.¹⁰⁰

For all that, the Board's system of civil law was not as popular, or legitimate, as the British would have liked. After a couple of years, the Board admitted that they 'hardly consider[ed] that civil justice has advanced as satisfactorily as the other branches of administration. Indeed they are not sure that it will ever be very successful. There is no part of the British system so difficult to popularize.'¹⁰¹ Here, it was characteristic that the Board should initially have re-emphasized the discretion and personal character of the officials, and not the 'promulgation of rules', as the solution. They underscored the virtues of a form of paternalistic empathy (if not sympathy) on the part of the presiding officials as the means of making the system more popular and effective.¹⁰² Of course, it can be doubted how successful this remedy really was. Certainly, Punjabis appear to have realised that they could turn the paternalistic conceit of British officials to their own advantage.¹⁰³

⁹⁸ Temple, 'Administration', pp.235-236; *GR1849-51*, p.51.

⁹⁹ Bhattacharya, *Agrarian Conquest*, pp.143-144.

¹⁰⁰ *GR1854-56*, p.7.

¹⁰¹ *GR1849-51*, p.52.

¹⁰² *Ibid.*, p.52.

¹⁰³ Septimus Thorburn, *Bannu; or Our Afghan Frontier* (London, 1876), p.56.

Indeed, the fact that the British soon attempted to produce a loose civil code to guide officials was indicative of some of the difficulties they faced – and the dismay of some more senior officials with their subordinates. An obvious problem with the free-wheeling system of invoking local customs was that, a few years after annexation, most (perhaps all) British officials were still basically ignorant about them. After all, officials were overworked, and were often uninterested in legal arcana. As John Lawrence’s secretary, Philip Melvill explained, ‘the public duties which our officers have to perform are too heavy to afford much time for research, or even for reflection’. To this was added the still more revelatory confession that ‘our best local officers are more conspicuous for zeal, energy, and attention to their duties than for their intimate knowledge on such subjects [i.e., law and local custom]. The peculiar demands also of an extensive frontier have led to the selection of men whose education has partaken more of a military than of a legal character.’ For these reasons, it was decided that further ‘rules’ were necessary after all.¹⁰⁴

Consequently, Richard Temple and George Barnes drew-up a simple and loose set of rules and procedures, which was ready by the summer of 1853. However, the Government in Calcutta was not about to be rushed into giving this the force of law.¹⁰⁵ As a result, it was published in 1854 as *Abstract Principles of Law*, and served as a non-binding ‘guide’ for officials in their decisions.¹⁰⁶ Its essential stipulation was that ‘the Hindu and Muhammadan Codes and the *lex loci*, or local custom or other system of law obeyed by any tribe or sect, may be followed in all matters of civil right and social importance, which are not opposed to

¹⁰⁴ Philip Melvill, 25th July 1853, Tupper, *Punjab Customary Law*, Vol.I, p.52.

¹⁰⁵ J.P. Grant, 18th November 1853, Tupper, *Punjab Customary Law*, Vol.I, p.54.

¹⁰⁶ *APL*, pp.iii-v.

morality, public policy, or positive law, and which may not have been provided for by any specific rule.’¹⁰⁷

By moulding their laws around local custom (real and imagined), the Board and John Lawrence’s Chief Commissionership paved the way for future administrators of Punjab, who invoked ‘tribal’ customs as the basis for customary laws. Later, these were formally given primacy over religious laws by the 1872 Punjab Laws Act. This, in turn, helped enshrine tribal identity over communal or class identities as the primary organizing principle of rural society in Punjab.¹⁰⁸ As Ian Talbot has explained, the British ‘felt far safer in basing their rule around the cohesion of such local social organizations than around communal allegiances.’¹⁰⁹ Another advantage for the British of reifying local customs into tribal customary laws was that it helped cement the hold of elite families over ‘their’ tribe. Especially in the west of the province, the British relied on these families as allies to manage the local population on their behalf.¹¹⁰ As Charles Tupper, the author of the compilation *Punjab Customary Law*, advised: ‘it is through the tribe and the clan that Government can gain its firmest hold on the inclinations and motives of the people. The people can be led by their own leaders. It is much easier for a foreign Government to deal with organised bodies of men, through those who can be trusted on both sides, than with miscellaneous hordes of individuals.’¹¹¹ There could hardly be a clearer admission of the weakness of the colonial state, and how this was felt to necessitate co-opting local elites; instituting customary law was one means to this end.

¹⁰⁷ Ibid., p.6.

¹⁰⁸ Talbot, *Punjab and the Raj*, pp.17, 21.

¹⁰⁹ Ibid., p.21.

¹¹⁰ Bhattacharya, *Agrarian Conquest*, p.197.

¹¹¹ Tupper, *Punjab Customary Law*, Vol.I, p.17.

The system of criminal law implemented by the Board likewise reflected the limitations and inadequacies of the power of the colonial state. Thus, wide-ranging official discretion – only guided by ‘abstracts of our Regulations’ – was combined with ‘such deviations as experience of the people and country might from time to time dictate’.¹¹² Certain aspects of the Regulations were quickly found to be incompatible with local customs on certain issues, and the resulting compromises reflected the practical limits of British authority. In particular, anything to do with women was especially neuralgic; and female infanticide and honour killings relating to adultery were prevalent amongst certain Punjabi communities. Despite their evangelical convictions, the Board’s general approach was initially gradualist and pragmatically (or spinelessly) attempted to avoid courting direct confrontation over issues which, to put it bluntly, did not necessarily represent a clear and present danger to their own authority. Instead, the policies they adopted were essentially compromises with certain sections of Punjabi society; compromises which demonstrated the bounds of the colonial state’s reach. It is telling that the arrangements eventually arrived at, especially with regards to female infanticide, seem to have had little effect in practice, but allowed officials to think (or pretend) that they were making headway, so salving their consciences.

When it came to female infanticide, which was practised by Punjab’s Bedis and Rajputs in particular, the Board initially displayed an atypical lack of energy – despite the fact that infanticide was proscribed by the Regulations. It seems that the Board regarded this as a fight they could well do without, at least for the time being; and, although they were aware of the existence of the practice in Punjab, the Board effectively ignored it for the first two years after annexation. What is more, even when the Deputy Commissioner of Dinanagar,

¹¹² *GR1849-51*, p.21; Elliot to H.L., J.L, Mansel, 31st March 1849, Tupper, *Punjab Customary Law*, Vol.I, p.50; Aitchison, *Lord Lawrence*, p.64.

Edward Lake, wrote an *exposé* of the practice amongst the Bedis of Dera Baba Nanak in November 1851, which made it almost impossible to overlook, the Board's response was merely to institute a general enquiry – the time-honoured delaying tactic of bureaucrats anxious to avoid grasping the nettle.¹¹³ Doubtless, sending off circulars to the province's Commissioners fell somewhat short of Lake's clarion call that 'humanity demands that special measures should be taken for the suppression of this barbarous and unnatural custom.'¹¹⁴

Nevertheless, the subsequent findings revealed that the sinister practice was more widespread than previously thought. For example, in Kangra District, the Deputy Commissioner, Edward Bayley, recorded that in four Rajput-dominated *tehsils* there were some 14,959 fewer girls than there were boys amongst the under-fives, making a ratio of eight girls to every ten boys.¹¹⁵ Such unsettling evidence, alongside the energetic and characteristically earnest lead taken by Donald MacLeod and Herbert Edwardes – both increasingly ardent evangelicals – paved the way for substantive measures.¹¹⁶ In large part, the strategy that was then adopted reflected John Lawrence's apprehension that more confrontational measures would merely 'enlist the feelings of the people against our efforts, and thus furnish a powerful inducement to thwart them.' Instead, taking a leaf from his brother Henry Lawrence's preference for co-opting the native elite, he proposed that 'if we can once get influential natives to set their faces against female infanticide, to consider it a crime and a disgrace, our eventual success may be deemed certain.'¹¹⁷ The British probably

¹¹³ John Cave Browne, *Indian Infanticide: Its Origin, Progress, and Suppression* (London, 1857), 134-135.

¹¹⁴ Edward Lake quoted in Browne, *Indian Infanticide*, p.135.

¹¹⁵ Browne, *Indian Infanticide*, p.185.

¹¹⁶ *Ibid.*, pp.136-137.

¹¹⁷ J.L. and Philip Melvill quoted in Browne, *Indian Infanticide*, pp.139-140; Andrew Major, 'Ritual and Symbolism in the Anti-Infanticide Campaign in Early Colonial Punjab', *Journal of Punjab Studies*, Vol.12 (2005), pp.99, 106.

had little choice in the matter anyway. Given the intensely private nature of the practice, it would have required more state capacity, in terms of surveillance and intelligence, than the administration mustered to stamp it out unilaterally. Hence, there was not much alternative but to court cooperation.

The British knew that this was a delicate issue, and so were at pains to clothe their innovations in this area in the legitimating mantle of tradition – or at least what passed for tradition in their eyes.¹¹⁸ Hence, they orchestrated a series of pseudo-traditional grand meetings or *durbars* over the course of 1853, most notably at Amritsar on Diwali, at which Bedis, Rajputs, and other suspected groups, were induced to make collective agreements disavowing infanticide and limiting marriage expenses and dowries. The supposition was that the latter step would remove much of the motive for a practice supposedly stemming from status-conscious families' desire to avoid the costs incurred by marrying-off their daughters to suitable matches.¹¹⁹ Subsequently, Dalhousie issued a proclamation which threatened infanticides with 'the penalty of murder'.¹²⁰ Again, this seems largely to have been an empty threat. After all, the British knew that 'female infanticide is so secret and domestic a crime, that its prevalence, or otherwise, is hard to be predicated'. For this very reason it therefore awaited retrospective statistical verification as to whether infanticide really was 'verging upon extinction', as the province's third *General Report* somewhat optimistically declared only a few years later.¹²¹ It soon became evident that it was not.

In due course, the British would try more direct – but no more successful – measures, including the Female Infanticide Act of 1870. By the 1891 Census, Punjab had a ratio of 854

¹¹⁸ Major, 'Ritualism', pp.100-106.

¹¹⁹ *GR1851-1853*, pp.53-57.

¹²⁰ Proclamation quoted in Browne, *Indian Infanticide*, pp.142-144.

¹²¹ *GR1854-56*, p.11.

women for every 1,000 men, giving it one of the largest sex discrepancies in all India (by contrast, in England and Wales at that time, there were 1,064 women for every 1,000 men).¹²² It has been argued that other British policies and laws, such as those relating to the rural economy and the inheritance of property, had the effect of reinforcing the incentives behind female infanticide, and that the British were therefore somehow complicit in this evil.¹²³ However, it should be noted that (according to the 1891 Census) the portion of Punjab directly administered by the British had a slightly better sex ratio (854 women per 1,000 men) than those areas of Punjab held by the princely states (834 women per 1,000 men), which were not subject to the full pressures of British laws and tax policies.¹²⁴

Honour killings related to adultery, the victims of which were both women and men, were likewise a major issue wherein local practices collided with British norms.¹²⁵ However, unlike infanticide, whose victims were helpless and so were often dispatched with little overt force, the violence of honour killings was much more explicit, and therefore posed a more obvious and threatening negation of the colonial state's claim to a monopoly over legitimate force. A few years after annexation (once *dacoity* had been suppressed), it was estimated that honour killings constituted 'three-fourths of the murders which are committed'. Wary of provoking resentment, the British sought to channel custom rather than risk opposing it outright. For example, they chose to treat adultery more seriously than in regulation provinces where, though a criminal offence, prosecutions were discouraged under Regulation III of 1812.¹²⁶ In Punjab, however, it was punishable by up to five years'

¹²² J.A. Baines, *Census of India, 1891: General Report* (London, 1893), p.244.

¹²³ Veena Talwar Oldenburg, *Dowry Murder: The Imperial Origins of a Cultural Crime* (Oxford, 2002).

¹²⁴ Baines, *Census*, p.244.

¹²⁵ *GR1849-51*, pp.237-238.

¹²⁶ Richard Clarke, *Digest, or Consolidated Arrangement of the Regulations and Acts of the Bengal Government, from 1793 to 1854* (London, 1855), p.72.

imprisonment. Officials thereby hoped to induce would-be avengers not to avail themselves of bloody vigilantism. They worried that if they were perceived to be giving adulterers ‘impunity’, it ‘would conduce, more than anything else, to render our rule unpopular.’¹²⁷ Indeed, writing in the autumn of 1851, Edward Thornton (Commissioner of Jhelum Division) noted that by treating adultery in a manner allegedly ‘highly suited to the feelings of the people’, the British had ‘allayed apprehensions which had previously existed, that we would not notice conjugal infidelity, and I think it has had an important effect in causing our laws to be acceptable.’¹²⁸ Thus, here too, the Board adapted to (supposed) local conditions.

Man-on-man vendettas were another potential challenge to the Board’s monopoly of force. And here too British officials were divided in their response. Some would have punished the avengers for murder, whilst others positively sympathised with them, and would have ranged the law on their side. John Nicholson represented the latter position. Whilst Deputy Commissioner for Bannu and Dera Ismail Khan District (1852-1856), Nicholson found himself frustrated by his superior, David Ross (the Commissioner of Leia Division), whose insistence on certain judicial standards of evidence and procedure, like the requirement for testimony from witnesses, was foreign to him. Nicholson complained to Henry Lawrence that ‘letting murderers off is quite a mania of his. He has acquitted several men committed by [Richard] Pollock whose guilt was as clear as ever guilt was in this world.’¹²⁹ Nicholson warned that Ross’ approach could soon prove self-defeating. ‘The relatives of murdered men are beginning to talk of taking the law into their own hands, as of yore, if we won’t assist them, and I confess, under the circumstances, I can’t blame them.’¹³⁰

¹²⁷ *APL*, pp.17, 100.

¹²⁸ *GR1849-51*, p.221.

¹²⁹ Nicholson to H.L., 5th September 1852, MSS Eur E211 8.

¹³⁰ *Ibid.*

There is some reason to think that Nicholson probably over-emphasized the store set by the denizens of his district on an eye for an eye.¹³¹ Instead, Nicholson was probably more concerned about enhancing his own authority. Indeed, officials on the Frontier would continue to complain about anything that limited their ability to mete-out summary punishment.¹³² Ultimately they got their way, and received exceptional powers via the 1867 Murderous Outrages Act, which allowed them to execute suspected ‘fanatics’ in summary fashion without having to take evidence or witnesses or allow appeals.¹³³ For what it is worth, it might be noted that Nicholson’s behaviour seems to have been less the product of racialised assumptions or Orientalism, than his own personal proclivities, and perhaps even genuine empathy (of a sort). As he attested to Henry Lawrence, ‘I believe if a relation I cared about were murdered and the law was too weak or too vicious to punish the murderer that I should take his punishment into my own hands’.¹³⁴ Nicholson was writing from bitter personal experience. During the First Anglo-Afghan War, he had seen with his own eyes the mutilated body of his younger brother left to rot in the Khyber Pass.¹³⁵ Tellingly, notwithstanding his complaints, Nicholson does seem to have found some opportunities to administer his own version of ‘justice’ – although, according to later British officials, it was not necessarily appreciated by the Bannuchis after all.¹³⁶ On one occasion, he (reputedly) had the corpse of a troublesome Waziri *malik* conspicuously strung-up ‘as a stoat might be on a barn-door.’¹³⁷

¹³¹ Thorburn, *Bannu*, pp.52-53; Olaf Caroe, *The Pathans: 550 B.C. – A.D. 1957* (London, 1958), p.334.

¹³² Stephen, ‘Legislation under Lord Mayo’, pp.156-157.

¹³³ Condos, *Insecurity State*, p.142.

¹³⁴ Nicholson to H.L., 5th September 1852, MSS Eur E211 8.

¹³⁵ Trotter, *Nicholson*, p.43.

¹³⁶ Thorburn, *Bannu*, pp.52-53; Caroe, *Pathans*, p.334.

¹³⁷ Richard Pollock in Trotter, *Nicholson*, pp.180-181.

As Nicholson's actions suggest, the legal regime instituted by the Board was often high-handed and frequently violent. Even Robert Cust – arguably one of the most legalistic of the Board's officials – later exulted in 'the absence of all Red-Tape, and the omission of technical formalities', and reminisced about 'the Court held under the green mangoe-trees in the presence of hundreds: the *right* man hanged *on the spot*, where he *committed* the murder.'¹³⁸ Significantly, given that Cust was only a Deputy-Commissioner, he had not possessed the formal authority to do this – at least in the summary fashion he described. But, much as Mark Condos emphasizes, this peremptory recourse to violence was symptomatic of the weakness of the colonial state, rather than a sign of its strength. 'Surrounded on all sides by potential enemies, officers were meant to project British power and prestige through expressions of pure power.'¹³⁹ Thus, when officials deemed that they could do so with advantage to themselves, they readily resorted to violent punishments to (over)compensate for their general weakness.

The Board's adaptations to local conditions (real and imagined) suggest that its popular reputation for evangelicalism requires some qualification.¹⁴⁰ In fact, the Board and its subordinates were quite restrained in foisting their beliefs onto others. None other than Henry Lawrence himself wrote to Dalhousie in November 1849 warning him *against* allowing some American Presbyterian missionaries, then based at Ludhiana, to come to Lahore. 'I cannot help thinking that they are premature and that any little good they may do will be out balanced by the risk incurred of a disturbance.... I would give no handle to the

¹³⁸ Cust, *Memoirs*, p.30; Condos, *Insecurity State*, p.111.

¹³⁹ Condos, *Insecurity State*, p.113.

¹⁴⁰ Cf. James Morris, *Heaven's Command: An Imperial Progress* (London, 1984), pp.182-183.

enemy.¹⁴¹ In the event, Henry Lawrence seems to have been ignored, and the American missionaries, most notably Charles William Forman, were operating in Lahore before the end of the year – without provoking the feared backlash.¹⁴²

This is not to say that religion was not important; far from it.¹⁴³ However, its importance lay behind the scenes. Evangelicalism did not lay out a specific programme so much as an ethos, and this ethos was implicit in the Board's administration. The evangelical ethos was characterized by a God-fearing sensibility which contributed to a relentless work ethic that imbued evangelicals with a determination, drive, and energy which set them apart. So far as they were concerned, life was a constant and rigorous test.¹⁴⁴ Associated with this was the exaltation of such attributes as self-discipline, endurance of pain, ascetic toughness, and dedication to duty – all of which were taken as signifying one's spiritual elevation over the fallen material world. Consequently, evangelicals tended to apply themselves to their life and work with an all-consuming earnestness and indefatigable zeal – after all, their salvation was at stake. However, for all their idealism, evangelicals liked to think of themselves as eminently pragmatic and rational. Generally, they shunned what they regarded as irrationality, fanaticism, and superstition as indicative of satanic delusions. As they saw it, someone who was incapable of reason was incapable of true faith.¹⁴⁵ Indeed, it is telling

¹⁴¹ H.L. to Dalhousie, 21st November 1849, MSS Eur F85 9, HLP.

¹⁴² John Webster, 'Forman, Charles William', *The Oxford Encyclopaedia of South Asian Christianity* (Online Edition, 2012).

¹⁴³ Ian Bradley, *The Call to Seriousness: The Evangelical Impact on the Victorians* (Oxford, 2006), p.91.

¹⁴⁴ Mark Naidis, 'John Lawrence and the Origin of the Punjab System, 1849-57', *Bengal Past and Present*, Vol.80, No.1 (1961), pp.39-46.

¹⁴⁵ Bradley, *Call to Seriousness*, pp.18-29.

that ‘fanaticism’ was something they repeatedly (perhaps hypocritically) applied to others, particularly Sikhs and Muslims.¹⁴⁶

Moreover, notwithstanding their association with humanitarian causes, evangelicals also had a retributive streak. As the careers of the Lawrences, Edwardes, or Nicholson showed, evangelicalism was no bar to ruthlessness, and may even have exacerbated it. Religion provided moral certitude and personal motivation – surely essential ingredients for any imperialist. Armoured with the idea that they were doing God’s will, they could endure physically and emotionally draining work, and inflict devilish punishment on others in the process. Religion also informed their ‘historical sensibility’; in the case of Herbert Edwardes, to the point of outright Providentialism. The belief that they were on the right side of history, and their enemies on the wrong side, stiffened their punitive resolve.¹⁴⁷

However, it was also the case that their religious beliefs tempered whatever racial prejudices they had. ‘The further we can pierce the external shell of manners and climate, the stronger do we find the resemblance between *human beings*, irrespective of distinct races’ wrote Henry and Honoria Lawrence.¹⁴⁸ Years later, Herbert Edwardes would declare to an audience at Southgate that ‘the Bible account of man is literally true, that God ‘hath made of one blood all nations of men for to dwell on all the face of the earth’ (Acts xvii.26)’,

¹⁴⁶ Herbert Edwardes, ‘The Sikh Invasion of British India in 1845-1846’, *Calcutta Review*, Vol.6, No.11 (July 1846), p.268; George Lawrence, W. Edwards (ed.), *Reminiscences of Forty-Three Years in India* (London, 1874), p.244.

¹⁴⁷ Priya Satia, *Time’s Monster: How History Makes History* (London, 2020), pp.1-11; Herbert Edwardes, *Our Indian Empire, Its Beginning and End: A Lecture Delivered to the Young Men’s Christian Association in Exeter Hall, 1860* (London, 1886).

¹⁴⁸ Henry and Honoria Lawrence, ‘Romance and Reality of Indian Life’, p.399.

and 'whatever difference there may be in the colour of their skins, their hearts are all naturally alike'.¹⁴⁹

In addition, many officials saw their own personal experiences in light of Scripture; and their paternalism (in so far as it went) may well have owed something to their religious beliefs. When they wrote about 'patriarchal' forms of administration, or the 'Patriarchal life' of the village communities and Frontier tribes, they were making less a point about gender *per se* than harking back to the Old Testament, and invoking the templates therein.¹⁵⁰ Thus, Robert Cust described his role hearing cases on the hoof as though he were 'Abraham among his shepherds, [or] Samuel along the banks of [the river] Jordan'.¹⁵¹ Later, he wrote of his time as Deputy Commissioner of Hoshiarpur, 'thus dwelt Abraham, when he migrated to Hebron: thus judged the early Judges in Israel.'¹⁵² And he was not alone. Referencing Genesis, Herbert Edwardes mused that in Bannu one might behold 'a genuine primaeval, pastoral people, and in thought see Time visibly put back to the days of Lot and Abraham, who 'had flocks, and herds, and tents''.¹⁵³ As Henry and Honoria Lawrence explained, 'early familiarity with our holy scriptures, cannot but unconsciously accustom us to Eastern style and imagery; and this is one of the many advantages we derive from that Book'.¹⁵⁴

However, despite the personal importance of religion for Henry Lawrence and his followers, they rejected trying to convert India by coercion in favour of a voluntary process, whereby Indians would be won over by the shining personal example of British officials – or

¹⁴⁹ Edwardes in Emma Edwardes, *Memorials of the Life and Letters of Major-General Sir Herbert B. Edwardes*, Vol.II (London, 1886), p.421.

¹⁵⁰ Cust, *Pictures*, p.107.

¹⁵¹ Cust, 'Collector', p.157.

¹⁵² Cust, *Pictures*, pp.111-112.

¹⁵³ Herbert Edwardes, *A Year on the Punjab Frontier in 1848-49*, Vol.I, Second Edition (London, 1851), pp.48-49.

¹⁵⁴ Henry and Honoria Lawrence, 'Romance and Reality', p.386.

so they liked to think.¹⁵⁵ Hence, for the near-term, their overt religious attention was turned towards fellow Britons. The assumption was that if the British showed a united front of Christian purity, then the willing conversion of India must inevitably follow, as if by osmosis. Moreover, unlike other evangelicals, the Board and its British subordinates were not straightforward 'Anglicizers'. Many of them, particularly Henry Lawrence, Edwardes and Nicholson, were explicitly opposed to those who would try and remake India in Britain's image.¹⁵⁶ Throughout his career, Henry Lawrence insisted that 'it is not by believing either ourselves or our laws all purity, or all corruption, that we are likely to come to a right understanding of what is best for India, but by a close study of its past history; of the mistakes, and the injustice of former Rulers, Hindu, Mahomedan and European'.¹⁵⁷

Nonetheless, the new administration of Punjab was beset by intra-official fissures and personal wrangling from the outset. Already suspicious of Henry Lawrence, Dalhousie sought to keep his subordinate 'subject to direct control'.¹⁵⁸ He therefore insisted that the Board submit weekly summaries of its work, and consult with him over any more important matters or disputed points.¹⁵⁹ This contrasted with Henry Lawrence's prior experience as Resident, when he had enjoyed comparative latitude under Lord Hardinge's more relaxed oversight – not that Hardinge had necessarily always been satisfied with him. Ever the individualist, Henry Lawrence bridled at the constraints placed upon him by Dalhousie, not

¹⁵⁵ Henry Lawrence, 'Military Defence of Our Indian Empire', *Calcutta Review*, Vol.2, No.3 (October 1844), pp.39, 61-62.

¹⁵⁶ Edwardes in Edwardes, *Memorials*, pp.165-167.

¹⁵⁷ Lawrence, 'Military Defence', p.39.

¹⁵⁸ Dalhousie to Hobhouse, 25th May 1849, Hasrat, *Punjab Papers*, p.239.

¹⁵⁹ Major, 'Return to Empire', p.186.

to mention his fellow Board members.¹⁶⁰ This discord reverberated down the administration's hierarchy. In particular, those who had been Henry Lawrence's Assistants during the Residency now found their authority effectively diminished as more senior trained civilians were placed above them. As William Hodson complained shortly after annexation, 'I have been annexed as well as the Punjab!'¹⁶¹

Doubtless, Henry Lawrence and his mostly military-trained followers really were frustrating subordinates, possessing genuine defects as civil administrators.¹⁶² Take John Nicholson, for example. His brief time in charge of Rawalpindi District following annexation was later described by his superior, Edward Thornton (Commissioner of Jhelum Division), as 'rather a military occupation... than a civil administration.' In large part, this was apparently a consequence of Nicholson's 'want of previous acquaintance with the [civil] system he had to introduce', to which might be added Nicholson's penchant for the iron fist.¹⁶³ As for Henry Lawrence himself, with some justice Dalhousie would later complain of him that 'he has at all times so little of plan, he is so devoid of method, and is such a harum-scarum worker'.¹⁶⁴ It certainly seems doubtful that Henry Lawrence could have effectively administered the province by himself without John Lawrence, or someone like him, who knew how to make the machine of state run – not that the machine necessarily ran smoothly or in the right direction even with John Lawrence's input. A jerry-built locomotive, the administration was often barely less dangerous to those whose 'progress' it was meant pull along, as it was to those who stood in its way.

¹⁶⁰ H.L. to Hardinge, 6th March 1853, MSS Eur F85 14.

¹⁶¹ William Hodson, Hodson, *Twelve Years*, p.89.

¹⁶² Temple, *Lord Lawrence*, pp.48-49.

¹⁶³ *GR1849-51*, p.212.

¹⁶⁴ Dalhousie to Couper, 17th March 1855, Baird, *Letters*, p.338.

The differences between John Lawrence's trained civilians, adept at the incisive memo and more wedded to the arts of the revenue settlement, and Henry Lawrence's soldiers-turned-civilians, who were generally more focussed on security and elite collaboration, ran right through the province's nascent bureaucracy. Individual aptitudes and personalities interacted with substantive questions of policy in a fashion that only widened differences. In the ensuing years, the tide of personnel and the ethos of the administration appeared to flow in favour of John Lawrence and his civilian-fiscal agenda. Some of Henry Lawrence's allies drifted away from the province: George Lawrence would head for a posting at Rajputana in July 1850, Arthur Cocks left after about a year, whilst Edwardes and Nicholson were away on leave for some of the time. Before long, Henry Lawrence would complain about the influx of trained civilians; who, he inaccurately surmised, would impose endless 'regulations' on the people.¹⁶⁵ In truth, this was not John Lawrence's intention at all – coordination and administrative rigour perhaps, but by no means the dreaded Regulations.

A symptomatic straw in the wind came several months after annexation. Late in 1849, it was decided that the Deputy Commissioner of Ambala District, Saunders Abbott, would have to be replaced. Apparently, Saunders Abbott, a military man and ally of Henry Lawrence's, had made a thorough mess of the district's administration. Whatever his intentions, Saunders Abbott had over-assessed the land tax and ridden roughshod over the rights of the existing landholders.¹⁶⁶ It was indicative of the direction of change, and probably for the best, that the man preferred was the then Deputy Commissioner of Hoshiarpur, Robert Cust, a trained civilian, and an ardent admirer of John Lawrence.¹⁶⁷

¹⁶⁵ H.L. to Hardinge, 24th November 1852, MSS Eur F85 14.

¹⁶⁶ Dungen, *Punjab Tradition*, p.43.

¹⁶⁷ Cust, *Pictures*, p.246.

Henry Lawrence complained about this to Dalhousie in revealing terms. He explained that while he accepted Cust's 'ability and industry', he could not help but think 'Mr Cust would sacrifice his father to reform, cares nothing for any man's feelings, [and] cares very much less for the state of his District than of his office.'¹⁶⁸ And this was not all. A few weeks' later he returned to the subject, this time dwelling on Cust's putative disrespect for the native elite. Whilst animadverting at Cust's 'rail-road-rate attempts at reducing everything to rule and squares', and 'his endless interferences with other men's concerns', Henry Lawrence complained that Cust seemed bent on waging a one-man class war against the native elite. He remonstrated that 'I require little more, if any more consideration for them [the province's *jagirdars*]... than would be shown to a native gentlemen by any real English gentleman in any part of India', and warned that 'if we have a petty emeute anywhere it will be caused by some feeling of wounded pride on the part of men of local influence'.¹⁶⁹

Of course, Cust had his own reasons for acting the way he did. So far as he was concerned, he was the quintessential paternalist, and later descanted (not entirely implausibly) on his 'sincere love for the people of India', and worried about 'the wall of separation between race and race... [becoming] broader'.¹⁷⁰ Certainly, Cust was unimpressed with what he found at Ambala, referring to it as an 'Augean Stable', and for good reason.¹⁷¹ It was evident that Saunders Abbott had assessed the land tax too high, and in several cases village communities had preferred temporarily to abdicate title to their lands in favour of a third-party contractor to avoid liability for the land tax. Recoiling, Cust proposed that such 'sub-leases' be prohibited – which the Board and Dalhousie duly

¹⁶⁸ H.L. to Dalhousie, 30th April 1850, MSS Eur F85 9.

¹⁶⁹ H.L. to Dalhousie, 25th May 1850, MSS Eur F85 10.

¹⁷⁰ Cust, *Pictures*, pp.vii-viii.

¹⁷¹ Cust, *Memoirs*, p.34.

applied.¹⁷² Nevertheless, Henry Lawrence was not wrong to worry about Cust's peremptory handling of the old elite. To Cust, they were 'antediluvian' tyrants and cruel 'anachronisms'.¹⁷³ Indeed, Cust's high-handed and penny-pinching treatment of them even elicited a monitory reprimand from none other than John Lawrence, himself no friend of the native elite. By way of self-justification, Cust later explained that he 'had been thinking only of the convenience of the poorer classes.'¹⁷⁴

It would be tempting and all too easy, to represent these tensions between Henry Lawrence and his acolytes on the one hand, and Dalhousie, John Lawrence, and their followers on the other, as simple ideological dichotomies: conservatism versus radicalism, Romanticism against Utilitarianism, or 'Orientalizers' opposed by 'Westernizers'.¹⁷⁵ However, this would be wrong. Things were more complicated, or at least more muddled, than that. Personality, individual ambition, collective loyalties, religious faith, and (perhaps above all) local conditions and expediency played just as large a role as conventional secular ideologies.¹⁷⁶ Moreover, the fissures that existed within the administration were largely internal disagreements between different strands of Orientalizing romantic conservatism, rather than a bipolar conflict involving Westernizing Utilitarians. Most obviously, not a shred of genuine Utilitarianism seems to have directly influenced even the ostensibly more 'progressive' officials like Dalhousie, John Lawrence, and their protégés, let alone avowed

¹⁷² Dungen, *Punjab Tradition*, p.43.

¹⁷³ Cust, *Pictures*, pp.96-100.

¹⁷⁴ Cust, *Memoirs*, p.31.

¹⁷⁵ Cf. Harish C. Sharma, 'British Policy Towards Aristocracy in the Punjab', *Proceedings of the Indian History Congress*, Vol.59 (1998), pp.705-706; Cf. Bhattacharya, *Agrarian Conquest*, pp.34, 41; D.A. Washbrook, 'India, 1818-1860: The Two Faces of Colonialism', *The Oxford History of the British Empire, Volume III: The Nineteenth Century*, ed. Andrew Porter (Oxford, 1999), pp. 395-421.

¹⁷⁶ Cf. Eric Stokes, 'Bureaucracy and Ideology: Britain and India in the Nineteenth Century', *Transactions of the Royal Historical Society*, Vol.30 (1980), pp.133, 155-156.

romantic conservatives like Henry Lawrence.¹⁷⁷ Instead, the resemblances to Utilitarianism presented by the Board's administration – like the despotic union of powers, or prisons designed for efficient surveillance, reminiscent of Bentham's panopticon – were essentially incidental, being the result of other considerations, and not at all a conscious homage to British radicalism.¹⁷⁸

In the final analysis, the men whose ideas really had a bearing on the Board and its British subordinates – whether the followers of John or Henry Lawrence – were not Utilitarians or radicals but prior Company administrators, particularly the so-called 'romantic generation'. Four names merit special attention: John Malcolm, Thomas Munro, Charles Metcalfe, and James Thomason.¹⁷⁹ Prefiguring the Board and its British subordinates, they styled themselves as practical men and empiricists – but whether they really were is another matter. Though they had their differences, they were all to varying degrees conservatives inclined towards a pessimistic framing of human affairs and wary of radical changes.¹⁸⁰

The Board and its officials consciously took after them, and shared many of their precepts. Amongst these was a belief in the criticality of native cooperation. In Malcolm's words, 'we could never have conquered India without the assistance of the Natives of that country, and by them alone can we preserve it'.¹⁸¹ Of course, who precisely to co-opt – the peasantry or the elite? – was still an open question. They were also sceptical of Westernizing abstract theory, and Munro had warned against 'fanciful theories founded on

¹⁷⁷ Naidis, 'John Lawrence', pp.45-46.

¹⁷⁸ Cf. Stokes, *Utilitarians and India*, pp.243-249; *GR1849-51*, pp.45-46; Clive Dewey, *Anglo-Indian Attitudes: The Mind of the Indian Civil Service* (London, 1993), pp.8-9.

¹⁷⁹ Stokes, *Utilitarians and India*, pp.19-24; Douglas Peers, 'Soldiers, Scholars, and the Scottish Enlightenment: Militarism in Early Nineteenth-Century India', *The International History Review*, Vol.16, No.3 (August, 1994), pp.444-446.

¹⁸⁰ Beaglehole, *Thomas Munro*, pp.132-133; Burton Stein, *Thomas Munro: The Origins of the Colonial State and His Vision of Empire* (Oxford, 1989), pp.351-352.

¹⁸¹ John Malcolm, *A Memoir of Central India*, Vol.II (London, 1824), pp.281-282.

European models, which will inevitably end in disappointment.’¹⁸² Meanwhile, they were generally imbued with a romantic predilection for *supposedly* traditional forms of social organization, such as the ‘village community’ or the ‘tribe’. Metcalfe had championed the former as the archetypal unit of Indian society, and Thomason had then (at least in theory) promoted them with his notionally pro-peasant paternalism in the North-Western Provinces.¹⁸³ In addition, they all took for granted the advantages of the empowerment of the man on the spot.¹⁸⁴

As for Dalhousie, far from being the Utilitarian or doctrinaire Westernizer of historiographic cliché, he was essentially a reformist or modernizing Conservative.¹⁸⁵ In his own words, he was a ‘Liberal-Conservative, or Conservative-Liberal.’¹⁸⁶ As Governor-General, Dalhousie was primarily a ‘pragmatic’ rationalizer, who intended to secure and consolidate the Company’s position on the subcontinent, both fiscally and geopolitically. Hence, his antipathy for the native elite, his various (but selective) annexations, and his military economizing. Indeed, he explicitly rejected the idealism in which others indulged, once writing that high-sounding declarations about Britain’s moral responsibility for improving the lot of the Indian people were ‘nothing else than ambitious and hypothetical humbug’.¹⁸⁷ Like John Lawrence, he believed that a government had to pay its way – then hardly a controversial position. It was this fiscal imperative, combined with his assessment

¹⁸² Thomas Munro, ‘Minute by Sir Thomas Munro, 31st December 1824’, in *Selection of Papers from the Records at the East India House*, Vol. III (London, 1826), p.602.

¹⁸³ John Kaye, *The Life and Correspondence of Charles, Lord Metcalfe*, Vol.II (London, 1854), pp.191-192; David Howlett, ‘Thomason, James’, *Oxford Dictionary of National Biography* (Online Edition, 2004).

¹⁸⁴ Malcolm, *Memoir of Central India*, Vol.II, pp.271-273.

¹⁸⁵ Cf. Suresh Chandra Ghosh, ‘The Utilitarianism of Dalhousie and the Material Improvement of India’, *Modern Asian Studies*, Vol.12, No.1 (1978), pp.97-110; Cf. Lee, *Brothers in the Raj*, p.250; Cf. Washbrook, ‘India, 1818-1860: The Two Faces of Colonialism’, pp.395, 415-417.

¹⁸⁶ Dalhousie to Couper, 17th March 1858, Baird, *Letters*, pp.410-411.

¹⁸⁷ Dalhousie in David Howlett, ‘Ramsay, James Anrew Broun, first Marquess of Dalhousie’ *Oxford Dictionary of National Biography* (Online Edition, 2011).

of who were the most likely obstacles and enemies to British power, not radicalism, that informed his hostility to much of the native elite, who were obvious candidates for expropriation. Meanwhile, his famed internal reforms – including, his promotion of railways, roads, canals, and the telegraph – were not motivated by a conscious policy of ‘Westernization’, so much as being, in David Howlett’s words, ‘practical steps for the consolidation of British power in India’.¹⁸⁸ However, the force with which Dalhousie pursued this, with all its attendant provocations, arguably defeated its own ends. Rather than consolidating the Company-State, by the end of his tenure in 1856, Dalhousie had brought it to the brink of crisis.

¹⁸⁸ Howlett, ‘Dalhousie’.

Chapter Two: Policing the Province

As March turned to April in 1849, the priorities confronting the Board revolved around the military and fiscal fundamentals of state authority, not least the internal and external security of the province. Logically, given his military and political background, much of this was handled by Henry Lawrence in conjunction with the military authorities. However, the military arrangements quickly became a major source of controversy in a fashion that idiosyncratically pitched both Lord Dalhousie and Henry Lawrence on the same side against the new Commander-in-Chief, Sir Charles Napier.¹

Napier had sailed to India in the middle of the Second Anglo-Sikh War with a hero's commission to replace Lord Gough and save British India. But by the time he had arrived, the war was over, Punjab was annexed, and its new 'civil' administration was taking its first steps. Not to be cheated of greatness by these minor technicalities, Napier set his sights on a new mission to justify his journey out, and on which he could satisfy his energy and ambition. Thus, overhauling Punjab's nascent administration became one of his goals. Before long, he initiated a campaign of bureaucratic warfare against the Board, attempting to have its civil administration replaced by something conforming to his Sindh model of 'military government', which he had developed whilst the province's Governor (1843-1847). For, if ever there was someone who embodied 'Anglo-Indian militarism', and genuinely believed that India was historically predestined to be ruled by the sword and not the pen, then it was Napier.² 'A Civil form of Government,' he would later opine, 'I believe to be uncongenial to barbarous Eastern Nations'.³ To him, it was axiomatic that Punjab's

¹ Lee, *Brothers in the Raj*, pp.278-279.

² Douglas Peers, *Between Mars and Mammon: Colonial Armies and the Garrison State in Early Nineteenth-Century India* (London, 1995), pp.58-59.

³ Charles Napier, Memorandum, 27th November 1849, MSS Eur F85 18, HLP.

administration was bound to be ineffectual; being comprised of so many civilians and military men in civil employ, like Henry Lawrence and his friends.⁴ Indeed, Napier had a special hatred for the latter, all of whom he regarded as traitors to the true cause of military government.

In contrast to Napier's vision for a purely military government, and contrary to his denunciations of them as effete civilians, the Board envisaged a form of civil-military fusion. Certainly, as Mark Condos has argued, the Board's commitment to genuine civil administration only went so far.⁵ This was largely owing to the influence of Henry Lawrence, who embodied (or at least aspired to) the 'civilianized militarism' commonplace among many British officers – whether with a Company or Royal Commission – meaning that they were 'gentlemen' first and 'officers' second.⁶ Henry Lawrence always insisted that, whilst military force was a *necessary* condition for British authority, it was not *sufficient*. 'One good magistrate may be better than a regiment; one sound law, well administered, better than a brigade'. He believed that British power depended on effective civil-military cooperation, whereas Napier was an outright militarist, and fanatically insisted on the superiority of military rule.⁷ Ultimately, Henry Lawrence would prevail – not least because Napier fell out with Dalhousie, and petulantly resigned in 1850.

But before then, Henry Lawrence had enough to do without Napier adding to his difficulties. First things first, to establish a monopoly of (legal) force, there was the sensitive matter of disarming and demilitarizing the population. In the spring of 1849, the old army of the defunct *darbar* was summoned to the capital for dissolution. Those soldiers who had

⁴ Napier, Memorandum, 27th November 1849, MSS Eur F85 18; C.N. in Smith, *Lawrence*, Vol.I, pp.336-337.

⁵ Condos, *Insecurity State*, pp.109, 112.

⁶ Bruce Collins, *War and Empire: The Expansion of Britain, 1790-1830* (Harlow, 2010), p.487.

⁷ Lawrence, 'Military Defence', p.39; Napier, Memorandum, 26th February 1850, MSS Eur F85 18.

not rebelled, as well as the many irregulars retained by various *sardars*, were mustered, paid-up, and disbanded. Meanwhile, 'the most promising among them' – in all about eight thousand men – were taken into the Company's service.⁸ All things being considered, this process was remarkably seamless.⁹ Certainly, the old soldiers were given quite reasonable terms precisely to avoid provocation. During the first year after annexation, about twenty-three lakhs (Rs.23,00,000 or £230,000) was spent paying-off arrears to the largely redundant Sikh Army, as well as temporarily employing some of them as auxiliaries. Many of those disbanded also received pensions for past injuries.¹⁰ Perhaps it was a sign that the British were warming to their erstwhile enemies, and a harbinger of the martial races theory, that they attributed the unexpected 'ease and quiet' with which the army was disbanded, not just to the deterrent effect of 'British power', but also to 'the manly forbearance which characterizes the Sikhs'.¹¹

Meanwhile, a proclamation was circulated by the Board outlawing the possessions of weapons or gunpowder, excepting Hazara and the trans-Indus Frontier districts. Work was also started on demolishing the plethora of petty bastions and village walls that dotted the countryside.¹² In the circumstances, the disarming proclamation was relatively successful, if uneven. Some 120,000 weapons were handed in; ranging from daggers, swords, and bows-and-arrows, to pistols, matchlocks, and artillery pieces.¹³ Just under 1,000 people were recorded as being punished for having tried to conceal weapons.¹⁴ Then again, there were

⁸ *GR1849-51*, p.22; Major, 'Return to Empire', p.204; John Kaye, *A History of the Sepoy War in India. 1857-1858*, Vol.II (London, 1870), FNp.418.

⁹ *GR1849-51*, p.22.

¹⁰ *Ibid.*, p.107.

¹¹ *Ibid.*, p.22.

¹² *Ibid.*, p.22.

¹³ Temple, 'Administration', p.237.

¹⁴ Major, 'Return to Empire', p.204.

howling discrepancies between the returns for different parts of the province. About 40,000 and 70,000 weapons were taken in Lahore and Jhelum Divisions respectively, compared with fewer than 2,000 and 6,000 in Leia and Multan Divisions.¹⁵ Clearly, the rule was not enforced uniformly. Lahore Division's identification as the Sikh heartland, and therefore a potential hotbed of resentment, meant that it was subjected to a higher degree of scrutiny. Meanwhile, the large haul brought in from Jhelum Division was partly due to the fact that it had recently been the key battleground in the war, so there were plenty of weapons, and plenty of Company soldiers and auxiliaries present to enforce the rule 'with a strong hand', in the words of the division's Commissioner, Edward Thornton.¹⁶

The distribution of personnel also played a part. The first Deputy-Commissioner for Rawalpindi District (Jhelum Division) was John Nicholson, who set about the task with characteristic ruthlessness. When villages refused to hand over weapons immediately, he was quick to despatch subordinates to enforce the demand, burning a few houses to make sure they, and others, got the message.¹⁷ As Nicholson reported, 'I am succeeding better than I anticipated in disarming the population. I attribute this in a great measure to my having, *after due warning however*, burned the houses of half a dozen mufsid [malcontents] who paid no attention to my proclamation.'¹⁸ Within less than a month of annexation, he had overseen the collection of thirteen thousand 'swords and firelocks'.¹⁹

Nevertheless, an upsurge in violent crime came fast on the heels of the late war, much as had happened after the First Anglo-Sikh War – albeit nothing like the insurgency some had

¹⁵ Ibid., FNp.204.

¹⁶ GR1849-51, p.211.

¹⁷ *Political Diaries*, pp.356-357.

¹⁸ Nicholson to H.L., 4th April 1849, MSS Eur E 211 8.

¹⁹ *Political Diaries*, p.362.

apprehended.²⁰ Thousands of disbanded soldiers and erstwhile rebels haunted the countryside, inhabiting the liminal realm between war and peace. Unwilling or unable to beat their swords into ploughshares, or just taking advantage of the license afforded by a time of regime transition, banditry and organized gang robbery (*dacoity*) may have appeared a not ineligible calling to more than a few. Perhaps conflating unemployed soldiers turning to freebooting with a direct challenge to themselves, the British believed that some of the *dacoits* harboured overt political motives. The coincidence of high levels of *dacoity* with Punjab's centres of Sikh habitation, and the recruiting grounds of the erstwhile Sikh Army, made this an understandable mistake. Indeed, *dacoity* was particularly prevalent in Lahore Division, especially in Amritsar District, where there were twenty-six reported instances of *dacoity* in the year following annexation.²¹ Writing in the summer of 1851, once the worst was over, Lahore Division's first Commissioner, Robert Montgomery warned that 'dacoits find great sympathy amongst the people of the Punjab', and that 'it is to this crime, practised first on a small scale and then leading gradually to insurrection, that the more fanatic Sikhs still look for the recovery of power.'²² However, this did not mean that *dacoity* really was a Sikh insurgency; after all, the *dacoits'* targets were other Punjabis, rather than British officials.²³

Nevertheless, hyper-sensitive to the challenge *dacoity* posed to their authority, and wary of the risks of renewed rebellion, the Board deliberately acted with conspicuous ruthlessness – or what Richard Temple later described as 'a little praiseworthy judicial severity'.²⁴ Crimes involving lethal weapons, but not resulting in death or injury, could be

²⁰ 'The Sikh Army', *Allen's Indian Mail*, Vol.7, No.127 (25th June 1849), p.358.

²¹ *GR1849-51*, pp.166-171.

²² *Ibid.*, p.179.

²³ *GR1849-51*, p.171.

²⁴ Temple, 'Administration', p.232.

awarded the death penalty.²⁵ Thus, in Amritsar District, thirty-seven capital sentences for *dacoity* were carried-out in the first year after annexation, followed by seven in the second.²⁶ This represented more than half of Lahore Division's eighty-three executions for these two years.²⁷ Such harshness was entirely deliberate. Writing in 1852, Henry Lawrence – who would have had to confirm all these sentences – practically boasted that since annexation 'we have hunted down all the Dacoits. During the first year we hanged nearly a hundred, six and eight at a time, and thereby struck such terror that Dacoitee is now more rare than in any part of India.'²⁸ Judging from the incomplete returns for the death sentences carried-out in Punjab during the first two years after annexation, it seems that the preponderance of hangings were indeed for *dacoity*, confirming that it was a major priority for the Board.²⁹

Recourse to formal capital punishment on such a scale was a marked change from the prior regime. True, those in positions of authority in the Sikh State had often been complicit in murder, but their formal justice had tended to inflict either fines or mutilation. For the British, the first of these was inadequate, the second, anathema. The Lawrence brothers and their subordinates were convinced that deterrence was the foundation of peace, and that this was best achieved through a few summary hangings, or other forbidding examples, to instil the lesson that 'the British authorities were not to be trifled with'.³⁰ Much as Mark Condos has argued, it seems that this violent approach was born of anxiety and insecurity; being the heavy-handed response of a regime which believed that its authority was

²⁵ Major, 'Return to Empire', p.205.

²⁶ *GR1849-51*, pp.166-171.

²⁷ Campbell, *Modern India*, pp.515-519; Temple, 'Administration', p.232; *GRu1849-51*, p.58.

²⁸ H.L. in John Kaye, *Lives of Indian Officers, Illustrative of the History of the Civil and Military Services of India*, Vol.II (London, 1867), pp.304-306.

²⁹ *GR1849-51*, p.40.

³⁰ Temple, 'Administration', p.232.

balanced on a knife-edge.³¹ But from the British perspective, this sanguinary strategy appeared to have been relatively successful, at least in the short-term. Within a few years, Punjab's administration felt confident enough to declare that 'the extinction of *dacoity* in the central districts of the Punjab may be pronounced complete'.³² Indeed, in Lahore Division, the number of reported instances of *dacoity* dropped from thirty-five in 1849-50 to just one in 1850-51.³³

In due course, *dacoity's* enigmatic twin, *thuggee*, emerged as another concern. In part, it seems that as more overtly threatening crimes, like *dacoity*, receded, other lesser, or even non-existent, crimes loomed larger in their stead. From late 1851, some (but not all) British officials came to suspect that '*thuggee*, in some shape or other', was present in Punjab.³⁴ According to retrospective estimates, there had been roughly one-hundred such murders in 1849 alone.³⁵ The putative *thugs* supposedly came from communities of low caste Sikhs (sometimes referred to as Mazhabi Sikhs or 'sweepers'), whilst the murders were not noted for ritual, but had the appearance of being quite brutally botched.³⁶ As elsewhere in India, it seems most likely that the murders were merely further instances of banditry conjured into the more lurid form of a religious death cult by the imaginations and fancy of excitable and ambitious British officials.³⁷ In the case of Punjab, this was compounded by the fact that officials also had the precedents set by William Sleeman, and those in other provinces, as models to replicate.

³¹ Condos, *Insecurity State*, pp.25-26.

³² *GR1851-53*, p.50.

³³ *GR1849-51*, pp.168-177.

³⁴ *GR1851-53*, p.39.

³⁵ Y.B. Mathur, *British Administration of Punjab (1849-75)* (Delhi, 1973), p.54.

³⁶ Temple, 'Administration', pp.233-234.

³⁷ Kim A. Wagner, *Thuggee: Banditry and the British in Early Nineteenth-Century India* (Basingstoke, 2007), pp.1-12, 25-31, 79-99, 103-108, 137-143, 156-163, 217-226.

The chief instigator of the campaign against *thuggee* in Punjab was Henry Brereton. Having suppressed currency forgery in the Trans-Sutlej Division, Brereton appears to have required a new outlet for his sleuthing. Having been appointed as the first Superintendent of Thuggee in Punjab, it was naturally in his interests – consciously or not – to construct the crisis for which he was the solution, and he retroactively recast much of the murderous lawlessness and predation that had occurred in Punjab during the 1840s, nasty as it was, into something more sensational. Thus, Brereton estimated (with suspicious exactitude) that, in the twenty years up to his appointment in early 1852, some 1,384 murders were committed by *thugs*.³⁸ However, his superiors seem to have been less sure. Certainly, the wording of the first *General Report*, written in mid-1852, when the anti-*thuggee* operation was at its height, suggested that the members of the Board were somewhat doubtful that they really were dealing with *thuggee per se*. For example, the supposed *thugs* were characterised as ‘merely an organized body of highwaymen and murderers, rude, ferocious and desperate’, with ‘none of the... dark superstition’ and ‘sacred ceremonies’, which were supposedly characteristic of the ideal *thug*.³⁹ Naturally, this rather begs the question of why they were classified as *thugs* at all.

Again, part of the answer lay in the personal ambitions of certain individuals, like Brereton, and the perverse incentives produced by the new institutions of the Company-State. In fact, Brereton received backing from a chorus of Punjabis, who appear to have responded quite logically to the new inducements created by their conquerors. Indeed, some Punjabi officials within the new administration, most notably Sardar Jaimal Singh

³⁸ *GR1851-53*, p.51.

³⁹ *GR1849-51*, p.39.

Khunda, won promotion and rewards for their zealous work in this area.⁴⁰ In addition, the fact that the *thugs* were identified with 'sweepers' may well have reflected a real coincidence between social marginality, limited opportunities, and robbery. However, it could also have been a function of the fact that these 'sweepers' had few friends willing to vouch for them, and were convenient scapegoats for other Punjabis.

At the same time, those deemed to be on the wrong side of the law were also by turns encouraged, bullied, and forced into inflating the issue – in fact, some may well have been physically tortured (see below). After all, a detainee's overriding motivation was to avoid as much suffering as possible. They were therefore liable to say whatever they thought would achieve this.⁴¹ Indeed, given that the British promised those accused of *thuggee* a discounted sentence if they confessed to being a *thug*, it was almost inevitable that the number of *thugs* would rise. Tellingly, when this policy was introduced in Punjab in early 1852, the number of murders recorded as *thuggee* increased from 46 to 264 within forty-eight hours, as detainees rapidly responded to the promise of some sort of reprieve.⁴² Another inflationary factor was that some of those accused of being *thugs* were offered employment if they turned 'approver' by supplying credible accusations against others. Predictably, these institutional practices twisted incentives in strange directions. George Campbell, who was briefly involved with the Thuggee Department at Ludhiana, recalled how some detainees attempted to raise their value as approvers in the eyes of the authorities by improbably 'carrying... confessions almost to excess.... Boast[ing] of the number and atrocity of the murders... committed, and relat[ing] their details with a sort of gusto.'⁴³ As will

⁴⁰ Lepel Griffin and Charles Massy, *The Panjab Chiefs: Historical and Biographical Notices of the Principal Families in the Lahore and Rawalpindi Divisions of the Panjab*, Vol.II (Lahore, 1890), p.60.

⁴¹ Wagner, *Thuggee*, pp.15-24.

⁴² Mathur, *British Administration*, pp.53-54.

⁴³ Campbell, *Memoirs*, Vol.I, pp.120-121.

shortly be seen, this could go horribly wrong – notwithstanding that some officials, like Campbell, seem to have been wary, and looked for concrete evidence or corroboration before accepting tall tales.⁴⁴

Meanwhile, Brereton energetically set about his work. By the end of 1852, he had ‘discovered’ that some 1,414 people had been involved in *thuggee* murders over the past generation; whilst during that year, he and his subordinates made 554 arrests. Tellingly, however, in 1853, when Major Graham took over operations, there were only 40 arrests. Perhaps this drop-off says more about Brereton’s alacrity and his horrific methods than anything else, though these would only be fully revealed later. Given the spurious nature of *thuggee*, it was perhaps just as well that the Board did not ‘dispose’ of the supposed *thugs* with hangings, as was their wont on other occasions. After all, if an accused pleaded guilty of *thuggee*, they were assured to duck the noose. Hence, transportation for life was generally the highest tariff, and 232 men were sentenced thus during 1852-1853. In other cases, the accused were either released or died in jail (there were 21 such fatalities during these years).⁴⁵ It was grimly ironic that one of the few instances in which supposed *thugs* were hanged involved men who the British did not believe were *thugs* at all, but merely opportunists hoping to be employed as approvers. The detainees insisted that they were *thugs*, despite evidence to the contrary, and even though they were warned of the dire consequences if they continued in this fashion. However, they persisted, and the Board decided to call their bluff.⁴⁶

⁴⁴ Ibid., pp.120-123.

⁴⁵ GR1851-53, pp.51-53; Cf. Temple, ‘Administration’, p.234.

⁴⁶ Campbell, *Memoirs*, Vol.I, pp.122-123.

For Brereton and Punjab's Thuggee Department, the advantage of so exaggerating a problem by conflating it with other issues (after all, there really had been some highway robberies and murders, but no *thuggee* strictly speaking), was that it practically solved itself. No sooner was Brereton appointed and making his arrests, than *thuggee* rapidly declined. There were 'only' 35 recorded *thuggee* murders in 1852, and 'only one murder reported' in 1853.⁴⁷ To those at the time it may well have appeared as though Brereton was a success, though some had their doubts. But in hindsight it is obvious that the *thuggee* statistics for past years – themselves nothing more than retrospective estimates – were false. Nevertheless, the suppression of *thuggee* soon evolved into a self-sustaining administrative enterprise, complete with its own social engineering project. Thus, 'the whole Muzubee caste which chiefly furnishes these criminals' was 'placed under *quasi* surveillance', while 'careful registers... [were] prepared for every Police jurisdiction of their families and residence.' Meanwhile, the convicted *thugs* became the object of social 'reclamation', and were put to the putatively reformatory work of roadbuilding.⁴⁸ In due course, a school was established at Lahore for educating their children.⁴⁹

As for Brereton, he was shortly promoted to the Deputy Commissionership of Ludhiana District. However, before long – although not soon enough – his methods caught up with him. In 1854, John Lawrence received a petition from the inhabitants of Ludhiana against agents employed by Brereton. From then, things swiftly unravelled. It was quickly revealed that as Deputy Commissioner, and almost certainly before, Brereton had operated his own personal secret police, who had carried on extrajudicial investigations under his watch. They

⁴⁷ GR1851-53, p.51; Mathur, *British Administration*, p.54.

⁴⁸ GR1851-53, pp.52-53.

⁴⁹ GR1854-1856, p.17.

had seized property, arrested scores of individuals on the flimsiest of pretexts, and then held them 'for long periods in close custody', whilst inflicting 'cruel torture' on several.⁵⁰ Apparently, 'the hair of the head (they are Sikhs) was tied to their leg irons. Wooden pegs were driven into the joints of their elbows and other sensitive parts. Others were merely bound tightly and beaten with fists'. This was substantiated by physical evidence in the form of 'large scars'.⁵¹ In other cases, tent pegs were 'driven into... [the] anus' of detainees, to force (false) confessions.⁵²

When questioned about this, Brereton practically admitted to it all – although he tried excusing himself by claiming that the worst excesses had been carried-on without his knowledge, and chiefly by two men, Fattah Jhang Khan and Ahmed Yar Khan, in exceptional cases.⁵³ This plea of ignorance was almost definitely not true: Fattah Jhang had worked with Brereton for years, and the nature of his activities was well known.⁵⁴ According to Richard Temple, 'the tortures inflicted by Futtah Jung at his quarters in Loodiana, were painfully notorious all over the town. A respectable inhabitant told the Commissioner [then George Barnes] that the people living in the same street with Futtah Jung could not sleep at night for the cries of his victims.'⁵⁵

It seems that Brereton was drunk on power, driven by the misplaced and sadistic zeal of the inquisitor, as well as professional ambition. Revealingly, once caught, he defended himself by arguing that, so long as he had been successful, his superiors had not asked any

⁵⁰ Richard Temple to G.F. Edmonstone, 8th February 1855, 'East India (Torture)', *House of Commons Papers*, Vol.29, No.117 (London, 1857), pp.28-29.

⁵¹ George Barnes to Robert Montgomery, 10th November 1854, 'East India (Torture)', p.32

⁵² *Ibid.*, p.33

⁵³ Richard Temple to G.F. Edmonstone, 8th February 1855, 'East India (Torture)', pp.28-29.

⁵⁴ George Barnes to Robert Montgomery, 10th November 1854, 'East India (Torture)', p.34.

⁵⁵ Richard Temple to G.F. Edmonstone, 8th February 1855, 'East India (Torture)', FNp.29.

questions and seemed not to mind.⁵⁶ As for his thugs (and here the word is merited), they seem to have been motivated by money, which they extorted from those unfortunate enough to catch their attention. Indeed, it seems that many of their victims were imprisoned purely for this purpose; being held 'for no specific crime, but for alleged bad living'.⁵⁷ In fact, with grotesque irony, the reported activities of Fattah Jhang and his agents resembled some of the realities underlying what the British had misinterpreted as *thuggee*. Fattah Jhang and his agents had ranged over the surrounding area, including neighbouring princely states, and 'committed many atrocities and levied much money.'⁵⁸ The ironic twist was that this semi-institutionalised banditry, with its sadistic arts, was carried-on under the auspices not of some local *zamindar*, but a British official, who was himself an erstwhile thug-hunter.

Neither John Lawrence nor Dalhousie were fooled by Brereton's defence, and both men were anxious to ensure that he would no longer be in a position to abuse his power.⁵⁹ Not least, John Lawrence was desirous to make an 'example' of him, 'to vindicate the administration before the people, and to preserve it pure from the like scandal hereafter.'⁶⁰ Moreover, in the wake of revelations about the use of torture in the Madras Presidency, both men probably also desired to quash the story before further awkward questions were asked.⁶¹ Thus, Brereton was demoted to the rank of Assistant and barred from ever holding office in Ludhiana District again, whilst his 'myrmidons' were also dismissed, and Fattah

⁵⁶ Ibid., p.30.

⁵⁷ George Barnes to Robert Montgomery, 10th November 1854, 'East India (Torture)', pp.33-34.

⁵⁸ Ibid., p.34.

⁵⁹ Dalhousie, Minute, 2nd April 1855, 'East India (Torture)', pp.37-38.

⁶⁰ Richard Temple to G.F. Edmonstone, 8th February 1855, 'East India (Torture)', pp.30-31.

⁶¹ Heath, *Colonial Terror*, pp.73-92.

Jhang faced criminal charges for his actions.⁶² That Brereton did not face more severe repercussions testified to the limits of accountability within what was, after all, an imperial bureaucracy. Still, the fact that his misdemeanours were recorded and made public was not insignificant. However, this too is open to a more cynical interpretation. Brereton may well have been used as a convenient scapegoat by other officials, who were eager to dissociate themselves from his methods in order to 'safeguard' their own freedom to use extreme means. Certainly, it would not have been the first time that a scandal was put to this use; sacrificing an individual for the sake of the system.⁶³ In fact, police torture continued to be 'endemic in colonial India', and was 'routinely' overlooked by the authorities.⁶⁴

In part, the relative leniency shown to Brereton stemmed from the fact that he had given his orders verbally. That there was no paper trail afforded him the veil of plausible deniability. But set against the backdrop of the rough-and-ready judicial system that the Board had applied to Punjabis, which was not overly scrupulous about types of evidence, this did reflect a double-standard. Because British officials were subjected to English Common Law, a higher bar of evidence was required to indict them – a privilege which conferred a degree of immunity in practice. Brereton's defence was also couched in terms of 'zealous duty' that were well calculated to appeal to fellow British officials, some of whom were perhaps not so clean either.⁶⁵

Although these charges were to do with events subsequent to Brereton's post in the Thuggee Department, it seems probable that similar had gone on under him back then. It

⁶² Richard Temple to G.F. Edmonstone, 8th February 1855, 'East India (Torture)', p.31; Dalhousie, Minute, 2nd April 1855, 'East India (Torture)', pp.37-83.

⁶³ Heath, *Colonial Terror*, pp.73-92; Nicholas Dirks, *The Scandal of Empire: India and the Creation of Imperial Britain* (Cambridge, 2008).

⁶⁴ Wagner, *Amritsar 1919*, p.190.

⁶⁵ Henry Brereton quoted in W.H. Sykes and R.D. Mangles, 13th May 1856, 'East India (Torture)', p.39.

would certainly add another explanation for the curious fact that so many men confessed to a crime – *thuggee* – of which they were literally innocent. At the time, there had been dark rumours of Brereton’s practices; and the Board had clearly suspected something, as they had issued a Circular in 1852 warning against the use of irregular methods. That they did not then take a closer look begs questions. Doubtless, they were overstretched and preoccupied with other issues. But fundamentally, it would seem that Brereton had not yet been deemed to have gone beyond the pale. For John Lawrence, the real problem with Brereton had been his ‘application of indiscriminate severity’.⁶⁶ The use of the word ‘indiscriminate’ is telling. Evidently, discriminate ‘severity’ would have been nothing out of the ordinary, and therefore pardonable. Certainly, the contemporaneous coercive practices of other officials, like Nicholson or Hodson, were generally accepted as part of the cut-and-thrust of asserting the power of the Company-State. Indeed, for all that Brereton was (to say the least) an unusually unsavoury character, part of the problem was clearly Punjab’s non-regulation system itself. John Lawrence himself practically admitted as much, albeit obliquely, when he recommended that Brereton be transferred to ‘the older provinces [where] there are judges to supervise and restrain’.⁶⁷

When it came to the permanent institutional arrangements for the internal policing of the province, it was entirely characteristic that these should have combined civil and military elements in the form of a civil police and a military police. And it was still more revealing that the Board defined the former as the ‘detective’ police, whereas the latter

⁶⁶ Richard Temple to G.F. Edmonstone, 8th February 1855, ‘East India (Torture)’, p.30.

⁶⁷ *Ibid.*, p.31.

were referred to as the 'preventive' police. Again, this nomenclature was indicative of the Board's implicit belief in the deterrent effect of violence. To them and their subordinates, violent coercion was as much preventative as a last resort. The underlying assumption was that an immediate and forceful response would save more lives in the long run. Certainly, this was the lesson many of them had taken from the recent war, as well as the earlier Afghan disaster.⁶⁸ At the time, both were perceived to have unravelled because officials had dithered, and then acted with inadequate forcefulness. For the Board and its subordinates, it was better to strike too soon than too late. In March 1849, John Nicholson had declared that 'an emeute, which if dealt with at the time might be put down by a *company*, when permitted to acquire strength by delay, grows into a rebellion and eventually requires an *army* to quell it.'⁶⁹ By this logic, what initially might appear as maximum force would turn out to be minimum force in the long run. In this fashion, conspicuous and peremptory – sometimes even pre-emptive – violence was justified as the lesser of two evils.⁷⁰ The result was an attitudinal concoction of terrifying ruthlessness that became fully apparent during the Rebellion, in which officials engaged in mass executions and punishments of calculated sadism.⁷¹

The Board's implicit doctrine of pre-emptive force provided a model for subsequent generations of officials. Thus, Frederick Roberts later approvingly quoted a memorandum by Henry Lawrence, written during the first weeks of the Rebellion, in his best-selling *Forty-One Years in India*. In it, Henry Lawrence had written, 'time is everything just now. Time,

⁶⁸ Herbert Edwardes, *Punjab Frontier*, Vol.II, p.174; Edwardes and Merivale, *Lawrence*, Vol.I, pp.443-448; Lawrence, 'Military Defence', pp.34-35.

⁶⁹ Nicholson to H.L., 29th March 1849, MSS Eur E 211 8.

⁷⁰ Holled Coxe, *The Punjaub and North-West Frontier of India* (London, 1878), pp.17-19; Wagner, "Calculated to Strike Terror", p.222.

⁷¹ Frederick Cooper, *The Crisis in the Punjab: From the 10th of May Until the Fall of Delhi* (London, 1858), pp.xv, 160-169.

firmness, promptness, conciliation and prudence.... Everywhere the first germ of insurrection must be put down instantly. Ten men may in an hour quell a row which after a day's delay may take weeks to put down'.⁷² Needless to say, the 'conciliation' part was often forgotten in the heat of the moment. This attitude, which was a core attribute of the Punjab School, would have infamous repercussions beyond the Rebellion; most obviously, the mass executions following the 1872 Kuka Uprising, and the 1919 Amritsar Massacre.⁷³ Indeed, according to Kim Wagner, Brigadier Reginald Dyer intended the massacre at the Jallianwala Bagh to be 'both retributive and pre-emptive: Dyer took revenge for the attacks on Europeans... but he also acted to prevent a much bigger outbreak he believed to be imminent.'⁷⁴ Indicatively, Punjab's then Lieutenant-Governor, Michael O'Dwyer, insisted that Dyer's actions had 'kill[ed] the rebellion at Amritsar', and that the news of it 'prevent[ed] its spreading elsewhere.'⁷⁵ Arguably, even on his own terms, O'Dwyer was wrong in the long run. For the irony was that, in Wagner's words, 'colonial violence ultimately undermined colonial rule by alienating the local population and turning its victims into martyrs of nationalist movements.'⁷⁶

Within a couple of years of annexation, the 'preventive' military police numbered some 7,100 men, who were divided into six infantry regiments and twenty-seven troops of cavalry. Many had fought on the Company's side during the late war, either in the *darbar's* army, or as levies raised by Herbert Edwardes and Reynell Taylor in the west of the province. Indeed, the military police had been devised partly as a way of co-opting and

⁷² Roberts, *Forty-One Years in India*, pp.510-511; Henry Lawrence, Memorandum, 18th May 1857, MSS Eur F85 17, HLP.

⁷³ Major, 'Return to Empire', p.318.

⁷⁴ Wagner, *Amritsar 1919*, p.254.

⁷⁵ O'Dwyer, *India as I Knew It*, p.285.

⁷⁶ Wagner, *Amritsar 1919*, p.258.

rewarding these men. They were commanded almost entirely by native officers, aside from four British officers who had ultimate control. Stationed around the province in detachments, the idea was that 'both foot and horse are ready at an instant's notice to reinforce the civil police, the former [the foot] to crush resistance, the latter [the horse] to expedite pursuit.'⁷⁷

As for the 'detective' civil police, they were headed by 228 chief inspectors, who were paid Rs.50 a month in the countryside, and up to Rs.100 a month in the more important cities and central districts. As things went, this was good money, and their relatively high pay was intended to put them above 'ordinary temptation'. Each chief inspector presided over a small circuit, with a few deputy inspectors and a couple of dozen constables; totalling about 6,900 men throughout the province.⁷⁸ The civil police were integrated with the more quotidian civil administration of the province at the level of the *tehsil* and village.⁷⁹ Each *tehsil* contained a few policing circuits within its boundaries, with the *tehsildar* being senior to the chief inspectors. Both the police and the *tehsildars* were meant to aid and check each other.⁸⁰

It would be a mistake to conceive of this as a system of top-down control and one-sided British domination. In fact, there could be no coercion without some collaboration. For example, in the countryside, the entire edifice of daily law and order ultimately rested on the shoulders of the thirty thousand *chaukidars* or village constables. Armed with spears (they graduated to swords in 1855), the *chaukidars* were local men, and were supposed to

⁷⁷ GR1849-51, p.33.

⁷⁸ Ibid., p.33.

⁷⁹ Major, 'Return to Empire', p.207.

⁸⁰ GR1849-51, p.34.

know the physical byways and social folkways of their beat like the back of their hand.⁸¹ As Edward Thornton averred, 'nothing of importance, therefore, can escape their observation.'⁸² The *chaukidars* recognised the existing order of things; kept a wary eye on any suspicious outsiders; and, in real emergencies, called on the professionals for support. This system was perhaps not much more than the continuation of pre-existing forms of local self-protection; with the *chaukidars* effectively being servants of the village landowners, headmen, or other local notables.

Indeed, when the Board too actively interfered with this institution of local self-government, they provoked widespread low-level opposition.⁸³ For, at one point, the Board had attempted to organize a more regular system of funding and pay for the *chaukidars*, and to take greater control over their appointment and operation. However, meeting with active and passive resistance, and 'fully alive to the importance of conciliation', the Board retreated; recognising that 'measures of this kind, however good in themselves, will not succeed unless they are made acceptable to the people.'⁸⁴ This concession was largely a result of Henry Lawrence's perception that British interference in the appointment of *chaukidars* had eroded the authority of the village headmen (*lambardars* or *maliks*) in a fashion that destabilized village life; in the process, jeopardizing law-and-order and therefore British authority. In the spring of 1852, having just toured the Frontier, and finding that matters were less satisfactory than on previous occasions (for multiple reasons, discussed in later chapters), Henry Lawrence was eager to return to what seemed previously to have worked. In this case, this meant restoring the authority of the village headmen. As

⁸¹ Major, 'Return to Empire', p.208.

⁸² GR1849-51, p.207.

⁸³ GR1849-51, p.207.

⁸⁴ GR1849-51, p.37.

he explained to his fellow Board-member, Robert Montgomery, 'much depends' on 'the heads of villages selecting their own men'; for, 'at present, it is all antagonism, and the Lumberdar, instead of being the head of his own village and the most respected, is now trampled on by his own.'⁸⁵ Hence, the Board came to accept that, depending on the customs of the village, the nomination of *chaukidars* rested with the headmen or landowners, who also then had a large say in their operations.⁸⁶ As was so often the case, the colonial state had to have the support of at least some locally dominant individuals or groups if its policies were to be durably implemented.

As for the urban areas, these were policed by the city watchmen, who, like the *chaukidars*, were locally organized and funded. The Board had originally planned to fund them through a local property tax as a supposedly fairer method than the traditional town duties. However, when a so-called 'House Tax' was introduced for this purpose in 1849, it was so resented by the urban elite of Amritsar and Lahore – 'a class possessing the power and the will to clamour and agitate' – that, thanks to the timely intercession of the division's Commissioner, Robert Montgomery, the British rapidly retreated, and instead returned to the less provocative town duties.⁸⁷ This was yet another instance of the Board learning to accommodate customs and hierarchies that commanded 'popular sympathy', though they conflicted with officials' own notions of fairness, and impeded their ability to exert direct control.⁸⁸

Both cases clearly demonstrated the practical limits of British authority. Ultimately, even when it came to coercion, the Board depended on at least some local support. Indeed,

⁸⁵ H.L. to Montgomery, 28th March 1852, MSS Eur F85 13.

⁸⁶ *GR1849-51*, p.37.

⁸⁷ *Ibid.*, pp.35-36, 194-197.

⁸⁸ *Ibid.*, pp.36, 195-197.

whilst there were some 46,000 police personnel of various types in the province only a year after annexation, it should be noted that virtually all of these were Punjabis, with two-thirds being embedded amateurs in the form of the *chaukidars* and city watchmen.⁸⁹ The fact that Punjabis were often the eyes and ears of the colonial state put practical bounds on British power. This became increasingly evident over time. By the end of the decade, Charles Aitchison rued that the 'village watchmen... are allowed to carry only such reports [to the police station] as are pleasing to the landholders, who are their bread-finders.'⁹⁰ Given the weakness and superficiality of day-to-day British surveillance and control over Punjabi society, it is perhaps unsurprising that military force assumed still greater significance. But here too, co-optation and collaboration were essential.

The matter of the Company's military footprint in the new province loomed large throughout the Board's tenure. Above all, this meant the issue of the Afghan Frontier, which henceforth became the Company-State's external north-western boundary. Henry Lawrence, who had his own trenchant views about military matters, pressed that the heavy responsibility for the Frontier be given to the Board, which would be armed accordingly with its own Irregular Force, independent of the Company's Army and its military chain of command. Having long believed in the virtues of irregulars, and their superiority over the increasingly desiccated and dysfunctional regulars of the Company's Army, Henry Lawrence now had an opportunity to put his ideas into practice.

⁸⁹ Major, 'Return to Empire', p.208.

⁹⁰ Charles Aitchison, 'Crime and Punishment in the Punjaub', *Calcutta Review*, Vol.32, No.63 (March 1859), p.60.

In fact, while Resident at Lahore, Henry Lawrence had experimented with raising such a force in miniature. The result had been the 'Guides', which were commanded by Harry Lumsden, then a mere lieutenant.⁹¹ Initially, they had consisted of only one troop of cavalry and two companies of infantry. Following annexation, Dalhousie authorised that the Guides be expanded to three troops of cavalry and six companies of infantry, and by 1852 it numbered 840 men. In large part, the Guides realised Henry Lawrence's belief that the Company's Army should have an elite scouting force capable of providing intelligence and mounting minor self-sustained operations. He considered the want of such a force to have been one of the major reasons for the disaster in Afghanistan. Indeed, if only in aspiration, the Guides anticipated today's special forces. As the first *General Report* proudly announced, 'they are formed so that in the same body of men shall be united all the requisites of regular troops with the best qualities of guides and spies, thus combining intelligence and sagacity with courage, endurance, and soldierly bearing, and a presence of mind which rarely fails in solitary danger and in trying situations.'⁹² It was indicative of their innovative nature that they were dressed in a proto-camouflage brownish colour – which came to be called 'Khaki'.⁹³ All this corroborates Timothy Moreman's argument that the tactics employed on the Frontier were not necessarily 'retrogressive' anachronisms, but 'in some ways... proved ahead of contemporary European military practice.'⁹⁴

As for the recruits themselves, they presaged, but were by no means a product of, the 'martial races' theory. So far as Henry Lawrence and his acolytes were concerned, it was entirely practical to man these units with 'wild and warlike' tribes, particularly those from

⁹¹ Henry Lawrence, 'Lord Hardinge's Administration', *Calcutta Review*, Vol.8, No.16 (October 1847), pp.497-499.

⁹² *GR1849-51*, pp.26-27.

⁹³ Lawrence, 'Hardinge's Administration', pp.497-499; *GR1849-51*, p.28.

⁹⁴ T.R. Moreman, 'The British and Indian Armies and North-West Frontier Warfare, 1849-1914', *The Journal of Imperial and Commonwealth History*, Vol.20, No.1, (1992), pp.35-36.

the Afghan Frontier. These men were apparently ‘habituated from childhood to war and the chase, and inured to all the dangers of a wild and mountainous border’. Quite apart from the physical and cultural conditioning their backgrounds afforded, they also knew ‘the features of the country and the dialect of the people’, and so might compensate for British officials’ own linguistic and informational shortcomings.⁹⁵ Added to this, such a recruitment pattern promised to channel and co-opt potentially troublesome fighting manpower. The idea was that if these ‘wild sort of gentry’ were employed fighting for the British, then they would not be free to fight against them.⁹⁶

In another departure from orthodoxy, there were only four European officers presiding over the Guides, all of whom were initially mere lieutenants. They therefore wielded authority far above their nominal rank. Furthermore, after some lobbying from Henry Lawrence, they were also armed with civil powers (equivalent to those of Assistants), which they used to administer the Yusufzai portion of the Frontier, where the Guides were primarily employed during the period of the Board.⁹⁷ Thus, Henry Lawrence and his subordinates developed a hybrid model of military-civil administration.⁹⁸ Again, that military coercion was so directly involved in civil administration ultimately reflected the weakness of the Board’s grip over Punjabi society.

On May 17th 1849, just as Henry Lawrence desired, the Board were authorised to raise a further ten regiments – half cavalry, half infantry – on their own account to help secure the Afghan Frontier. These became the Punjab Irregulars, later termed the Punjab Irregular

⁹⁵ *GR1849-51*, pp.26-27.

⁹⁶ William Hodson, Hodson, *Twelve Years*, pp.131-132.

⁹⁷ *GR1849-51*, p.27.

⁹⁸ Douglas Peers, ‘Between Mars and Mammon: The East India Company Efforts to Reform Its Army, 1796-1832’, *The Historical Journal*, Vol.33, No.2 (June, 1990), pp.388-389.

Frontier Force. The Punjab Irregulars grew out of the improvised levies raised by Edwardes, Nicholson, and Taylor during the Second Anglo-Sikh War. Initially, Dalhousie disapproved of these recruits, many of whom had been given unauthorized promises of future employment by Edwardes and the other Assistants. Characteristically, Dalhousie resented this; but somewhat less characteristically, he honoured these commitments.⁹⁹ So far as Dalhousie was concerned, grouping the levies together into irregulars under control of the Board was a neat way of disposing of them.¹⁰⁰ Most obviously, that way they would be a debit on the province's administration, rather than that of the Supreme Government, which was Dalhousie's primary care. In fact, Dalhousie was in two minds as to whether the Punjab Irregulars would be a permanent fixture. As he explained to his confidante, George Couper: 'the increase now made in irregular regiments can at any time be got rid of, for the officers can be sent back to their own regiments in the line and men gradually absorbed.'¹⁰¹

Each of the resulting five infantry regiments of the Punjab Irregulars had a nominal establishment of 800 privates, 96 non-commissioned officers, 16 native officers, and 4 European officers; whilst the Punjab Irregulars' five cavalry regiments had an establishment strength of 588 sabres, with 16 native officers, and 4 European officers.¹⁰² As with the Guides, the Punjab Irregulars' regimental structure afforded their British and native officers far greater authority and independence than in the regular regiments, in which there were some 24 British officers – though, in practice, about half that number would be with the regiment at any one time. Unsurprisingly, this made the Irregulars an appealing proposition

⁹⁹ Dalhousie to Currie, 8th October 1848, Singh, *Correspondence*, p.102; Dalhousie to Currie, 16th October 1848, Singh, *Correspondence*, p.110.

¹⁰⁰ Dalhousie to Couper, 10th July 1849, Baird, *Letters*, pp.84-85.

¹⁰¹ *Ibid.*, p.85.

¹⁰² *GR1849-51*, p.24.

for ambitious young officers, anxious to escape the more limited horizons offered them in the regular regiments.¹⁰³

The Punjab Irregulars had responsibility for the security of the southern portion of Punjab's Afghan Frontier; a stretch of about three hundred miles, ranging from the border with Sindh to the Peshawar Valley. The latter was held by a combination of the Company's regulars, H.M.'s Regiments, and the Guides. The cavalry of the Punjab Irregulars carried-out patrols and were on standby for emergencies.¹⁰⁴ Meanwhile, the Punjab Irregulars' infantry regiments were responsible for guarding some twenty-four Frontier posts, as well as forts like Bannu's Duleepgarh, and other strategic or economic assets, such as the Trans-Indus salt mines.¹⁰⁵ On particular occasions, the Irregulars' infantry and cavalry would cooperate, such as during punitive expeditions (discussed in later chapters).¹⁰⁶

Like the Guides, the Punjab Irregulars had been devised with half an eye towards their effect on the province's military labour market. In both instances, the intent was that the units would absorb fighting manpower and co-opt politically influential constituencies. As one advocate for irregulars had recently written, they provided 'a sort of safety valve, an outlet in the first instance for turbulent and haughty spirits', which promised to 'convert dissatisfied and disaffected subjects into cheerful and well disposed servants'.¹⁰⁷ Or, in Herbert Edwardes' words, 'a newly-conquered population, to be pacified, must be employed.... All the great conquerors of all times have recognised the necessity of

¹⁰³ Peers, *Mars and Mammon*, pp.97-98.

¹⁰⁴ *GR1849-51*, pp.27-28.

¹⁰⁵ Edwin Arnold, *The Marquis of Dalhousie's Administration of British India*, Vol.I (London, 1862), p.239.

¹⁰⁶ *GR1849-51*, pp.27-28.

¹⁰⁷ Charles Trower, *Hints on Irregular Cavalry, Its Conformation, Management and Use in Both a Military and Political Point of View* (Calcutta, 1845), pp.31-33.

employing the military population of their conquest. It is far easier than to destroy them.’¹⁰⁸ This was of particular moment in the west of the province and along the Frontier, where the state was weaker in relation to local society. As Edwardes averred, albeit with words that were more often honoured in the breach, ‘burning a village will never pacify a tribe; but entertain some of their number, and the whole are satisfied.’¹⁰⁹ Indeed, in November 1849, Henry Lawrence explained to Dalhousie that the relative (and fleeting) quiet then prevailing along the Frontier was largely because ‘a portion of the military classes have found employment in our service, and it seems to me that the peace of the frontier will for some years much depend on their continuing to do so.’ Knowing the Governor-General’s economizing proclivities, he warned that these ‘fine able-bodied men who depend on military service for their bread’, ‘if now altogether shoved aside... [would] perhaps more readily than before turn against us.’¹¹⁰ Thus, just as coercion had a preventive dimension in the minds of Henry Lawrence and his Young Men, so too did collaboration.

In part, the Punjab Irregulars were also a consequence of Henry Lawrence’s desire to diversify the Company’s native cadres as a hedge against mutiny by the Hindustani sepoys. This had long been an obsession of his, and he had repeatedly warned that ‘our sepoys come too much from the same parts of the country: Oude, the lower Dooab and upper Behar. There is too much clanship among them.’¹¹¹ Following the Rebellion, Henry Lawrence’s foresight became undeniable. As one advocate for his design of the Punjab Irregulars and Guides later enthused: ‘in regiments thus constituted there is a perpetual rivalry of company against company, or troop against troop. National as well as regimental

¹⁰⁸ Edwardes, *Punjab Frontier*, Vol.II, pp.730-731.

¹⁰⁹ *Ibid.*, pp.731-732.

¹¹⁰ H.L. to Dalhousie, 18th November 1849, MSS Eur F85 9.

¹¹¹ Lawrence, ‘Military Defence’, p.51.

jealousies and antipathies prevent combination. Thus we come back to the old lesson, 'Divide and Conquer.'¹¹²

Indeed, the post-Rebellion Peel Commission on the reconstruction of the Indian Army recommended that 'the Native Army should be composed of different nationalities and castes, and as a general rule, mixed promiscuously through each regiment.'¹¹³ In the 1860s and 1870s, the Bengal Army was thus constituted so that no single community, caste, or ethnicity predominated, with Punjabis counterbalancing Hindustanis almost one-for-one.¹¹⁴ However, over the ensuing generation, Henry Lawrence's once relatively pragmatic recruitment preferences were posthumously twisted into the 'martial races' theory.¹¹⁵ In turn, this rationalised and informed the 'Punjabisation' of the Indian Army, which occurred from the 1880s, such that by 1914 Punjabis accounted for nearly two-thirds of the entire Indian Army.¹¹⁶

Yet, it would certainly be wrong to overstate the ethnic exceptionalism of the Guides and Punjab Irregulars during their early years. The original idea had been that the Irregulars would be manned half by Sikhs, with the remainder split equally between Punjabi Muslims and Hindustanis.¹¹⁷ However, many Britons were still uneasy about employing Sikhs, who were themselves also initially reluctant to take service with their recent enemies.¹¹⁸ Almost immediately, Henry Lawrence complained that there were too many Hindustanis, 'more or

¹¹² Raikes, *Notes on the Revolt*, pp.132-133.

¹¹³ *Report of the commissioners appointed to inquire into the organization of the Indian Army; together with the minutes of evidence and appendix*, Parliamentary Command Papers, No.2515 (London, 1859), p.xiv.

¹¹⁴ Yong, *The Garrison State*, pp.51-52; Mazumder, *The Indian Army and the Making of Punjab*, p.13.

¹¹⁵ Heather Streets, *Martial Races: The Military, Race and Masculinity in British Imperial Culture, 1857-1914* (Manchester, 2004), p.8; Cf. Douglas Peers, 'The Habitual Nobility of Being': British Officers and the Social Construction of the Bengal Army in the Early Nineteenth Century', *Modern Asian Studies*, Vol.25, No.3 (July, 1991), pp.566-567.

¹¹⁶ Talbot, *Punjab and the Raj*, p.41.

¹¹⁷ 'Miscellaneous' *Allen's Indian Mail*, Vol.7, No.127 (25th June 1849), p.358.

¹¹⁸ 'Summary and Review', *Allen's Indian Mail*, Vol.7, No.129 (25th July 1849), p.417.

less imbued with sepoy prejudices and feelings', in these notionally Punjabi regiments.¹¹⁹ In fact, only a couple of regiments initially fulfilled the vision harboured by Henry Lawrence and his followers for the Punjab Irregulars. One of these was the 1st Punjab Cavalry, or 'Daly's Horse', which was raised at Peshawar by Lieutenant Henry Daly. It was recruited from 'men mostly belong[ing] to the fine race of Eusufzye Pathans, and several of the native officers are young men of family.'¹²⁰ Leading such men seems to have been genuinely gratifying to Daly, who explicitly prided himself on associating with those he saw as the native nobility.¹²¹ By contrast, the other four cavalry regiments of the Punjab Irregulars, were mostly manned by Hindustanis, with a minority of Punjabis.¹²² It was a similar story with the infantry of the Punjab Irregulars, the first regiment of which was more pathbreaking than the others. Raised at Peshawar by Captain John Coke, the 1st Punjab Infantry was, like Daly's Horse, manned mostly by Pathans and Yusufzais, and was armed with rifles and was dressed in green, like the famous Rifle Division of the British Army.¹²³ By contrast, the other four infantry regiments of the Punjab Irregulars were largely comprised of Hindustanis, and were equipped and accoutred much like the Company's regular regiments.¹²⁴

In fact, the key difference between the Punjab Irregulars and the Company's regular regiments was not ethnicity, but institutional design and ethos, which together fostered a superior sense of commitment that set them apart from the regulars. Much of their superiority stemmed from the application of Henry Lawrence's insights into man-

¹¹⁹ H.L. to Dalhousie, 27th August 1849, MSS Eur F85 9; *GR1849-51*, p.24.

¹²⁰ *GR1849-51*, p.24.

¹²¹ Charles Allen, *Soldier Sahibs: The Men Who Made the North West Frontier* (London, 2012), p.210; Henry Daly, 'The Punjab Frontier Force', *Royal United Services Institution Journal*, Vol.28, No.127 (1884), pp.911-912.

¹²² *GR1849-51*, pp.24-25.

¹²³ *Ibid.*, pp.25, 28.

¹²⁴ *Ibid.*, pp.25-26.

management and morale, which combined evangelicalism, paternalism, and romanticism with a relatively sympathetic understanding of the native soldiery's predicament.¹²⁵ Indicative of the romantic-evangelical belief in the transformative power of personal influence, Henry Lawrence insisted that 'good officers make good soldiers'. Indeed, 'one Officer can infuse a right spirit into thousands of natives. They want an example before them, the example of a chivalrous soldier, not of an idle grumbler, or listless supercilious gentleman – better be without such examples.'¹²⁶ In part, the format of irregular regiments appealed to Henry Lawrence precisely because of their much smaller complement of European officers, which necessarily allowed for greater selectivity, and therefore a better quality of officer. He would later warn that 'three selected and comparatively young officers are preferable to a dozen or sixteen haphazard ones, commanded by such men as are generally found at the head of Regiments of the line.'¹²⁷

Henry Lawrence applied a similar rationale to native officers, and added an important collaborative dimension. Thus, in marked contrast to the Company's regular regiments, the *subadars*, *jamadars*, and *risaldars* in the Punjab Irregulars and Guides were 'bona-fide Captains and Lieutenants' with genuine power and responsibility.¹²⁸ Whilst Henry Lawrence acknowledged that the native officers in the irregulars ought to be paid more, he nurtured the thought that these commissions were 'posts of trust and honour, in comparison of any in the line.'¹²⁹ Again, the idea was that by offering honourable employment to Punjabis, the Board would attract ambitious and talented men of local influence to their side, whilst

¹²⁵ Lawrence, 'Military Defence', p.64; Peers, 'The Habitual Nobility of Being', p.568; Kathryn Tidrick, *Empire and the English Character: The Illusion of Authority* (London, 2009), pp.1-20.

¹²⁶ Henry Lawrence, 'Sir Charles Napier's Posthumous Work', *The Calcutta Review*, Vol.22, No.43 (January 1854), p.231.

¹²⁷ Henry Lawrence, 'The Indian Army', *Calcutta Review*, Vol.26, No.51 (March 1856), p.192.

¹²⁸ Lawrence, 'Napier's Posthumous Work', p.277.

¹²⁹ *Ibid.*, p.277.

giving them 'a *legitimate* outlet for their energies'.¹³⁰ Indeed, they were deliberately selected for 'personal merit and social status.'¹³¹

This design was exemplified by the Guides' Chief Risaldar, Fateh Khan Khattak. In Henry Lawrence's words, 'this man's romantic adventures... would fill a volume', and he was an example of 'what a Native Officer may be, even under our deadening influences'. Henry Lawrence believed that the likes of Fateh Khan, 'and a score of others I could mention, are fit for almost any post, and it is only good policy to keep them in our ranks by titles, pensions, estates, and moderate commands.'¹³² Indeed, Fateh Khan was duly rewarded with the title of 'Khan Bahadur' by Dalhousie in March 1851.¹³³ Henry Lawrence argued that the advantages of military co-optation or collaboration-in-coercion were borne out by the lessons of history – lessons which the British were ignoring at their peril. Going further than others, he suggested that the British would do well to turn their mercenaries into genuine stakeholders, perhaps even partners, in empire. With some simplification, he admonished that 'Carthage fell, because there was but one Hannibal; because their soldiers were mere mercenaries, with no stake in the empire.'¹³⁴

To some extent, the relative superiority of the Guides and the Punjab Irregulars was a self-fulfilling prophecy, particularly in relation to its British officers. The promise of greater personal authority, more action and adventure, not to mention their sometimes glamorous Oriental fancy-dress and chivalric public image, meant that these regiments attracted more

¹³⁰ Ibid., p.280.

¹³¹ Temple, *Lawrence*, p.55.

¹³² Lawrence, 'Napier's Posthumous Work', pp.280-281.

¹³³ Peter Lumsden and George Elsmie, *Lumsden of the Guides: A Sketch of the Life of Lieut-Gen. Sir Harry Burnett Lumsden* (London, 1899), p.99.

¹³⁴ Lawrence, 'Napier's Posthumous Work', p.275.

ambitious and energetic young officers.¹³⁵ These were men who were not shy of pushing themselves forward, either in battle or Anglo-Indian society. Had they been otherwise, they would have remained closeted in the obscurity and boredom of peacetime duty with their regular regiments.¹³⁶ Indeed, Richard Temple was not far exaggerating when he later described how the 'frontier service immediately became an object of ambition to the European officers of the army as affording a school for soldiers and a field for distinction.'¹³⁷ Certainly, the spirit of the irregulars was in keeping with the mood of the times, and they seemed to embody the period's neo-medieval romantic militarism. In an article published some months before the Punjab Irregulars' formation, Henry Lawrence's friend, John Kaye, had opined that whilst the 'poetry of war' had 'decayed' in the West, it endured in the East. 'There is a halo of barbaric romance ever surrounding our oriental wars.... The nature of the country, the character of the people, their mode of warfare, their dress – are all surrounded with poetical associations.' Moreover, Kaye identified Afghanistan and Punjab as particularly 'romantic and picturesque' environments.¹³⁸ Within several years, the irregulars were duly lionized in the domestic British press as an edifying fusion of middle-class British talent with the martial traditions of India's nobility.¹³⁹ Of course, one unintended consequence of this was that whilst the better officers were being drawn to the irregulars in Punjab and elsewhere, the rest of the Company's Army was left to the charge less committed and less competent men.

¹³⁵ Hodson, *Twelve Years*, p.9; Peers, 'Those Noble Exemplars of the True Military Tradition', p.140; Peers, *Mars and Mammon*, pp.97-98.

¹³⁶ T.A. Heathcote, *The Military in British India: The Development of British Land Forces in South Asia, 1600-1947* (Manchester, 1995), p.75.

¹³⁷ Temple, *Lord Lawrence*, p.55.

¹³⁸ John Kaye, 'The Poetry of Recent Indian Warfare', *Calcutta Review*, Vol.11, No.21 (January 1849), p.222.

¹³⁹ Anon., 'Indian Irregulars', *Household Words* (12 September, 1857), Vol.16, No.390, pp.244-246.

But it was not all plain sailing with the Punjab Irregulars, as one pertinent episode involving the 3rd Punjab Cavalry demonstrated. In the spring of 1850, shortly after the 3rd was raised, it transpired that its Commandant, Captain Prendergast, was something of a cantankerous martinet. Henry Lawrence was informed that Prendergast had 'repeatedly lost his temper and abused and even struck men because they did not make the progress he expected.'¹⁴⁰ Initially, Henry Lawrence had wanted to get Prendergast removed without an unseemly squabble. But Prendergast refused to go quietly, and insisted on a formal enquiry. Presumably, Prendergast was confident that either he could prove his innocence, or else sway fellow British officers on a tribunal in his favour. Accordingly, a court of enquiry was held at Lahore into the matter of whether he had struck a native officer.¹⁴¹ But Prendergast, who had called in witnesses and was furnished with affidavits from his friends, now turned the tables on the native officers and made accusations against them.¹⁴² Having sufficiently confused the situation, Prendergast survived in post. But, thenceforth, Henry Lawrence was more mindful of the possibility that officers in the Punjab Irregulars might abuse their enhanced authority, and he later admitted that 'commanding officers should have extensive powers; but there should always be an appeal; all men are the better for having someone to look after them.'¹⁴³

Henry Lawrence was not alone in his concerns that officers like Prendergast would treat their men in too high-handed a fashion, and might try to turn the Punjab Irregulars or military police into ersatz regulars. Reynell Taylor (Deputy Commissioner of Dera Ismail Khan and Bannu, 1849-1852) likewise warned against 'useless attempt[s] to make them [the

¹⁴⁰ H.L. to Dalhousie, 30th April 1850, MSS Eur F85 9.

¹⁴¹ H.L., 14th May 1850, MSS Eur F85 10.

¹⁴² H.L. to Dalhousie, 1st June 1850, MSS Eur F85 10.

¹⁴³ Lawrence, 'Napier's Posthumous Work', p.278.

military police]... conform to our system of dress, drill, etc.' After all, they were 'fully grown soldiers, and many of them men of great rank and consideration', who would sooner 'relinquish the service' than suffer dishonour. Taylor warned that this would be a major mistake as one never knew when help from western Punjab's militarised elite might next be needed. Thus, Taylor wrote to his successor in the district, John Nicholson, that it was critical for 'our good name' that the men in the mounted military police, many of whom were Multani Pathans enlisted by Herbert Edwardes during the crisis of 1848, 'should still be found on the rolls, and should suck a permanent advantage from their... hearty assistance in unfavourable times'.¹⁴⁴ The rationale was that by treating their allies well in the present, the British insured that they would be able to tap Punjab's military labour market in a future emergency – and, in the case of the Multani Pathans, this was precisely what happened in 1857.

Indeed, the Rebellion would subsequently demonstrate the success of the arrangements made by the Board for the policing and defence of the province.¹⁴⁵ Vindicating Henry Lawrence's intuitions, the fighting manpower of Punjab, and particularly the western districts and the Frontier, played a critical role in tipping the balance in the rest of Northern India in the Company's favour.¹⁴⁶ It was therefore unsurprising that the Guides and the Punjab Irregulars became a model in certain respects for the post-Rebellion reconstruction of the Indian Army. How the principle of divide-and-rule was more widely adopted, and how it sowed the seeds of the martial races theory, has already been touched upon. But in addition to this, Henry Lawrence's misgivings about the general quality of the Company's

¹⁴⁴ *FR*, p.165.

¹⁴⁵ *GR1856-58*, p.i.

¹⁴⁶ Daly, 'Punjab Frontier Force', p.911.

European officers were taken to heart (up to a point). Whereas previously there had been two dozen European officers to a sepoy regiment, with all the necessary implications for quality control that implied, henceforth there were only eight.

Many of the developments that would unfold in Punjab over the next ninety years of British rule – and perhaps beyond – were present in embryo by the time the Board was superseded in early 1853. Most notably, the Board had already gone some way towards co-opting certain selected Punjabi groups by offering them military employment. In particular, some of the Muslim ‘tribes’ of western Punjab had been folded into the military police and the Punjab Irregulars, and their leaders had been courted with relatively generous fiscal treatment. This collaboration-in-coercion provided the foundations for recruitment during the Rebellion, when the policy was extended to other groups in Punjab, including the Sikhs, who the Board had initially treated with more suspicion. In subsequent decades, the British would increasingly turn to the province as a source of fighting manpower, forging it into the ‘sword-arm of India’.

Meanwhile, the case of Brereton illustrates the issues inherent in Punjab’s non-regulation system, wherein individual officials were so over-empowered. Subsequently, concerns over the provocation and political embarrassment caused by officials abusing their authority partly informed the drive to impose greater legal regularity throughout India, including Punjab, in the 1860s. But, as Mark Condos has shown, these reforms only went so far. Punjab’s officials continued to wield united executive and judicial powers, whilst the administration successfully fought for carve-outs that would legalize summary punitive measures – the 1867 Murderous Outrages Act being the most obvious example.¹⁴⁷ Thus, the

¹⁴⁷ Condos, *Insecurity State*, pp.104-105, 144, 221-222.

province would continue to be the site of controversial excesses and atrocities as a result of the man on the spot taking the law into his own hands.

Chapter Three: Administering the Land

In 1849, not the least of Lord Dalhousie's concerns was the current fiscal predicament of the Company. The Company's Indian administration had not achieved a surplus, let alone balanced the books, since 1837-1838. In the meantime, the deficits caused by a succession of wars – Afghanistan, the Opium War, Sindh, the two Sikh Wars – had resulted in its debt increasing by more than £15 million to about £47 million.¹ Dalhousie could not help but be mindful of this. He had gone out to India with instructions to consolidate the Company's position, not dig its fiscal grave.

In this context it was almost inevitable that the matter of Punjab's revenue loomed large, both for those at the top of the administrative pyramid, and the men on the spot. In fact, for the Company-State, revenue and administration were practically synonymous.² To British officials in India, this meant one thing above all else – land. In an agrarian society such as nineteenth century Punjab, where three-quarters of the population was engaged in agriculture to some degree, farming was the primary source of income and so necessarily provided the main source of revenue to the state.³ So far as the British knew, this had long been the case – and they were probably correct, at least in relation to the 'Indo-Gangetic basin'.⁴ In many respects, the Company-State was the heir to Mughal and post-Mughal India's imbricated systems of revenue and land tenure, wherein (to put it crudely) the state was supposed to be the ultimate landlord receiving a seasonal rent from those in possession.⁵ However, since the eighteenth century, the British had proceeded to adapt this

¹ Campbell, *Modern India*, pp.415-417.

² Lawrence, 'Oude', p.425.

³ *GR1854-56*, p.21.

⁴ Tirthankar Roy, *How British Rule Changed India's Economy: The Paradox of the Raj* (London, 2019), p.26.

⁵ James Douie, *Punjab Settlement Manual*, Fourth Edition (Lahore, 1930), p.1.

inheritance according to their interests and ideas in a fashion that made the land assume a still greater, even disproportionate, fiscal significance.

Crucially, the undersized bureaucratic capacity of the Company-State, meant that other alternative forms of direct taxation, such as an effective general income tax, or the various poll taxes and sundry charges that native regimes had used, were for the moment unrealistic. In fact, it was not until the 1880s that the British managed to introduce a permanent income tax. For, besides the practical problems inherent in such 'information-intensive' taxes, the British also apprehended the backlash that these more overt and invasive impositions might trigger, especially on the part of urban dwellers. More than in the countryside, urban populations were in a position to organize on a large scale, and bring political pressure to bear on the centres of British administration.⁶ Indeed, as the relatively quick *volte-face* over the 'House Tax' in Punjab suggests, even the Board's pro-peasant paternalists were notably receptive to lobbying from the urban elite.⁷ George Campbell was characteristically frank when he averred, 'direct taxes are out of our power. Attempt to levy an income-tax, and there would be a resistance such as few governments have experienced in Europe. The abstinence of direct taxation is the great secret of our power in India.'⁸

Moreover, the Company was under pressure from those back in Britain to open the famed markets of the east, and reduce various barriers to trade, notwithstanding that past rulers had gained significant sums from customs, transit duties, and various monopolies; though the Company itself did retain a monopoly over salt and opium. There was also the high-minded gospel of free trade, which many Company officials seem to have imbibed. The

⁶ Tirthankar Roy, 'State Capacity and the Economic History of Colonial India', *Australian Economic History Review*, Vol.59, No.1 (March 2019), p.83.

⁷ *GR1849-51*, pp.194-197.

⁸ Campbell, *Modern India*, p.404.

idea was that the magic of the invisible hand, the law of comparative advantage, and entrepreneurial self-help, would combine to create the best of all possible worlds. Indeed, by the 1840s, whilst the question of free trade was causing ructions back in Britain, British officials in India were pressing full steam ahead, reducing and abolishing a plethora of indirect taxes. And yet, the paradox of this economic liberalism was that it harboured an authoritarian corollary, in that it shifted the revenue burden still more onto the owners and cultivators of the soil.

But then, this had been sanctioned by the 'enlightened' economic thinking of the day, which regarded land as the ultimate source of all wealth and therefore the most efficient target of taxation. In the eighteenth century, the French Physiocrats had argued thus, and gone so far as to advocate the abolition of all indirect taxes in favour of a single tax on landowners.⁹ And the Physiocrats' doctrines had been assimilated into the 1793 Permanent Settlement of Bengal, through the influence of Sir Philip Francis and Thomas Law, with the result that the belief that land was the fount of all wealth, and so ought to be the principal source of a state's revenue, was lodged deep in the institutional instincts of the Company-State.¹⁰ In the next generation, Thomas Malthus, David Ricardo, and James Mill – albeit with some variations – had likewise insisted on the fundamental economic significance of the land in a fashion that further legitimised its taxation.¹¹ Although the link between their theories and the Company's administration in India was by no means as direct as has

⁹ Charles Gide and Charles Rist, *A History of Economic Doctrines: From the Time of the Physiocrats to the Present Day* (New York, 1915), pp.33-39.

¹⁰ Ranajit Guha, *A Rule of Property for Bengal: An Essay on the Idea of Permanent Settlement* (New Delhi, 1959), pp.139-143, 160, 171-176; Bayly, *Imperial Meridian*, pp.155-160.

¹¹ Thomas Malthus, *An Essay on the Principle of Population* (Oxford, 2004); Thomas Malthus, *An Inquiry into the Nature and Progress of Rent* (London, 1815); David Ricardo, *On the Principles of Political Economy and Taxation* (London, 1821); James Mill, *Elements of Political Economy*, Second Edition (London, 1824), pp.242-243.

sometimes been suggested, they nevertheless reflected and contributed to a milieu which permitted and reinforced the Company's tendency to lean heavily on India's agriculturists.¹² For, whilst the intellectuals were writing, the soldiers were fighting, and the Company-State continued to accumulate territory on a Napoleonic scale, and its civil and military costs burgeoned accordingly: twin developments that begged the question of how the conquests were to be funded, whilst supplying the answer – land. Thus, ideas, interests, and practicalities, all pulled in the same direction: in India, whoever owned or worked the land would carry the burden of the Company-State.

Prior to British administration, much, but by no means all, of northern India's cultivable land was held and worked by village communities of 'primary' *zamindars* (hereditary landholders). In their ideal-typical form, each village community was comprised of members related by kinship, who claimed common descent from the founders of their village, from whom they derived rights to the adjacent lands, the so-called 'village estate'. These communities, although they might divide up the village estate between individual families into plots for purposes of working the land, planned and coordinated cultivation collectively in a process overseen by village elders. In short, while the *use* of the land was effectively private, *control* was collective. These tenures thus combined some traits of private and collective ownership. But the landholders who constituted a given village community were not the only inhabitants of each village. There were also tenants, village artisans, retailers, and labourers, who were typically from different castes to the 'village community', and who generally occupied a subordinate place within the social and economic hierarchy of each

¹² Cf. Stokes, *Utilitarians and India*.

village. Villages were also linked horizontally to one another through trade and kinship, and so were not quite the autarkic islands of rural self-sufficiency the British sometimes implied.¹³

As for each village community's dealings with higher authorities, they were represented by headmen, who collected the village's collective dues, whether land taxes or rents, and paid them to someone akin to a rural overlord or lord of the land. Typically, these overlords kept a smaller or larger portion of these payments for themselves, and submitted another part as revenue to a still higher authority, or over-over lord, like a provincial governor or the central government itself. The proximate overlord might also have responsibility for managing cultivation in the area. In practice, these overlords were often neither fully government officials, nor entirely private landowners in the British sense, but partook of attributes of both. They went under various generic appellations depending on the time and place: ('intermediary') *zamindars* in Bengal, or *talukdars* in the North-Western Provinces.¹⁴

But in Punjab, the unrest and conquests of the past two centuries had resulted in a particularly heterogeneous, flexible, and sometimes confused pattern of rural overlordship. There, 'chieftain' *zamindars*, *ijaradars*, *kardars*, and *jagirdars* all represented lords of the land of one kind or another. In some cases, these overlords were mostly state or parastate officials *tout court* – as were most, but by no means all, of Punjab's *kardars*. In other cases, they were closer to being tax farmers, like Punjab's *ijaradars*. And, sometimes, they more closely approximated private landlords, actively managing and investing in the land on their own behalf. Certainly, in Punjab, there were instances where *jagirdars*, *ijaradars*, and even

¹³ S. Nurul Hasan, 'Zamindars under the Mughals' in Robert Eric Frykenberg (ed.), *Land Control and Social Structure in Indian History* (Wisconsin, 1969), pp.17-32; Thomas Kessinger, *Vilyatpur: 1848-1968; Social and Economic Change in a North Indian Village* (Berkeley, 1974), pp.24-77.

¹⁴ Hasan, 'Zamindars under the Mughals', pp.17-32.

kardars had done this under the Sikhs, and, before them, the 'chieftain' *zamindars* under the Mughals.¹⁵

Elsewhere, during the Mughal Empire's decline in the eighteenth century, Bengal's intermediary *zamindars* and north-central India's *talukdars* had taken advantage of the situation and enhanced their power. The result was that they increasingly resembled private landowners, with the primary *zamindars* as their tenants. Subsequently, many British observers, accustomed to a country where the land was almost entirely privately owned by a small aristocracy, took appearances at face value, or else conveniently overlooked competing claims for *raison d'état*. Consequently, they chose to invest Bengal's intermediary *zamindars* with the status of private landowners. In due course, a later generation of British officials elsewhere in India reacted against this; instead believing that the various overlords had usurped the primary *zamindars'* supposed ancient private property rights.¹⁶

However, both these opposing views fundamentally misunderstood the situation in India, where there were quite different legal conceptions of landownership than in Britain. In broad outline, throughout much of the Indo-Gangetic Plain, including Punjab, land was not a freely alienable and transferrable commodity in the sense of fee simple private property as understood by the British – something exclusively held by one proprietor against all-comers.¹⁷ Instead, a given portion of land might be the object of layered and shared rights: the right of cultivation, the right of land management and a share of the profits, the right to levy rent or some sort of due, the right of tax collection, and the right to the land tax itself.

¹⁵ Kessinger, *Vilyatpur*, pp.11-45.

¹⁶ Thomas Metcalf, *The Aftermath of Revolt: India, 1857-1870* (Princeton, 1964), pp.36-40.

¹⁷ Ainslie T. Embree, 'Landholding and British Institutions', in Robert Eric Frykenberg (ed.), *Land Control and Social Structure in Indian History* (Wisconsin, 1969), pp.33-52; Bhattacharya, *Agrarian Conquest*, p.291.

None of these were necessarily freely marketable; generally, there was no free market in land ownership as such.¹⁸

The various ways in which the British misunderstood Indian land tenures had serious repercussions. For, outside of war, the administration of the land – above all, for revenue purposes – was the main point of contact between the Company's state apparatus and India's millions, many of whom might otherwise never see a British official. The arcana of the land revenue had the power to effect massive social change. It turned on the revenue settlements, which, in their proper or 'regular' form, not only defined the tax liability attached to a given piece of land, but also inscribed in law who owned that land. Of course, by recording one individual as 'owner', the British potentially deprived others of pre-existing rights. In Bengal, it was the peasantry who had lost out, owing to the 'aristocratic' Zamindari System, which had endowed the intermediary *zamindars* (erstwhile tax farmers) with property rights. Subsequently, in Madras, Thomas Munro's 'yeoman' Ryotwari System had cut-out all such intermediary overlords in favour of the peasantry, who were dealt with in severalty, thereby vitiating old communal practices.¹⁹

By painful trial-and-error, the British became more aware of the complex skein of pre-existing rights and interests in the land; though, even then, their understanding was far from perfect. Meanwhile, they pressed ahead with the 'privatisation' of the land in their newer acquisitions, albeit in a form which they thought truer to Indian traditions. The result was the so-called 'Village System' (sometimes called the 'Mahalwari System') of land taxation and administration. Initially developed in the North-Western Provinces, the Village System

¹⁸ Roy, *How British Rule Changed India's Economy*, p.28.

¹⁹ Bayly, *Imperial Meridian*, pp.155-160.

provided the basis, with some alterations, for the revenue administration of Punjab. It is therefore necessary to appreciate some of the developments in the former place, to understand the Board's policies in the latter.

The North-Western Provinces had been created incrementally by conquest and cession during the first half of the nineteenth century. At the outset, in the 1800s and 1810s, the British had reprised the worst aspects of their Bengal Zamindari System. The land tax assessments had been far too high; there had been many peremptory forced sales 'for trifling arrears of revenue', as per the Regulations' sale law; and *talukdars*, *muqaddams* (village headmen), or even native revenue officers, had sued for full ownership rights or bought them on the cheap. All the while, the village communities were threatened with derogation to the status of tenants at will.²⁰ After nearly twenty years, it was belatedly accepted that things would have to change. In 1819, the Secretary for the Territorial Department, Holt Mackenzie, urged a forensic survey of the province, 'village by village', so that the British would desist from trampling over old rights, and instead fit their administration 'to the frame of society.'²¹

Mackenzie recommended that the government should identify and uphold the ownership rights of the individual members (primary *zamindars*) of each village community to their shares of the village estate, recording them in a detailed and legally binding record of rights. However, and this was key, Mackenzie argued that, at the same time, the government should contract for the land tax with each village community as a single corporate entity; its

²⁰ Charles Metcalfe in John Kaye (ed.), *Selections from the Papers of Lord Metcalfe* (London, 1855), pp.37-38; Hugh Kennedy Trevaskis, *The Land of the Five Rivers: An Economic History of the Punjab from the Earliest Times to the Year of Grace 1890* (Oxford, 1928), p.155; Metcalf, *Aftermath*, p.40.

²¹ Holt Mackenzie quoted in R.N. Nagar, 'Holt Mackenzie's Memorandum', *Proceedings of the Indian History Congress*, Vol.9 (1946), pp.356-357.

members being collectively (jointly and severally), liable for the aggregate revenue assessed on their village estate.²² This, in its essentials, was the Village System, which was introduced into the North-Western Provinces from 1822.²³ Nevertheless, even after these changes, the North-Western Provinces' revenue administration was troubled. It was still frequently the case that the land tax was assessed far too high, and landholdings continued to be sold for revenue arrears according to the sale law.²⁴ The resultant social scarring impressed many officials – however superficially – with the need for a more paternalist and protective form of administration.

Thus, when James Thomason became Lieutenant-Governor of the province in 1843, there was an appetite for further change. Under Thomason, officials were warned against abstract theories and fine arithmetical calculations when setting the land tax, but were encouraged to use their own judgment to set it at a practicable level.²⁵ Many of Thomason's subordinates, including John Lawrence, would go on to work in Punjab. Meanwhile, between 1844 and 1848, Thomason wrote three pamphlets setting out his version of the Village System, which were subsequently published as *Directions for Revenue Officers in the North-Western Provinces*. In due course, the pamphlets and the book were endorsed by both Dalhousie and John Lawrence as the basis for Punjab's revenue system.²⁶ Indeed, somewhat ironically, Thomason's *Directions* perhaps had a more durable impact on Punjab than the province for which it had originally been intended.²⁷

²² Trevasikis, *Land of the Five Rivers*, pp.156-157.

²³ Nagar, 'Holt Mackenzie's Memorandum', p.357.

²⁴ Trevasikis, *Land of the Five Rivers*, p.160.

²⁵ James Thomason, *Directions for Revenue Officers in the North-Western Provinces* (Calcutta, 1858), pp.35-36.

²⁶ Douie, *Punjab Settlement Manual*, p.8.

²⁷ *Ibid.*, p.8.

There were major problems with the Village System as imported into Punjab, however. Significantly, the Village System's focus on the supposed village communities made it a poor fit for many locales in the new province, where these were less prevalent, and it was often imposed heedless of pre-existing realities. Naturally, this raises the question of why the British tried imposing the Village System on Punjab in the first place. The answer lies in a combination of institutional inertia, ideology, and *raison d'état*. Most obviously, there is the banal fact that many of Punjab's officials had previously worked in the North-Western Provinces, with the result that the Village System was what they knew and were comfortable with.

As for the ideological dimension, officials were moved by a growing conviction that 'the village community', around which the Village System revolved, was the normative unit for Indian society, and that they would do well to protect them where they already existed, and even to propagate them where they did not. To some degree, this was based on a quintessentially romantic sensibility, epitomized by Charles Metcalfe in a famous 1830 Minute. In it, Metcalfe waxed lyrical about the village communities, describing them as immemorial 'little republics', which had guaranteed the 'happiness' of the people amidst the trials and tribulations of successive waves of conquest and revolution.²⁸ Officials assumed that by introducing the Village System into Punjab, they would consolidate or recreate the oft-celebrated village communities in the new province, with beneficial results.²⁹

²⁸ Charles Metcalfe, Minute, 7th November 1830, *Selections 1822-33*, pp.218-219.

²⁹ Campbell, *Modern India*, p.343.

Perhaps more to the point, in both the North-Western Provinces and Punjab, the Village System was also imposed for less romantic and more cynical reasons. A large part of the attraction of the Village System was that it promised administrative efficiencies by devolving some of the quotidian work of governance onto the villagers themselves. Indeed, contrary to stereotypes of British imperialism as incorrigibly authoritarian, British officials actually conceived of the village communities as institutions of local self-government that would alleviate some of the administrative burden on themselves, and saw the Village System as a means to that end. The village communities were viewed as bulwarks of social and political stability, and British officials valued them to a certain extent as providers of local public services and welfare, such as education, charity, policing, and artisanal employment, which the Company-State itself was not yet capable of providing on any scale.³⁰ Indeed, where village communities were less in evidence, such as Punjab's Multan Division, officials initially found it more difficult to make arrangements for such essentials as local policing.³¹

Underlying all this were fiscal considerations. In Punjab, the Village System imposed collective responsibility for the land tax on each village community – something which had not existed under the Sikhs. This innovation was particularly appealing to the British because it promised to make the payment of the land tax more regular, dependable, and easier to administer. For, if one landholder (primary *zamindar*) failed to pay their share of the village's land tax, which was common, then another had to pay in their place, and potentially assumed ownership rights to defaulter's plot in the process. In practice, it was often left to the members of the village community to decide how they would divide the tax

³⁰ Thomason, *Directions*, pp.8-9; Metcalfe, Minute, 7th November 1830, *Selections*1822-33, pp.218-219; Campbell, *Modern India*, p.262; Henry Sumner Maine, *Village-Communities in the East and West* (London, 1871), pp.125-126.

³¹ *GR1849-51*, p.230.

burden amongst themselves, and whether to press claims to the transfer of property or not. In this way, much of the odious administrative burden of tax collection was effectively passed onto the taxpayers themselves. The process was managed by the village headmen, who would then hand over the money to the *tehsildars*, the latter typically supported by a couple of dozen policemen. Writing in 1851, Richard Temple somewhat self-servingly attested to the relatively smooth working of the system in the Jullundur District – which he had just settled – going so far as to refer to it as ‘self-taxation’, rarely requiring ‘authoritative interference.’³² Thus, collective responsibility for a fixed cash sum promised to deliver timely and predictable revenue instalments, whilst saving the British much of the trouble of governing.³³ The Village System was therefore a convenient expedient for an administratively overstretched and often ignorant regime.

Yet, for all the supposed advantages of the village communities for the colonial state on the score of socioeconomic security, political stability, and fiscal reliability, most British officials rejected treating the village communities’ respective village estates as units of genuine collective ownership. Instead, the British insisted on the benefits of private property, and fixed their sights on the ideal of the peasant proprietor as one of their long-term policy goals. In this, the Board’s work fits into a long arc of intellectual and political change amongst the British, which witnessed what Clive Dewey has termed as the ‘rehabilitation of the peasant proprietor’.³⁴

For, in both the North-Western Provinces and Punjab, the record of rights was meant to do much more than just protect the landholders against unwarranted dispossession.

³² GR1849-51, p.272.

³³ Thomason, *Directions*, pp.8-9.

³⁴ Clive Dewey, ‘The Rehabilitation of the Peasant Proprietor in Nineteenth-Century Economic Thought’, *History of Political Economy*, Vol.6, No.1 (1974), pp.17-47.

Instead, in conjunction with the fixing of the government's revenue demand for a term of years – in theory, set at such an amount as would allow a 'fair profit for the proprietors' – the record of rights was devised to 'create a valuable and marketable property in the land.'³⁵ Consequently, village estates, whilst they continued to be a single fiscal unit when paying taxes to the state, were subdivided between the members of the community into separate property holdings, thereby turning them into peasant proprietors. Thus, land was 'commodified' into something that could be owned, bought, and sold.

In theory, turning *landholders* into *landowners* was supposed to transform the incentives under which they and their forebears had laboured. With more than a hint of Orientalism, the British supposed that they were liberating human ingenuity from what they alleged to be the crippling insecurity created by arbitrary native governments that had (supposedly) recognised no limits on what they could take.³⁶ Thus, in Punjab, summary settlements fixed the land tax for a few years, before more detailed regular settlements (which more closely defined private property rights) fixed the land tax for a term of ten years, at the end of which the government might increase its revenue demand by an updated revenue settlement. During the interim, the landowners were therefore assured that they would be left to enjoy their profits, and so would have greater incentives to work hard and invest – at least, that was the theory. To British officials it was axiomatic that, in the much-read words of Alexander Dow, 'an established idea of property is the source of all industry among individuals, and, of course, the foundation of public prosperity.'³⁷ Thus, Richard Temple saw private property not just as an economic phenomenon, but as an engine for moral

³⁵ Thomason, *Directions*, p.35.

³⁶ Eric Stokes, *The Peasant and the Raj: Studies in agrarian society and peasant rebellion in colonial India* (Cambridge, 2009), p.2.

³⁷ Alexander Dow, *The History of Hindoostan: From the Death of Akbar, to the Complete Settlement of the Empire under Aurungzebe*, Vol.III (London, 1772), p.cxviii.

improvement and social stability. Drawing a revealing analogy with Ireland, he rhapsodized that owning property changed ‘the nature of the man’ – ‘recklessness is changed to frugality, listlessness to industry, rebelliousness to conservatism, discontent to cheerfulness, viciousness to morality.’³⁸

Somewhat more self-interestedly, part of the intent behind ‘privatizing’ the land and rendering it a marketable commodity was that it could thenceforth serve as security, both to private creditors and, more significantly, to the colonial state itself. The idea was that the landholders-turned-landowners would henceforth be able to borrow more readily to fund productivity enhancing improvements, which would increase the government’s revenues in the long run, by pledging their private portion of the village estate as collateral.³⁹ This meant that it had to be possible to sell the land in order to liquidate debts to private creditors.⁴⁰ Exactly the same logic applied to the government’s claims on the landowners as taxpayers. As with private creditors, the commodification of the land afforded the government ‘security for the payment of revenue’, it being the case that the British held landowners liable in their ‘persons and property’ for the land tax.⁴¹ The forced sales to which this gave rise were a novelty throughout much of India, including Punjab. Indeed, Thomason’s *Directions* had warned that they were ‘the feature of the system, which is least understood by the people of India.’⁴² As such, the system was bound to cause pronounced dislocations when introduced.

³⁸ Richard Temple, ‘Village Schools and Peasant Proprietors in the N.W. Provinces’, *Calcutta Review*, Vol.24, No.27 (July 1850), pp.144-145.

³⁹ Campbell, *Modern India*, p.323.

⁴⁰ Thomason, *Directions*, p.10.

⁴¹ Campbell, *Modern India*, p.323; Thomason, *Directions*, p.2.

⁴² Thomason, *Directions*, p.10.

Hitherto in Punjab, somewhat cruder and more directly coercive methods had been employed (not that these were necessarily dropped under the British). Prior to annexation, Reynell Taylor reported that 'in cases of recusancy, real or pretended,' the landholders 'were often confined, or tied up and flogged by the soldiery'.⁴³ It would certainly be a mistake to over-idealize the predicament of the peasantry before British rule, though this is not to say that the latter was necessarily any improvement. Even before the Sikh State's time of troubles in the 1840s, there is reason to think that Punjab's peasantry were ground-down, and left with little more than their subsistence – albeit there were exceptions.⁴⁴

Regardless of the ethics of the Sikh system, so far as the British were concerned, torturing landholders offered little economic advantage to the state. Indeed, it ought to be noted that, under the Sikhs, once a landholder had proven their inability to pay the land tax, they were left alone and in possession, with the *kardars* or *ijaradars* having to absorb the loss. But for the British, having often bypassed these semi-private elite intermediaries, this was not an option. Instead, under the British, when a landowner fell into revenue arrears, the fact that their land was private property, and so had a market value, meant that the balance due from the defaulting peasant could be recovered by stripping them of title and selling the land.⁴⁵ If it was an entire village that fell into arrears, then the government resumed the entire village estate and sold it at auction, with the villagers effectively becoming tenants of the new owner.⁴⁶ Alternatively, if it was an individual landowner within a village community who defaulted on their revenue obligations – as was much more frequently the case – then

⁴³ *Political Diaries*, pp.17-18.

⁴⁴ Mohan Lal Kashmiri, *Travels in the Panjab, Afghanistan, and Turkistan, to Balk, Bokhara, and Herat; a Visit to Great Britain and Germany* (London, 1846), p.33.

⁴⁵ Thomason, *Directions*, pp.2-3.

⁴⁶ E.B. Francis, *Final Report on the Revision of Settlement (1884-1889) of the Northern Part of the Ferozepore District* (Lahore, 1890), p.7.

another member of the community might buy them out by paying their share of the revenue.⁴⁷ Still far more widespread was the phenomenon of overstretched landowners borrowing to make up the shortfall. For the Board and its subordinates, this last was all too convenient. By recourse to the moneylender, the revenue was paid, the 'traditional' village community did not default, and so was kept intact; surviving to pay revenue another day, even if it was now living on borrowed time. Meanwhile, land was not brought under the hammer – unlike in the North-Western Provinces or Bengal – and so the British officials of Punjab could delude themselves that nothing was wrong.

Nevertheless, the threat of dispossession was also meant to focus landowners' minds on meeting the revenue demand; acting as a spur to production in lieu of the more direct and administratively burdensome methods of direct management and coercion previously employed. As Robert Cust later explained, 'but that the sword of Damocles is known to be suspended over their heads, and can be made to fall, the Indian land-owners would be unable to shake off the habit of procrastination, which is their bane.'⁴⁸ In short, paradoxical as it may sound, the Company-State made 'property', in the sense of a legal form, all the better to tax it. Or, to put it another way, the state made property, and property made the state.

Thus, the heterogeneous and localised, sometimes coercive, sometimes consensual, regime of land and labour that existed in Punjab under the Sikhs was superseded by one that was essentially homogeneous and contractual, wherein title to the land was explicitly conditional on paying the land tax, which henceforth was set as a fixed sum that was

⁴⁷ H. Davidson, *Report of the Revised Settlement of the District of Ludhiana* (Lahore, 1859), p.72.

⁴⁸ Cust, 'Collector', p.147.

independent of the actual state of the harvests. All this basically objectified and universalised previously localised and idiosyncratic social relationships, turning landowners into fungible factors of production, who could be enlisted or dispensed with (notwithstanding the steps taken to enshrine the village community) as and when the British deemed necessary. Hence, the introduction of formalised private property gave the colonial state a degree of optionality and power that its predecessors had lacked.

According to British estimates, Punjab contained about 29,000 villages, each with an average population estimated at 450.⁴⁹ However, most of the province's geographic area, especially outside the province's core (encompassed by the Trans-Sutlej and Lahore Divisions), was not characterised by neat villages nestled in the heart of well cultivated farms. Even by the 1870s, less than forty per cent of the province was cultivated.⁵⁰ Why then, the seemingly disproportionate administrative focus on settled farming relative to the thinly populated open tracts? The answer was that a countryside of settled farms was both the means and the ends of the administrative and coercive techniques and apparatus that the British brought to bear on Punjab; in other words, the territorial state form.⁵¹ Basically, settled farming provided the appropriable surpluses required to support the state, which in turn provided the 'law and order' that enabled (and enforced) settled farming. There was nothing specifically 'imperial' about this, however.⁵² In many respects, the British merely resumed the work of internal colonization or village-making where Punjab's old regime had

⁴⁹ *GR1854-56*, p.102.

⁵⁰ Bhattacharya, *Agrarian Conquest*, p.67.

⁵¹ *Ibid.*, p.69.

⁵² Cf. *Ibid.*, p.85.

left off – albeit with some important differences.⁵³ The elemental fact was that settled agriculture produced a readily taxable surplus and a more controllable population: the necessary conditions for a territorial state, given the limitations of contemporary administrative technologies and state capacity. Of course, these limitations were all the greater in the case of the mid-nineteenth century colonial state, for which settled farming therefore assumed a still greater significance than under native regimes.

As already intimated, under the Sikhs the fiscal administration of the countryside had been relatively heterogeneous. About one-third (by value) of the countryside and its associated revenue stream had been alienated as *jagirs* and so did not pay into the government's coffers. Of the two-thirds that did pay their revenue to the government, about sixty-seven per cent paid the land tax in kind to *kardars* 'by division and appraisement of the crop' each season, though the government's share was sometimes then exchanged into cash according to market prices. Another nineteen per cent of the land tax was 'farmed out' to third-party contractors or tax farmers. These were the *ijaradars*, who paid an agreed fee to the government in return for the right to collect the land tax from a specified area on their own account for a set time. The remaining fourteen per cent of the land tax was paid as a fixed cash sum to *kardars*, according to some prior commutation with the village headmen.⁵⁴

As for the amount paid by the landholders, the land tax had generally operated more like an income tax, rather than a land tax *per se*. The landholders had paid a share of their actual produce from each harvest, the yields of which naturally fluctuated, as did the absolute

⁵³ Gilmartin, *Blood and Water*, pp.87-88.

⁵⁴ GR1849-51, p.57.

amounts taken. Indeed, the relative proportion that was taken had also fluctuated; it being the case that landholders could afford to part with a larger share of their harvest in good seasons than bad. But broadly, the land tax was supposed to have ranged between 'two-fifths to one-third of gross produce', though it tapered off in those districts that were poorer, or where the government's authority ebbed.⁵⁵ Thus, along the Afghan Frontier, with the exception of the 'peculiarly rich lands' in the Peshawar Valley, the land tax was less than a third, and could be as little as one-eighth of the gross produce.⁵⁶

Doubtless, this flexible system had its virtues. However, it also had certain drawbacks. First, it depended on the possession of detailed and up-to-date knowledge of local rural conditions by the state and its agents, in order to ascertain what could be paid each season. Then there was the issue of corruption. Even allowing for British officials' exaggerations, self-justificatory intent, and their Orientalist notions of the incorrigible dishonesty of the native elite, such a system was open to abuse. During the 1840s, as the grip of the government at Lahore had weakened, many state officials had exploited the situation: taking as much as they could from the landholders, whilst forwarding as little as possible to the central government. In the summer of 1846, a Lahore news-writer had observed how the *kardars* were over-charging the landholders by one-quarter and underpaying the *darbar* by one-half, and keeping the difference for themselves.⁵⁷ In 1847, when lobbying for his reform programme as Acting Resident at Lahore, John Lawrence had painted a bleak picture. Apparently, the *kardars* and *ijaradars* were grinding the peasantry into the dust, whilst the state coffers were bare. According to him, much of the problem lay in the fact

⁵⁵ Ibid., p.56.

⁵⁶ Ibid., p.56.

⁵⁷ Quoted in Khilnani, *Punjab under the Lawrences*, p.28.

that because the revenue was an indeterminate share of the actual harvests, it was almost impossible to determine objectively if an official was overtaxing the landholders, short-changing the government, or both.⁵⁸

At the time, John Lawrence had proposed introducing the North-Western Provinces' Village System, just as he was already doing in the Trans-Sutlej Division, where local conditions meant that the Village System was not entirely inappropriate.⁵⁹ John Lawrence was particularly insistent on implementing the Village System's 'general money assessment', whereby the revenue was taken as a lump sum in cash, fixed for a term of years, from each village. This both simplified the work of administration, and made it less open to fraud. But he also maintained that a fixed and 'moderate' land tax would 'benefit the people at large, and render the country truly flourishing' by 'secur[ing] to the community that they shall enjoy, on paying that quota, the results of their own industry.'⁶⁰

Having arm-twisted the *darbar* into agreeing to his plans, John Lawrence instructed the handful of Assistants at his disposal – who included, George Lawrence, James Abbott, Reynell Taylor, John Nicholson, Philip Melvill, Patrick Vans Agnew, Lewin Bowring, Arthur Cocks, and William Hodson – to make summary settlements of the country. These were 'summary' because they involved assessing the land tax without definitively attributing ownership of the land.⁶¹ Accordingly, the Assistants made 'rapid tours', from which they gleaned 'a general idea of the country and the condition of the people.' They also had recourse to the *darbar's* records and the knowledge of the *kardars*, although in some cases

⁵⁸ J.L. to the Secretary with the Governor-General, 10th September 1847, *PRP*, p.61.

⁵⁹ J.L. to the Secretary with the Governor-General, 28th August 1847, *PRP*, p.56.

⁶⁰ J.L. to the Secretary with the Governor-General, 25th September 1847, *PRP*, p.69.

⁶¹ J.L. to the Secretary with the Governor-General, 10th September 1847, *PRP*, p.60; *GR1849-51*, p.57.

they had only three years' accounts to go on.⁶² All this they checked against interviews with the village headmen and accountants, to arrive at a sense of what the landholders had paid in the past, and therefore what they could pay in future.⁶³ The Assistants then slapped a fixed money assessment on each village, which was supposed to hold for the next two or three years, and for which the landholders were collectively liable. As summary settlements, there was no comprehensive attempt to survey or measure the fields.⁶⁴

Within about five months, the Assistants had managed to cover most of the country, including, the *doabs*, Hazara, and a portion of the Frontier. But this was a feat which proved too good to be true, and these first summary settlements left a lot to be desired. Most obviously, the Assistants had tried to cover too much ground in too little time, and the results were predictably inaccurate. Frederick Currie, who became Resident just as the work neared completion, was about as scathing as gentlemanly conventions then allowed. In a report to Calcutta, he remarked how 'the officers employed had, with few exceptions, scarcely any experience of revenue matters. Some were altogether ignorant: none had any knowledge of local usages, and accounts.' He foresaw (correctly) that there were 'many inaccuracies, and much that will require revision, and correction.'⁶⁵

Certainly, many of the officials charged with making the summary settlements were the wrong men for the task. More than half were military men, not trained civilians. This is not to say that military men necessarily always made bad administrators, only that (unsurprisingly) the average officer was more likely to err in making a revenue settlement

⁶² *GR1849-51*, p.57.

⁶³ *Ibid.*, p.57.

⁶⁴ *Ibid.*, p.57.

⁶⁵ Currie to the Secretary to the Government of India, 6th April 1848, *PRP*, p.128.

than a trained civilian.⁶⁶ Arguably, the fault lay with John Lawrence, who had unnecessarily launched on this momentous project without having the requisite trained personnel at his disposal. Moreover, the Assistants were also very young. Aside from James Abbott and George Lawrence, who were in their forties, all the Assistants were in their twenties; ranging from the twenty-eight-year-old Arthur Cocks to Philip Melvill, who was only twenty. Naturally, they were inexperienced. Take William Hodson's description of his work in January 1848. 'I fancy our visit to these nooks and corners of the Punjab has added some 50,000*l.* a year to the revenue.... I need hardly remark that having never attempted anything of the kind hitherto, it is bothering at first.... In fact, 'tis the way in India; every one has to teach himself his work, and do it at the same time'.⁶⁷ In Hodson's case, and perhaps others, language also seems to have been a barrier to understanding: two years later, he was still being cajoled by Henry Lawrence to brush-up on his Gurmukhi and Urdu.⁶⁸ Significantly, most of the Assistants had looked to Henry Lawrence as their mentor, and it seems that some of Henry Lawrence's shortcomings as an administrator – not least, his rough-and-ready methods as a tax assessor – had rubbed-off on them. It is ironic that for all Henry Lawrence's repeated, and largely sincere, admonitions to tax lightly, he himself could be a very bad judge of what was a reasonable assessment in practice.⁶⁹ Just like Henry Lawrence, the Assistants had heavily relied on their own discretion, even though they had no real knowledge of local conditions.

Nevertheless, John Lawrence pronounced Punjab's first summary settlement a success, and a 'boon' to the people.⁷⁰ Certainly, *on paper* it appeared that the people were better

⁶⁶ Clive Dewey, *The Settlement Literature of the Greater Punjab: A Handbook* (New Delhi, 1991), pp.23-24.

⁶⁷ William Hodson, Hodson, *Twelve Years*, p.55.

⁶⁸ H.L. to Hodson, 13th September 1850, MSS Eur F85 10.

⁶⁹ James Douie, *Settlement Report of Karnal-Ambala* (Lahore, 1891), pp.16-17.

⁷⁰ GR1849-51, p.57.

off. However, it would soon transpire that in *real terms* the Assistants had set the land tax far too high. In fairness, this was largely the result of unanticipated external factors that were beyond their control (discussed in the next chapter), though they still should have been more cautious given the uncertain circumstances. All the same, the first summary settlement resulted in a reduction in the aggregate *nominal* price of the revenue liabilities born by the country's landholders. Previously, in 1846/7, the *darbar's* land revenues (including some minor extra charges on top of the land tax) had amounted *in theory* to roughly Rs.1,02,00,000. After the first summary settlements, this was now reduced to Rs.82,00,000 for 1847/8, notwithstanding the acquisition of Hazara, which added nearly two lakhs in land revenue.⁷¹

In due course, once the country was annexed, the receipts from the land tax rapidly increased back to their old nominal levels – which was perhaps unsurprising given that the country's finances were now of direct concern to the Company. Thus, in 1849/50, the land revenue for the newly annexed territory, or 'Punjab Proper' as it was often called (which excluded the Cis-Sutlej and Trans-Sutlej Divisions), came in at Rs.98,12,425. In 1850/1, it rose to Rs.101,85,043; and in 1851/2, Rs.106,09,757.⁷² In this last year, the amount of land tax collected from the entire province, including the Cis-Sutlej and Trans-Sutlej Divisions, amounted to about 150 lakhs.⁷³ At the time, the official position was that 'no portion of the enhanced revenue was derived from increased taxation of the land.'⁷⁴ Indeed, the British consistently insisted that they had taken *less* from the landholders than the Sikhs. Instead, it was claimed that the increased receipts were simply due to the bypassing or expropriation

⁷¹ Ibid., pp.58-64.

⁷² Ibid., pp.58-64.

⁷³ Campbell, *Modern India*, pp.230-231.

⁷⁴ GR1849-51, p.64.

of a considerable section of the old elite – the *ijaradars* and *jagirdars* – with the result that the revenues which had previously gone to them now flowed directly into the government's coffers, augmenting their totals.⁷⁵ Meanwhile, a second round of summary settlements were carried out; revising those settlements made prior to annexation, as well as covering new ground, such as the area around Multan.⁷⁶ However, as had previously been the case, the officials involved were too frequently rough-and-ready military men, and also had their other administrative duties to attend to. It was therefore unremarkable that these summary settlements, carried-out by men who were overstretched and overworked, were hardly models of scientific rigour either.⁷⁷

In the meantime, regular settlement operations were initiated in the Cis-Sutlej and Trans-Sutlej Divisions, which had both been annexed in 1846. By definition, a regular settlement was a much more laborious and time-consuming process. It was not until 1851 that the first regular settlement in Punjab – that of the Trans-Sutlej Division's Jullundur District, carried-out by Richard Temple – was completed. By the end of 1852, regular settlements for the two other districts in the Trans-Sutlej Division (Hoshiarpur and Kangra) were finished.⁷⁸ Overall, the division yielded an annual land tax of roughly 33 lakhs, and its administration was comparatively successful, at least in fiscal terms.⁷⁹ As the province's second *General Report* declared, 'at no period has there been any distress in this division, nor any except isolated complaints of over-assessment.... The revenue collections have been uniformly successful'.⁸⁰ In this, however, the Trans-Sutlej Division was a marked exception to the rest

⁷⁵ *GR1851-53*, p.132.

⁷⁶ *GR1849-51*, p.20.

⁷⁷ Hector Mackenzie, *Report on the Revised Settlement of the Goojerat District* (Lahore, 1861), p.47.

⁷⁸ *GR1851-53*, pp.102-104.

⁷⁹ *Ibid.*, p.101.

⁸⁰ *Ibid.*, pp.101-102.

of Punjab. This was for several reasons, one of which had to do with the personnel employed. For, whatever their other flaws, the officials charged with the division's settlement – particularly Richard Temple and George Barnes – were well-trained civilians who were not prone to egregious overassessment. But perhaps more importantly, it was also Punjab's most prosperous division in *per capita* terms, with fertile soils and plenty of access to water. Moreover, its pre-existing socioeconomic conditions (with the exception of the mountainous Kangra District) generally came closest to approximating the village communities of the North-Western Provinces for which the Village System had been designed.

As for the Cis-Sutlej Division, it encompassed five districts (Ambala, Thanesar, Ludhiana, Ferozepur, Simla) that were intermixed with a number of small princely states. The division was geographically heterogeneous, ranging from the mountainous Simla District to the near-desert conditions of Ferozepur District. As such, its patterns of settlement and farming were not as amenable to the Village System as those in the Trans-Sutlej Division. Thus, by 1853, there was still 'extreme disorder in the conduct of civil affairs, and in no department more than in the fiscal'.⁸¹ Work had been started on a regular settlement, but it 'progressed somewhat tardily, and proved to be costly', owing to 'intricacies and minutiae' that were (apparently) 'almost unexampled in fiscal annals.'⁸² In truth, the division seems to have been quite poorly managed. Its first Commissioner was Frederick Mackeson, a military man, who (according to one of his subordinates) had 'very little experience of civil administration proper'.⁸³ Likewise, many of those under Mackeson were also military men, including

⁸¹ *Ibid.*, p.94.

⁸² *Ibid.*, p.97.

⁸³ Campbell, *Memoirs*, Vol.I, p.56

Saunders Abbott, who (as has been seen) maladministered Ambala District, which Robert Cust was later deputed to salvage. Even the more technocratic of the division's officials, like George Campbell, who was a trained civilian, were still far too young and inexperienced to be wielding so much power. In 1846, aged twenty-two, Campbell was appointed to Thanesar (then Kaithal and Ladwa) District as its 'benevolent despot'; a promotion which Campbell himself later admitted to have been premature.⁸⁴

It ought to have been obvious that all was not well in the Cis-Sutlej Division, and that the land tax had been set too high. In Thanesar District some of the villages struggled to pay, and so were 'taken under the direct management of the Revenue Officer'. Thus, the landowners temporarily lost their proprietary rights, becoming virtual tenants of the state until they had worked off their arrears.⁸⁵ Much the same occurred in Ferozepur District. As so often, the British blamed the landowners for their inability to pay in full; describing them in the words of the second *General Report*, as 'rude, thievish and indisposed to agricultural industry' and 'bad tax-payers'. Here too, officials had recourse to 'coercive measures'; in this case, the more drastic step of the forced sale of the village estates for revenue arrears.⁸⁶ Nevertheless, despite (and perhaps contributing to) these exigencies, the British managed to squeeze about 22½ lakhs in land tax per annum from the Cis-Sutlej Division.⁸⁷

As for the divisions annexed in 1849 (discussed more fully in the next chapter), Lahore Division was the largest and fiscally most important, paying about thirty-nine lakhs a year in land tax. It comprised the districts of Lahore, Amritsar, Sialkot, Dinanagar, and Wazirabad (the last two were subsequently renamed, respectively, Gurdaspur and Gujranwala). Work

⁸⁴ Ibid., p.56.

⁸⁵ GR1851-53, pp.98-99.

⁸⁶ Ibid., pp.99-100; Francis, *Ferozepore*, p.7.

⁸⁷ GR1851-53, p.94.

started on its regular settlement a year after annexation, but was still ongoing at the point when the Board was dissolved at the start of 1853. As was so often the case, it was soon found that the assessments of the first summary settlement had been too high, and these were generally reduced by the regular settlement – although not by enough, and the regular settlement’s assessments had to be lowered in turn.⁸⁸

To the north and west of the Cis-Sutlej, Trans-Sutlej, and Lahore Divisions lay Punjab’s ‘periphery’, which was encompassed by Jhelum, Multan, Peshawar, and Leia Divisions. Here, local conditions were far more inimical to the Village System: pastoralism played a larger role in production, the population was often scattered between small and remote hamlets, large tracts were uncultivated, and nomadic herders ranged over swathes of land. And yet, many British officials initially tried (and often failed) to administer these divisions according to the template of the Village System.⁸⁹ As will be seen in this chapter and the next, where the British inflexibly adhered to the rigidities of the Village System in these peripheral divisions, the results were especially disastrous. Equally, however, the results were far more benign in those instances where they adapted to local conditions, and accommodated pre-existing administrative forms; often by co-opting local elites, whose local influence, knowledge, and expertise the British sorely needed.

Neighbouring Lahore Division to the north was Jhelum Division, which covered the districts of Jhelum, Rawalpindi, Gujrat, and Shahpur. As elsewhere, Jhelum Division had been heavily over-assessed by the first summary settlement during the Residency, and suffered accordingly. A second summary settlement was carried out following annexation.

⁸⁸ Ibid., pp.104-106.

⁸⁹ Gilmartin, *Blood and Water*, pp.85-86.

Somewhat unusually, this included a 'rough' record of rights. After some large reductions, the division paid about 21¾ lakhs in land tax a year.⁹⁰ Work on a regular settlement for this division did not start until 1853, after the end of the Board.

In the arid southwest of Punjab, lay Multan Division, which comprised the districts of Multan, Jhang, and Googaira (subsequently renamed Montgomery). The division received only a few inches more annual rainfall than the Sahara Desert; as such, cultivation was entirely dependent on irrigation from wells and a network of inundation canals. That being said, there were some parts of the division where the canals and wells had been well-managed, which had been comparatively prosperous. However, the recent war had weighed heavily on it. Large tracts of Jhang District, as well as the city of Multan and its vicinity, had been fought over by the contending forces, and had suffered accordingly, with both sides taxing the land to supply their levies, or just plain looting. However, peace brought little reprieve, and the experience of Multan Division under the Board was particularly grim. The roughly 10¾ lakhs a year that it paid in land tax was much more than it could comfortably bear.⁹¹

Along the Afghan Frontier there were two divisions – Leia in the west, and Peshawar in the east. The former encompassed the districts of Leia, Khangarh, Dera Ismail Khan (which then included Bannu), and Dera Ghazi Khan; the latter, Peshawar, Kohat, and Hazara. Together they paid an aggregate land tax of about twenty-seven lakhs, and were administered in a far more flexible manner than those divisions in the rest of the province.⁹² Fundamentally, the Board's state capacity was inadequate to the task of imposing the

⁹⁰ *GR1851-53*, p.111-112.

⁹¹ *Ibid.*, pp.114-117.

⁹² *GRu1849-51*, pp.84-92; *GR1851-53*, pp.118-125.

Village System in full on this area.⁹³ Indeed, for the first couple of years after annexation, about half of Dera Ismail Khan District remained unassessed and continued to pay the land tax in kind, owing to the indisposition of its Deputy Commissioner, Reynell Taylor, who was ‘much absorbed with the defence of the frontier, and the superintendence of the military details’.⁹⁴ Furthermore, excepting the fertile portions of the Peshawar Valley, the physical conditions of the Frontier were also inimical to the fixed assessments imposed by the Village System. Most obviously, owing to lower levels of investment in wells and canals, its harvests were heavily dependent on the vagaries of an unreliable rainfall.⁹⁵

In stark contrast to the core of the province, along the Frontier and in large tracts of western Punjab, the Board generally had little option but to adapt their revenue system to pre-existing hierarchies, or alternatively, to find and empower new local intermediaries willing to enforce their demands on their behalf. Accepting that the cooperation of the *maliks* and *khans* was indispensable on account of their local influence, the British tried to co-opt them with various fiscal and political privileges, including *jagirs* and contracts as tax farmers. Thus, in Dera Ismail Khan District, the administration reported that ‘the position and emoluments of the hereditary chiefs’ were ‘so fixed as to secure their services in defending the border, and to enlist their interests in promoting the prosperity of their villages.’⁹⁶ Similarly, in Peshawar District, ‘in many cases the Government revenue of particular villages has been leased out to the mulliks, or representatives of the community, who are then allowed to collect in kind from the shareholders, and to pay a cash revenue to the Collector.’⁹⁷ Needless to say, all of this grated somewhat with the more technocratic

⁹³ GR1851-53, p.118.

⁹⁴ GRu1849-51, p.85.

⁹⁵ GR1851-53, p.120.

⁹⁶ Ibid., pp.121-122.

⁹⁷ Ibid., p.124.

officials following John Lawrence, who saw the Village System as the acme of sound administration, and were eager for 'the early discontinuance' of this compromise.⁹⁸ In this, they were to be disappointed.

The introduction of the Village System throughout much of Punjab entailed significant changes, the most immediate of which resulted from the novel imposition of collective responsibility for a fixed sum. This was true even where social formations approximating village communities predated the coming of the British, as in much of Punjab's 'core' districts around Lahore and in the Jullundur Doab. In these areas, loose village communities, in the sense of village societies bound together by proximity, kinship, and a degree of daily cooperation, already existed: a fact made manifest by the walls that often enclosed each village. Of course, these villages were not hermitically sealed, and frequently interacted economically and socially with one another.⁹⁹

Crucially, however, the Sikhs had not treated even these closer-knit village communities as single fiscal units by imposing collective responsibility for the land tax. As Richard Temple acknowledged: 'they did not usually enforce any thing like mutual responsibility; every man was responsible for his own holding, and nothing more. If an occupant absconded in debt to the *kardar*, the brotherhood would not have to make good the balance'.¹⁰⁰ Similarly, forced sales for revenue arrears were unknown. By contrast, under the British, throughout most of the province – whether there were pre-existing village communities or not – a fixed money assessment was imposed on each village (or sometimes a set of hamlets) as a whole, for

⁹⁸ Ibid., p.124.

⁹⁹ Kessinger, *Vilyatpur*, pp.26, 38-45.

¹⁰⁰ *GR1849-51*, p.276.

which all the village's landowners were jointly and severally liable. Hence, the shortfall of one landowner necessarily became an increased burden on another, though this also meant that one landowner could buy out a revenue defaulter. Some officials recognized that all this was an 'innovation', but proceeded nonetheless.¹⁰¹

Unsurprisingly, the changes wrought by the Village System's principle of collective liability were most overt where it was brought to bear on places with quite different physical and social geographies from the lowland and more cultivable areas in Punjab's core, where village communities of various types were already present. For example, in the more mountainous districts of Punjab's far east, the Village System was superimposed on a landscape characterised by hamlets and more individuated forms of landholding. Thus, in 1851, the Village System was introduced into Simla District at the special instructions of the Board, even though a quite different system, wherein individual landholders had paid their land tax in severalty, was openly recognized as having prevailed.¹⁰² This innovation was then disingenuously justified as a salutary return to a more traditional form of tenure. In the words of the second *General Report*, 'previously each cultivator had paid his quota direct to the Collector, and village responsibility had been lost sight of; now these parties have been grouped together into communities.'¹⁰³ In fact, the officials involved knew better than that, and it seems that their ulterior motive had really been to simplify their accounts and to make the revenue stream more dependable.¹⁰⁴

¹⁰¹ Mackenzie, *Goojerat*, p.91.

¹⁰² E.G. Wace, *Final Report on the First Regular Settlement of the Simla District* (Calcutta, 1884), p.7.

¹⁰³ *GR1851-53*, p.100.

¹⁰⁴ Wace, *Simla*, p.7.

It was much the same story in Kangra District, where George Barnes carried-out a regular settlement between 1849 and 1852.¹⁰⁵ Barnes and his subordinates recorded the boundaries of administrative circles as though they were the boundaries of village estates. They had thus lumped all the landowners, who often resided in separate hamlets, within each of these circles together as though they were a single village community. Consequently, each and every landowner of these synthetic village communities now found themselves potentially liable for the shortfall of other landowners, with whom they might have had little affinitive or economic connections or shared interests.¹⁰⁶ A later Settlement Officer, James Lyall, took a dim view of Barnes' work; noting incisively, if with some scorn, that Barnes and his subordinates 'were all trained in the North-West[ern] Provinces, and had their minds full of the regulations and routine adapted to a Settlement in the plains.'¹⁰⁷

Perhaps the saving grace of Barnes' settlement was that its assessments seem to have been comparatively light.¹⁰⁸ Hence, the changes implicit in the Village System – such as landowners becoming liable for defaulters and receiving title to their land – did not really have a chance to bite, as they did in other districts. However, this negative outcome certainly did occur in Multan Division's Googaira District, where the Village System was imposed on contrary social realities; there being few pre-existing village communities as such. For, in Googaria District, the land tax was assessed far too high, with the result that the novel principle of collective responsibility had the effect of pulling all landowners down together. As the default of any one member of the newfangled synthetic village

¹⁰⁵ J.B. Lyall, *Report of the Land Revenue Settlement of the Kangra District* (Lahore, 1874), pp.26-27.

¹⁰⁶ *Ibid.*, p.28.

¹⁰⁷ *Ibid.*, FNp.31

¹⁰⁸ *GR1851-53*, p.103.

communities increased the already heavy burden on other members and pushed them further into debt.¹⁰⁹

And yet, for all the justifiable emphasis on the social dislocations caused by British officials peremptorily imposing the Village System inappropriately onto Punjab, some qualifications are necessary. Historians like Neeladri Bhattacharya sometimes give the impression that the British were torturing their new province on the Procrustean bed of their Orientalist fantasies, authoritarian pathologies, and half-baked theories of socioeconomic development.¹¹⁰ Of course, there is a lot of truth in this, and inevitably there was much that the British did get wrong. However, Punjabis also played a critical and sometimes proactive part in the distortive process, and the changes and errors of the new dispensation were far from being the work of the British alone.

Certainly, without cooperation or consent from someone, British officials would have been pushing water uphill. It is always worth bearing in mind the obvious constraints imposed by practicalities. Could a lone British administrator, quite often a youth in his twenties, really stamp something entirely fictitious on a population of thousands? It is well to remember that there were fewer than two hundred British officials among a population (according to the 1854 Census) of nearly thirteen million.¹¹¹ True, they could call on the support of just over fifty-thousand armed professionals (the majority of whom were themselves Indians or Punjabis), but even this was obviously inadequate to overcome broad-based opposition or non-compliance. Just for the sake of their physical security,

¹⁰⁹ C.A. Roe and W.E. Purser, *Report on the Revised Land Revenue Settlement of the Montgomery District* (Lahore, 1878), pp.xiv-xv.

¹¹⁰ S.N. Mukherjee, 'The Idea of the Village Community and British Administrators' *Enquiry*, New Series, Vol.3, No.3 (Winter, 1971), pp.57-67; Bhattacharya, *Agrarian Conquest*, pp.64-76.

¹¹¹ *GR1854-56*, p.100.

officials had to have some local support, and for the most part this involved not courting unnecessary confrontation on unfavourable terms. For all their performative confidence, the British were well aware of the precariousness of their situation.¹¹² This had ramifications for the revenue system that the British imposed. For, ultimately, some local groups (typically village elders and other landowners) had to be willing to support and enforce the new order. Often, but not always, this meant going with the grain of pre-existing conditions somewhat. Indeed, it is worth noting that there had probably been greater changes in patterns of land control in Punjab during the eighteenth century than under British rule.¹¹³

At the outset, British officials were heavily dependent on their native interlocutors when making the revenue settlements – not that this was necessarily a cause for straightforward continuity, however. Certainly, some Punjabis stood to benefit by giving a distorted picture of the *status quo*, and thereby changing the system to their advantage. Sometimes the British were ignorant of what was going on; at other times they were willing to connive; and on a few occasions they gave the lead. After all, attributing landownership provided a good opportunity to win-over and empower much-needed collaborators; and counter-elites, who were especially susceptible to co-optation, were often substituted for incumbent elites. Hazara District provided perhaps the clearest instance of this interplay. There, James Abbott presided over a counter-revolution in landownership in favour of old landholders, the so-called '*warises*' (literally, 'heirs' or 'owners'), who had been displaced under the Sikhs, and who were only too eager to reclaim the land.¹¹⁴ According to Abbott, 'thousands... besieged the courts of law with petitions for restoration to their rights'. He added that 'nothing has

¹¹² H.L. to Dalhousie, 6th February 1850, MSS Eur F85 9; Cust, *Pictures*, p.139.

¹¹³ Charlesworth, *British Rule*, p.29.

¹¹⁴ E.G. Wace, *Report of the Land Revenue Settlement of the Hazara District of the Punjab* (Lahore, 1876), pp.111-112.

tended to the popularity of the Government than the restoration of so large a number of forlorn exiles to their dearest rights, viz., a portion of the lands tilled by their fathers' fathers'.¹¹⁵ Of course, Abbott was not a neutral witness. But, even allowing for this, such changes as were affected in this way were not quite the same as British officials dictatorially imposing arbitrary schemes of their own onto the countryside. Rather, they were operating along pre-existing grooves – or exploiting pre-existing fissures.

Importantly, the Village System did not necessarily entirely override pre-existing socioeconomic relationships. In fact, one of the Village System's less noted advantages was that once it was imposed, in practice, it often left the inner workings of the village largely up to the villagers themselves. Indeed, Henry Lawrence repeatedly warned his subordinates to 'interfere' in village affairs '*as little as possible*'.¹¹⁶ Thus, even where erroneous rights were recorded, things might continue much as before in reality, *if* the villagers so desired – with the mistakes only being discovered by a later official who looked at things with fresh eyes. In short, officials might record whatever they liked on paper, but without local initiative, on paper it would remain. For example, in the 1860s, Robert Nisbet observed how, in the former Wazirabad District, despite the erroneous records made by earlier settlements, older patterns had persisted heedless of the paper forms stacked in the district's record office.¹¹⁷ Of course, if a landowner decided to leverage the novel records to their own advantage, then the real (as opposed to paper) patterns of tenure would indeed be changed.

¹¹⁵ GR1849-51, p.248.

¹¹⁶ H.L. to Neville Chamberlin, G.W. Forrest, *The Life of Field-Marshal Sir Neville Chamberlain* (London, 1909), p.247.

¹¹⁷ R.P. Nisbet, *Report on the Revision of the Land Revenue Settlement of the Gujranwala District* (Lahore, 1874), p.61.

Similarly, the introduction of more formalised private property rights, in the form of peasant proprietorship, was by no means straightforwardly the product of unilateral British meddling. To some extent, officials were responding to local demands in introducing peasant proprietorship as a legal form. Certainly, Punjabi landholders seem to have had a lively sense of what was theirs (to say the least).¹¹⁸ When it came to the question of private ownership, George Campbell averred that 'I never knew an instance in which the cultivation was carried on in common, or in which any of the private concerns of the villagers were in any way in common.'¹¹⁹ Likewise, the apparent energy with which boundary disputes were contested, not only between villages, but also within them, suggests that landholders were only too eager to assert personal or familial claims analogous to private property rights. In one extreme case, in the village of Tummun, in Jhelum District, there was an 'affray' over a disputed field in which swords were drawn and five lives lost.¹²⁰ As such, it behoved the British to resolve by legal means conflicts of interest that might otherwise be decided by violence – corroding law and order, and undermining the government's monopoly of force in the process.

Henry Lawrence was alive to this. In the autumn of 1850, he warned John Lawrence that it was necessary to expedite the drawing-up of records of rights for this reason; adding the humanitarian point that 'every boundary defined and every right established may save a life.'¹²¹ At the start of 1852, John Lawrence belatedly agreed to accelerate proceedings, which he had previously been minded to delay until regular settlements were carried out.¹²² This change of policy was justified by the allegation that there was 'scarcely a village in the

¹¹⁸ Cust, 'Collector', p.142.

¹¹⁹ Campbell, *Modern India*, p.87.

¹²⁰ *GR1849-51*, p.218.

¹²¹ H.L. to J.L., 1st October 1850, MSS Eur F85 11 A, HLP.

¹²² *GR1849-51*, p.49; Board of Administration Circular No.2, 13th January 1852, in Wace, *Hazara*, p.113.

country in which many landed disputes do not exist.¹²³ For instance, in the first five years after Jullundur District was annexed, there were ‘upwards of 8,000... disputes connected with the tenures and with the rights and interests in land.’¹²⁴ That is, an average of six disputes for each of the district’s 1,321 villages.¹²⁵

When it came to such property disputes, the Board wrestled with two imperatives – speed and accuracy. On the one hand, there was the need to resolve arguments as expeditiously as possible, as Henry Lawrence had argued. On the other, there was the felt requirement of taking as full a view of the matter as practicable, so that the decision might be definitive, as favoured by John Lawrence. It was entirely characteristic that the one brother should prefer speed, whilst the other preferred accuracy (or at least what passed for such). In truth, the two goals were related. After all, a decision that was too discordant with existing conditions was unlikely to stick, and would remain a source of instability. John Lawrence emphasized that ‘it is often in vain that an ignorant and unjust decision is forced on a village community; the social principle rebels against it, and the parties who have suffered will again and again endeavour by every means in their power to reagitate the matter.’¹²⁶ Even John Lawrence realised that the limitations of the colonial state meant that the new formalised property rights had to align somewhat with local conditions.

However, notwithstanding this concern for accuracy, and in marked contrast to the regulation provinces, in Punjab it was determined that a plaintiff could not contest the award of a settlement or revenue court via a suit in the province’s regular civil courts.¹²⁷ In

¹²³ *GR1849-51*, p.72.

¹²⁴ *Ibid.*, p.72.

¹²⁵ *Ibid.*, p.258.

¹²⁶ *Ibid.*, pp.71-72.

¹²⁷ *GR1849-51*, p.72; Trevaskis, *Land of the Five Rivers*, pp.235-236.

large part this was because of officials' 'despotic' union of powers, which meant that an area's revenue and civil courts were frequently presided over by the self-same official, who would therefore be called on to judge his own prior decision – which was clearly ridiculous. More fundamentally, officials had no desire to constrain their own authority with checks-and-balances.¹²⁸ In this respect, the Company's officials really were heirs to the *kardars*, who had likewise wielded revenue collecting and judicial powers.

In time, however, some Punjab officials grew more doubtful about empowering the man on the spot to give or remove title to property so casually. Thus, Robert Cust went from extolling 'the Summary Courts of the Collector', as a salutary lesson for the 'elaborate' civil courts of regulation provinces, to being quite critical of the 'dangerous' prerogatives afforded to officials in Punjab.¹²⁹ By the 1860s, he admitted that much damage had been done to the 'stability of landed titles' in the province by the judicial discretion afforded to executive officials.¹³⁰ According to Cust, too often, landlords had been wrongfully dispossessed, either in favour of the cultivators in possession of the land at the time of the settlement, or else they had been outbid by some opportunist, who had been more proactive in coming forward to pay the land tax.¹³¹ The subtext was that much of this could have been avoided had there been separate Judges.

Certainly, in the early years after annexation, officials had systematically tended to rule in favour of the cultivators, at the expense of non-cultivating landholders or landlords, as part of a deliberate policy of promoting peasant proprietorship. Officially, the rule was that

¹²⁸ *APL*, p.87.

¹²⁹ Cust, 'Collector', pp.152, 159; Robert Cust, *Manual for the Guidance of Revenue Officers in the Punjab* (Lahore, 1866), p.70.

¹³⁰ Cust, *Manual*, p.82.

¹³¹ *Ibid.*, p.70.

evidence of 'complete occupancy' for the past twelve years conferred 'a valid title' on a cultivator.¹³² However, in practice, officials were allowed to use their discretion.

Unsurprisingly, given that the prevailing fashion was to turn the cultivator into a peasant proprietor, officials therefore tended to find in favour of the cultivators whenever there was doubt. Richard Temple's regular settlement of Jullundur District epitomized and contributed to this trend, not least because his settlement report was subsequently circulated to other officials as an example of best practice.¹³³

In Jullundur District, Temple had been faced with some ambiguous cases. Most notably, there were the old Rajput chieftain *zamindars*, whose role as rural overlords, though much diminished, predated Sikh dominance. By the late 1840s, they had come to resemble absentee landlords. Temple was loath to recognise them as full owners, and instead had recourse to an expedient model of layered ownership, the so-called '*talukdari tenure*', which had been devised by the anti-elite administrators of the North-Western Provinces.¹³⁴ Certainly, the extent to which this was an accurate translation of prior uses and rights was doubtful, as Temple himself admitted. Nevertheless, Temple conferred effective ownership rights on tenant cultivators by recording them as 'inferior proprietors' and their erstwhile landlords as 'superior proprietors' (the nomenclature was entirely misleading). The 'superior' proprietor received a small, often nugatory, fixed due ('*malikana*') in recognition of their nominal ownership from the 'inferior' proprietor; whilst the 'inferior' proprietor was the party in actual possession, and it was they who assumed the greater part of the rights, responsibilities, and profits associated with ownership. Justifying his decision, Temple

¹³² *GR1849-51*, p.72.

¹³³ *Ibid.*, p.73.

¹³⁴ Kessinger, *Vilyatpur*, p.33.

argued that these landlords, like the province's *jagirdars*, were on the wrong side of history, and deserved to be displaced by the hardworking Jat peasantry who had previously been their tenants.¹³⁵

However, for all the rhetoric, it would be a mistake to overstate the role of ideology in shaping Temple's decisions. Temple was no egalitarian radical (he later became a Conservative MP). Instead, his actions seem to have been shaped by concerns for the land tax. In his own words, 'if original right was on the one side, policy was entirely on the other side. There was much doubt whether the plaintiff [the landlord], if declared proprietor, could either manage the estate or pay the revenue, whereas the defendants [the cultivators] were unquestionably capable of doing both.'¹³⁶ In short, peasant proprietorship, and the bypassing of intermediary elites who took a cut of the profits, was seen as conducive to a steady land revenue; especially in a 'core' district like Jullundur, where the state was relatively strong and so had less use for local elites.

Arguably, the Village System was founded on an internal contradiction in so far as it yoked communal obligations to individual property rights. This was something that became increasingly apparent over the decades. However, even under the Board, officials were aware of the problems created by trying to combine the framework of the village community with the ideal of individual peasant proprietorship. These two pillars of the Village System leaned in opposite directions: the former towards collectivism; the latter towards individualism. As David Gilmartin has suggested, this tension reflected British

¹³⁵ *GR1849-51*, pp.285-290; *APL*, p.55.

¹³⁶ *GR1849-51*, p.289.

officialdom's inner ambivalence: torn between a belief in the economic advantages of alienable private property and the free market on the one hand, and a preference for the village community as a source of socio-political order and fiscal-administrative convenience on the other.¹³⁷ Under the Board, the general tendency was to prioritize the latter over the former, thereby undercutting somewhat the private property rights they had introduced.

In this as in so much else, the Board's policies were informed by a particular reading of the administrative history of the North-Western Provinces. There, in keeping with the Regulations, judges had adopted a legalistic stance in the courts, with the result that the sanctity of contract had prevailed over local custom or considerations of equity. Thus, the courts had tended to find in favour of creditors suing defaulting peasant debtors, who were then peremptorily compelled to sell their land, often to outsiders, to liquidate their debts.¹³⁸ Repeated many times, this process had resulted in the wholesale dissolution of many village communities. Not wanting to repeat this in Punjab, and in keeping with their paternalist professions, and perhaps with an eye to the long-term viability of the land tax, the Board instructed that landed property could only be sold in execution of decrees (whether in payment of damages or to liquidate private debts) as a last resort.¹³⁹ Moreover, 'poor defendants' were afforded the opportunity of repaying private creditors 'by instalments', including a moratorium until the next harvest, so that 'landed property shall not unnecessarily be brought to the hammer.'¹⁴⁰

But the Board's willingness to defy the mid-century economically individualist liberal consensus did not just extend to protecting rural debtors (however imperfectly) from

¹³⁷ Gilmartin, *Blood and Water*, pp.9-10, 70-71.

¹³⁸ Campbell, *Modern India*, pp.324-325.

¹³⁹ *APL*, p.76.

¹⁴⁰ *GR1849-51*, p.52; *APL*, p.80.

private creditors – debts to the state were another matter. Many among the first generation of British officials in Punjab were also deeply ambivalent about even voluntary sales of landed property, which they feared might dissolve the village communities. Hence, from 1852, the market in land was circumscribed by endowing the village communities with the right of pre-emption and first refusal over any land within their village estate, whether sold voluntarily or to liquidate debts. This meant that ‘whenever any member of such community is desirous of selling or permanently transferring his share, he must offer it to the community at large, or to individual co-partners.’ If none of the landholding members of the village community were willing to buy at the asking price, the land would then be tendered to the village’s hereditary tenants.¹⁴¹

What is more, if no-one from among the landowning village community or the hereditary tenantry was willing to buy at the asking price, the matter was ‘referred to the Revenue Authorities, who will cause it [the price] to be fixed by a Valuation Committee’. This last was typically comprised of an official and three ‘assessors’, who would most likely set a low price to ensure the integrity of the village community. Only then, if there were no local buyers at the fixed price, could the seller dispose of the land to an outsider on the free market.¹⁴² This went much further than the rather toothless rule of pre-emption that then existed in the North-Western Provinces, where Valuation Committees did not exist, with the result that the objective of protecting the village community was ‘almost invariably frustrated by the seller imposing an exorbitant price, which no coparcener could pay’.¹⁴³

¹⁴¹ *APL*, pp.33-34.

¹⁴² *Ibid.*, pp.33-34.

¹⁴³ *Ibid.*, p.109.

At the time, British officials in Punjab accepted that such market controls were 'difficult' to justify according to the liberal economic theory of the day. However, for 'social and political reasons', they argued that theory had to bend around 'the frame-work of society, as at present constituted.'¹⁴⁴ In truth, there were good reasons for scepticism about what a market in landed property implied, as the land sales that did occur in Punjab tended to be symptoms of distress and desperation not economic dynamism.¹⁴⁵ As Neeladri Bhattacharya has argued, this early attempt to protect the village community from 'outsiders' prefigured by nearly fifty years the famous 1900 Punjab Alienation of Land Act, which barred the transfer of land from 'agriculturalist tribes' to 'non-agriculturists'.¹⁴⁶ But between the protective policies of the Board and the Punjab Alienation of Land Act, there lay a period in which sanctity of contract was prioritised, and market forces were empowered, owing to the legal reforms of the 1860s. The rapid rate of land transfers that ensued eventually led to an official backlash, and thus the restoration of the more protective and paternalist approach.

In general, as elsewhere in India, so too in Punjab, British policies were geared towards rendering society more amenable to the state's authority by producing a subject population that was economically productive, conveniently taxable, and (above all) not a threat to the state itself. Officials therefore placed a premium on settled farming, and the socio-political stability which supposedly went with it. This, in large part, informed the preference of many British officials for the village community and the peasant proprietor. The revenue

¹⁴⁴ Ibid., pp.104, 108.

¹⁴⁵ *GR1856-58*, p.24.

¹⁴⁶ Bhattacharya, *Agrarian Conquest*, pp.213-214.

settlements, particularly in their regular form, were integral to this, and they juridically froze otherwise more fluid situations, calcifying status and rights within the villages like never before.¹⁴⁷ Elsewhere in India, similar processes had contributed to what David Washbrook has called the 'traditionalization' of Indian life, whereby the economy became more agrarian and perhaps less dynamic.¹⁴⁸

Arguably, something similar seems to have occurred in Punjab, where the Board's overriding concern for security and order was to some extent inimical to creative destruction and transformation.¹⁴⁹ The fledgling colonial state was reluctant to encourage potentially destabilizing economic change of a dynamic kind. Moreover, its officials were themselves ill-equipped by background, training, and life experience to be particularly entrepreneurial. Their presiding ethos was that of paternalism rather than entrepreneurialism. This was less from conscious ideological choice (they were not necessarily technological reactionaries), and more from the inherent limitations of their expertise, and the short-term imperatives of their position. Indeed, contrary to stereotype, virtually every British official in Punjab was an enthusiast for modern technology – at least in the abstract – and fizzed with ideas about coalmining, railways, steamboats, cash crops, and industrial projects for the province.¹⁵⁰ All the same, what innovations the Board did manage to introduce tended to reproduce and perpetuate the sort of stable rural order for which their territorially-oriented administration was adapted. Therefore, the growth they promoted (and they did try and promote some) was necessarily extensive rather than

¹⁴⁷ Kessinger, *Vilyatpur*, pp.77-83.

¹⁴⁸ D.A. Washbrook, 'Progress and Problems: South Asian Economic and Social History c.1720-1860' *Modern Asian Studies*, Vol.22, No.1 (1988), pp.81-82.

¹⁴⁹ Ian Talbot, 'The Punjab under Colonialism: Order and Transformation in British India', *Journal of Punjab Studies*, Vol.14 (2007), pp.3-9.

¹⁵⁰ *Political Diaries*, p.387; *GR1849-51*, pp.101-104; *GR1854-56*, pp.108-110.

intensive; creating more of the same, rather than bringing about a qualitative step-change. Hence, as Imran Ali and other proponents of the distorted development school suggest, although overall aggregates of production and the area under cultivation might have increased, actual labour productivity seems to have stagnated.¹⁵¹

The prioritization of stability and security, and the way this was linked with extensive but not intensive economic growth, was particularly apparent in the Board's approach to the Manjha (encompassed by Lahore Division). As the supposed Sikh heartland, it was deemed to merit careful consideration for political reasons.¹⁵² Just as Mark Condos has written, the British were anxious to cater to the erstwhile soldiers of the Sikh Army by alleviating the pressure on water and land in their home region through the construction of the Upper Bari Doab Canal.¹⁵³ The idea was that a canal might increase the cultivable acreage in this comparatively densely populated area; thereby providing improved agricultural opportunities for a portion of Punjab's population that possessed disproportionate political significance. The Board envisioned that, with the Sikh soldiery having exchanged their muskets for mattocks, the province would then become both easier to govern and more profitable to hold.¹⁵⁴ In fact, far from being 'reluctant to undertake ambitious projects of irrigation' (in Neeladri Bhattacharya's words), in this instance, the Board was perhaps too enthusiastic to transform the prospects of the Bari Doab with an overly ambitious project.¹⁵⁵ However, much of the problem with the scheme for the Upper Bari Doab Canal was that it was too centralised, and too political – rather than economic – in rationale. As Condos has explained, 'expanding irrigation was initially less about developing backward areas of the

¹⁵¹ Ali, *Punjab under Imperialism*, pp.237-244.

¹⁵² *GR1849-51*, p.93.

¹⁵³ Condos, *Insecurity State*, pp.77-102.

¹⁵⁴ *GR1851-53*, p.213.

¹⁵⁵ Cf. Bhattacharya, *Agrarian Conquest*, p.389.

province, and was more about using an ostensibly civil development project in order to pacify what was believed to be a strategically vital region and cross-section of Punjab's society.¹⁵⁶

Indeed, the economic results of the canal were initially underwhelming. Arguably, its opportunity cost precluded greater investment in smaller-scale and less glamorous, but more effective, means of production, like wells, and diverted attention from maintaining pre-existing inundation canals.¹⁵⁷ As for the canal itself, optimism turned to disillusion over the ensuing years, as the *grand projet* spiralled in cost: it had initially been estimated at £530,000, but by 1860 nearly £1 million had been spent.¹⁵⁸ At the same time, its completion date receded mirage-like into the future – it would be mostly open by 1861. Moreover, its early benefits failed to live up to expectations. Officials had anticipated that it would irrigate 654,000 acres of wasteland, but in 1861 it was only irrigating 90,000 acres.¹⁵⁹ Worse still, because the canal took water from the River Ravi, it made life worse for pre-existing communities downstream of its divergence, who relied on the seasonal flooding of the Ravi to supply their inundation canals.¹⁶⁰ As with other aspects of the Board's administration, intentions and outcomes were far apart.

It would be a generation before the province's administration overcome their disappointment with this project and initiated the altogether more successful work on the Canal Colonies. It would therefore be a mistake to see the Upper Bari Doab Canal as a harbinger of these. If anything, the Canal Colonies were initiated in spite of the

¹⁵⁶ Condos, *Insecurity State*, p.85.

¹⁵⁷ *Ibid.*, p.85.

¹⁵⁸ *Ibid.*, p.84.

¹⁵⁹ Alfred Deakin, *Irrigated India: An Australian View of India and Ceylon, their Irrigation and Agriculture* (London, 1893), pp.200-201; Condos, *Insecurity State*, p.85.

¹⁶⁰ Roe and Purser, *Montgomery*, p.xii.

unencouraging precedent it provided. As Bhattacharya has written, Punjab's administration was minded to avoid repeating the expensive endeavour until they were 'jolted' by the famines of the 1870s, and encouraged by the 1880 Famine Commission to abandon their 'fiscal over-caution'.¹⁶¹ But, in contrast to the Upper Bari Doab Canal, the nine Canal Colonies, which opened between 1880s and the end of the Raj, were both remunerative and utterly transformative.¹⁶²

¹⁶¹ Bhattacharya, *Agrarian Conquest*, pp.396-397.

¹⁶² Talbot, *Punjab and the Raj*, p.40.

Chapter Four: 'Tax Britannica'¹

One of the core paradoxes of British India was that for all British officials' paternalistic declarations that they were 'protectors in the land [rather] than tax-masters', the British taxed agriculturists disproportionately, even compared with the oft denounced previous regimes.² At least in the case of Punjab under the Board, British overextraction seems to have been as much accident as design; albeit, luck is often the residue of design, and arguably was in this case too. Having discussed some of the salient theoretical and judicial aspects of the land tax under the Board, this chapter will focus on its fiscal impact. Of course, the two were intertwined, and it is somewhat false to separate them. But, for the sake of clarity this has been done – although the interlocking relationship needs to be remembered throughout. Curiously, while the judicial differences between the Sikh and British administration of Punjab's countryside have been well-noted, the fiscal differences have been less studied, even though they were much more pronounced.³

To reiterate, under the Sikhs, the land tax had been calculated afresh each season, either by appraisal of the crop as it ripened in the fields, or by division on the threshing floor. In some cases, the government share was then immediately sold back to the taxpayers at current prices; with the effect that, though the tax was nominally levied in kind, it was effectively paid in cash.⁴ Still, the amount payable reflected the real output of the harvest, as well as the changes in the price level, and fluctuated from season to season, both in absolute terms and as a proportion. Apparently, the theoretical maximum was as much as 'a clear half' of the gross produce. But normally, the land tax ranged between 'two-fifths to

¹ John Keay, *India: A History* (London, 2001), p.414.

² H.L. to Chamberlin, Forrest, *Neville Chamberlain*, p.247.

³ Bhattacharya, *Agrarian Conquest*.

⁴ *GR1849-51*, pp.56-57.

one-third of the gross produce', and in bad years it might have been nominal.⁵ Doubtless, some *kardars* and *ijaradars* took more than others, but no official in their right mind would have pushed the landholders below the margin required for subsistence and future production – if only for self-interested reasons, given that an official's income depended on the sustained output of their landholders.

By contrast, under the British, the land tax was a money assessment that was fixed for a course of years, and which was supposed to stay the same regardless of fluctuation in yields or prices. The amount payable from each village community was set at the time of the summary or regular settlement, and was calculated with reference to a village's lands, its access to water, its past performance, the community's personnel, and the local socioeconomic context. On this basis, officials imposed what they supposed to be a reasonable annual levy, the same amount being payable each and every year, in good times and bad, for a fixed period. In other words, where the Sikhs had imposed an income tax on landholders, basing their assessments on the landholders' actual flow of income; the British imposed what was in effect an agricultural wealth tax. That is, a fixed tax derived from the anticipated and more or less notional future income of the village community – in essence, its value. What is more, the fact that the British land tax was defined and payable in cash, rather than in kind, meant that it was a further step removed from what the landowners of a village community really produced each season.

As will be seen, although the British believed that they were decreasing the land tax from what it had been under the Sikhs, in fact its real incidence on the taxpayers was much higher than before. And, just as elsewhere in India, the Company's fiscal 'rigour', with its

⁵ *Ibid.*, p.56.

‘rigid internal accounting, lack of responsiveness to local agrarian conditions’, and its emphasis on ‘meeting targets’, wracked Indian society.⁶ Naturally, this begs the question of why the British should have opted for a system of fixed money assessments in the first place. Paradoxically, it was not necessarily because they wanted to extract the maximum – which could have been done far more effectively by a flexible system. On the contrary, the reasons for fixed cash assessments were somewhat more banal: the conjuncture of perceptions of practical expediency and institutional convenience with relatively well-meaning theoretical nostrums.

Certainly, taking payment in cash, rather than in kind, had pragmatic advantages for the government. For a start, it was much more convenient: money was far more liquid, both physically and financially. Compared with grain (the main staple) it was easier to transport, it did not perish, it maintained its value (more or less), and it could also then be used to buy whatever the government wanted – above all, military labour – without the hassle of barter. As for the fact that the land tax was fixed, knowing how much income the government was likely to receive in future years simplified financial management considerably. It also meant that officials could be moved between districts without too much administrative and fiscal dislocation, which would not have been possible in a system that depended on taking fluctuating shares of produce, wherein intimate knowledge of local conditions was vital. After all, unlike a varying and unfixed quantum, a single fixed number could be recorded and reproduced on paper; it was therefore compatible with the Company-State’s bureaucratic methods. A fixed assessment was also supposed to be administratively easier in the long run. Making the occasional complex survey and calculation was apparently preferable to the

⁶ Christopher Bayly, ‘The British Military-Fiscal State and Indigenous Resistance: India 1750-1820’, Lawrence Stone (ed.), *An Imperial State at War: Britain from 1689-1815* (London, 1994), pp.339-341.

simpler but near continuous and more administratively onerous process of carrying-out bespoke assessments anew for each harvest.⁷

Personal beliefs also mattered. As has been seen, John Lawrence, who was the chief instigator of the transition, favoured fixed money assessments because he believed that they were less open to abuse by elite intermediaries and low-level officials.⁸ Then there was the theory. So far as the most British officials saw the question – John Lawrence included – a fixed cash demand was an essential pillar of turning Punjabi landholders into landowners capable of profiting from their property. By fixing the assessment as an objective sum of money ahead of time, the government was tying its hands, and making a pledge to landowners that they would not be robbed of any extra income by a jealous state.⁹

Nevertheless, it ought to have been obvious that the risks imposed by a fixed demand were asymmetric. True, on the upside, many landowners did stand to benefit if they increased output. But the profits this offered to some were scant consolation to those who fell short and were forced to borrow to meet the tax demand and feed themselves, or were expropriated for revenue arrears by a forced sale. Even if the odds of both outcomes were equal, the downside risks posed by bankruptcy and hunger surely outweighed the upside possibility of being marginally better off. However, owing to mistakes made by the British in calculating the assessments, the odds were not equal, but were heavily skewed to the downside. Punjab's landowners seem to have apprehended this at the outset. David Ross, the Commissioner of Leia Division, reported that the landholders 'were strongly opposed to the change of system,' and 'were afraid of money-payments, and the risk of being

⁷ Roe and Purser, *Montgomery*, p.iii.

⁸ Temple, *Lord Lawrence*, pp.59-60.

⁹ J.L. to the Secretary with the Governor-General, 25th September 1847, *PRP*, p.69.

responsible for the full juma [assessment] in unfavourable seasons.’¹⁰ For the landholders, agreeing to a fixed payment, even if set at what initially appeared to be a concessionary rate, was to make a rod for their own backs. As events transpired, they were right to have been wary, and Septimus Thorburn later observed how ‘the change from elastic extortion in kind to moderate fixity in cash’ was frequently ruinous.¹¹

But the cruel irony was that British officials in Punjab generally intended to be moderate and paternalistic. Thus, they were instructed to look to native precedent, using the amounts supposedly taken by the Sikhs as a maximum for their new assessments. As Henry Lawrence emphasized to Harry Lumsden, ‘*in no case take more than the Sikhs did*’.¹² Of course, the problem was that the Sikhs had rarely taken a fixed amount, either in absolute or relative terms. The British therefore based their calculations on the average of past collections, and then typically gave a discount of ten to twenty per cent to allow some (but never enough) leeway for bad years. The idea was that the surplus of a good season could be used by landowners to pay in a bad one. However, averages were often highly misleading, as they tended to be distorted higher by large outliers. In all likelihood, a calculation that took the median of past collections would have been more realistic.

Another issue was that, when deducting from the average of the Sikh collections, British officials were often reluctant to go as low as was necessary to arrive at what would have been a reasonable fixed demand. Again, this seems not to have been out of a desire to extract the maximum *per se*. Rather, it was owing to inexperience and a poor appreciation of the degree to which yields could fluctuate, as well as a failure of imagination and

¹⁰ GR1849-51, p.237.

¹¹ Thorburn, *Punjab in Peace and War*, pp.173-174.

¹² H.L. to Harry Lumsden, 10th February 1850, MSS Eur F85 9.

foresight. Assessing the land tax required detailed knowledge and a thorough understanding of local conditions, something which British officials, necessarily clueless about the realities of life as a Punjabi farmer, altogether lacked. The damage they inflicted was largely a result of the fact that they were over-empowered, inexperienced, and alien to the world in which they meddled. This was typified by Arthur Cocks, who described his assessments in the Jech Doab, made in the autumn of 1847, with an ingenuousness that betrayed his utter incomprehension of the problems created by naively translating the old fluctuating assessments into fixed assessments with barely any reductions. In boyish fashion, Cocks averred, 'my present [work] is a delightful occupation. I feel I am doing some tangible good in every order I give'.¹³ Little did Cocks realise it, but as he made his summary settlements across Punjab, he was leaving an invisible trail of imminent immiseration in his wake.

Aside from this arithmetical issue, getting an accurate picture of just what had been taken in the past was also problematic. For a start, there were sometimes difficulties extracting the relevant records. Richard Temple recalled how, in Jullundur District, the landholders, being wary of their new masters, had for a time withheld their records. Furthermore, when these were forthcoming, the money values they referred to were often notional (after all, the tax had typically been taken in kind), or were denominated in a different coinage, and so did not translate easily into real current cash values.¹⁴ Officials also interviewed the landholders, village headmen, and any former officials they could find. But this too had its problems. Understandably, landholders had an interest in understating their past yields. Of course, the British realised this, with the result that they sometimes overcompensated, and so erred too far in the other direction. It seems that they did this less

¹³ *Political Diaries*, p.433.

¹⁴ *GR1849-51*, pp.262-263.

because they desired to extract the maximum than because they were reluctant to be played for a fool, and considered themselves duty-bound to ensure that the government got its fair share. In the words of Lewin Bowring, too low an assessment, or an 'unheard of reduction', would simply 'not be warrantable'.¹⁵ Like other officials, it was not that Bowring wanted to be harsh, just that he did not want to be too soft. At the same time, there was also the danger that native officials or *jagirdars* might overstate what the villages could bear. In the case of *jagirdars*, their motives were obvious, as the larger the recorded sum on villages adjacent to their *jagir*, the more they would be allowed to take from those in their own bailiwick. As for the incentives of lower-level native officials, since many of them were paid a small proportion of what they collected, the higher the assessment the better off they would be. For example, *patwaris* (responsible for keeping a village's accounts) typically received a commission of between four and seven per cent of the land tax, and there was some evidence that they were not above using their position to enrich themselves.¹⁶

In addition, there were various 'scientific' ways of predicting the likely yield from the land – though some methods were more scientific than others. Whereas British officials elsewhere in India had often looked to the soil type when fixing the revenue demand, British officials in Punjab preferred to set more store by access to water and irrigation.¹⁷ Given the critical importance of water for agriculture in the province, this was entirely reasonable. Perhaps just as practical – but somewhat less scientific to modern readers – was the way they also noticed the caste of the landholders when making their assessments. The idea was that some castes were more adept agriculturists than others, and that what was a

¹⁵ *Political Diaries*, p.379, 391.

¹⁶ Major, 'Return to Empire', pp.198-199.

¹⁷ *GR1849-51*, pp.266-267.

realistic assessment for one caste, might be far too much for another. Whilst the terminology they used might now seem somewhat crass, what officials were trying to do was not all that different from applying the principle of progressive taxation. Basically, for want of more accurate predictive data, caste was used as a proxy for productivity. Referring to Jullundur Doab, Temple observed that ‘the prosperity of estates and tracts fluctuates in accordance with the prevailing caste of the occupants.’¹⁸ Indeed, like many others, Temple regarded Punjabi Jats as particularly good farmers, and Punjabi Rajputs as particularly bad ones. *Ceteris paribus*, it was reasoned that the former could pay a much higher land tax than the latter, with the result that they were assessed accordingly.¹⁹

Political considerations also influenced the rate of assessment. The apparent ‘content or discontent’ of the landowners was a valuable forward indicator of what they would tolerate.²⁰ The British realised that the revenue which could only be collected at the point of a bayonet, or provoked rebellion, consumed itself. Indeed, Mark Condos has suggested that the British sought to conciliate the Sikh Jats of the Manjha by assessing them at a lower rate.²¹ However, in practice, they too were over-assessed by the first summary settlements, so whatever initial concessions they received were illusory. What is more, elsewhere in the province, there was at least one instance – John Nicholson in Rawalpindi District – when a high assessment was deliberately imposed as a punishment on those perceived as politically deviant.²²

¹⁸ Ibid., p.264.

¹⁹ Ibid., pp.264-265.

²⁰ Ibid., p.268.

²¹ Condos, *Insecurity State*, pp.87-88.

²² *Political Diaries*, p.357.

By the spring harvest of 1850, nearly all the new province was subjected to paying the land tax in cash according to a fixed assessment. However, proof that the initial assessments had been too high was not long in coming, and within a couple of years, sizeable sums had to be remitted. Thus, for the province as a whole, excluding Peshawar Division, the amount remitted in 1851/2 represented just over three per cent of the total demanded, while in 1852/3, it was over four per cent.²³ While this might not seem like much in the abstract, it was really just the tip of the iceberg. First, these aggregate percentages were distorted by the resumption of *jagirs* – without which the shortfalls would have been much greater. Furthermore, the figure smoothed out serious regional differences. Hence, whilst the amount that had to be remitted in the Trans-Sutlej Division in both these years was negligible (only about one per cent for each year); in Multan Division, over eight per cent of the demand had to be remitted in 1851/2, and then fourteen per cent in 1852/3. Indeed, the experience of the other divisions in the province was closer to that of Multan Division than the Trans-Sutlej. In 1852/3, Lahore Division fell short of its revenue demand by nearly ten per cent; Leia Division, by over twelve per cent; Jhelum Division by over five per cent; and the Cis-Sutlej Division by nearly eight per cent.²⁴

What is more, these figures reflected what the British forbore from taking, and they only abstained from making the full collection once they were satisfied that there was little choice in the matter – in other words, that the landowners were utterly desperate. It was not unknown for landowners to sell possessions – most seriously, cattle (crucial for ploughing and manuring) – or to go into debt to meet the revenue obligations. Hence, a provincewide shortfall of over four per cent for 1852/3 should not be thought of as merely a

²³ *GR1851-53*, pp.130-131.

²⁴ *Ibid.*, pp.127-131.

slight quantitative gap. It indicated a more serious qualitative issue: that the British assessments were set at a rate which pushed many to the brink, if not over it. For, when it came to the land tax, even seemingly slight margins were critical. As Charles Metcalfe had previously warned in relation to the North-Western Provinces, 'the difference in revenue between a light settlement and a rigid one may not be very great; but the difference in consequences is incalculable. A few thousand rupees too much exacted may ruin a district, and drive the inhabitants to emigration.'²⁵ Certainly, the fact that during 1852/3, 76,200 monitory notices were issued for tax arrears in Punjab, against the fewer than 29,000 villages in the province, was a sure sign that the assessments were a painful stretch for the landowners.²⁶ As will be seen, the British did try to remedy the situation, but the relief that was given was typically too little too late.

Much of the problem stemmed from the fact that during these years Punjab underwent a radical deflation which particularly affected agricultural prices, though it was also reflected in other prices, including those for cloth and iron.²⁷ This deflation made an absolute mockery of the Company's fixed money assessments. Because the revenue liability imposed by the Company-State was fixed in money terms, the amount of their produce landowners had to sell to pay the land tax was inversely correlated with the prices fetched by their produce. If prices halved, then the landowners would have to sell double the amount of produce to meet the same money sum as stipulated by the settlement. Indeed, this halving of prices is precisely what happened throughout much of Punjab between 1850 and 1852, with the spring of 1851 being the point of most precipitate price decline.²⁸

²⁵ Metcalfe in Kaye, *Papers of Lord Metcalfe*, p.50.

²⁶ *GR1851-53*, pp.127-132.

²⁷ *GR1849-51*, pp.199-200.

²⁸ *GR1856-58*, p.20.

To take the price of spring wheat in Lahore Division as an example; in the years prior to annexation, one rupee had bought about 22 seers (about 45 lbs.) of wheat. Then, in 1850, one rupee purchased 21 seers (about 43 lbs.). However, by spring 1851 the price had collapsed, and one rupee bought one maund and four seers of wheat (about 90 lbs.), and in the spring of 1852, it purchased one maund and three seers (about 88 lbs.).²⁹ Prices then stabilised over the following years at roughly one rupee for thirty seers of wheat (61 lbs.).³⁰ This same deflationary pattern broadly held throughout much of the province (although the Cis-Sutlej and Trans-Sutlej Divisions were less impacted), and effected a range of major agricultural commodities, including barley and wool, though not sugar.³¹ As a consequence of this considerable and broad-based decline in commodity prices, while the land tax's nominal level in money terms stayed the same, the real tax rate on landowners roughly doubled. Unsurprisingly, this meant that the fixed money assessments, although they might well have been reasonable enough at past price levels, became unaffordable. Hence, in Lahore Division, where work on the regular settlement was ongoing at this time, the assessment had to be revised downwards – not once, but twice.³²

Moreover, even though most landowners had produced more than usual during these years, this did not come close to offsetting the fall in prices. Because the demand for wheat and most other foodstuffs was relatively inelastic, the magnitude of the price changes far outweighed any increase in the volume produced. This was something that officials totally failed to appreciate ahead of time. Before long, Punjab's landowners were caught in a downward spiral: faced with low commodity prices and a fixed land tax, they had to sell yet

²⁹ *GR1849-51*, p.74; *GRu1849-51*, p.179.

³⁰ Leslie Saunders, *Report on the Revised Land Revenue Settlement of the Lahore District, in the Lahore Division of the Punjab* (Lahore, 1873), p.35.

³¹ *GRu1849-51*, p.179; *GR1849-51*, pp.199-200.

³² *GR1851-53*, pp.105-106.

more of their produce, which further pushed down prices on an overstocked market. Naturally, this caused what was euphemistically referred to in officialese as 'strong excitement in some localities'. Later, it was admitted that 'large bodies of landholders in some districts tumultuously crowded round the Revenue authorities, and violently declared, that the markets were overstocked with grain, and that money could not be got in return for produce.'³³ Furthermore, it seems unlikely that the economic distress was confined to Punjab's landowners. The land tax probably also impinged on the income of the village artisans and labourers, the so-called 'village servants', who were paid in kind with a share of the landowners' harvests (the *sepidari* system). Obviously, the more the state took – and its claims overrode all else – the less there was to go around. However, the plight of the village servants was largely incidental to the Company-State, and so went unrecorded.

Meanwhile, the Board failed to react quickly enough to the deflation. Later, Punjab's administration admitted that 'it often happens, that no sooner has an assessment been elaborately calculated, then it has to be altered; no sooner have engagements been entered into with the people for terms of years, then they have to be broken.'³⁴ It was certainly ironic, given that the lessons of the North-Western Provinces lay like a shadow across the land, that the British should have apparently forgotten the agricultural depression there of 1828-1833. In those years, the revenue settlements had been rendered far too high owing to a fall in prices of (only) sixteen per cent.³⁵ By contrast, Punjab now underwent a fall in food prices of approximately fifty per cent. This totally reversed whatever nominal reductions the British had made to the land tax. As previously mentioned, officials had

³³ *GR1856-58*, p.20.

³⁴ *Ibid.*, p.20.

³⁵ Asiya Siddiqi, 'Agrarian Depression in Uttar Pradesh, 1828-1833', *The Indian Economic and Social History Review*, Vol.6, No.2 (1982), p.175; Michael Mann, 'A Permanent Settlement for the Ceded and Conquered Provinces', *The Indian Economic and Social History Review*, Vol.32, No.2 (1995), p.247.

typically fixed their assessments *in nominal terms* at between eighty and ninety per cent of the average taken under the Sikhs. However, the ensuing fifty per cent fall in prices now meant that *in real terms* the British assessments were between sixty and eighty per cent higher than the average Sikh collection. Furthermore, this new demand was utterly insensitive to the actual state of the harvests, which, though generally good, had been poor in some locales. Obviously, this was disastrous. To illustrate how British officials unwittingly brought this about, and how they then failed to correct course fully, it is worthwhile looking at a few districts; namely, Sialkot, Jhang, Rawalpindi, and Khangarh.³⁶

The district of Sialkot (Lahore Division) was not untypical. Prior to annexation it had been given a fixed money assessment by the Resident's Assistants. They had calculated it according to the standard shortcut method of taking the average of the in kind payments for the past three years, subtracting ten per cent from this average, then multiplying it by the prevailing prices of the 1840s. This imposed an aggregate land tax on the district of Rs.15,02,079, which was ostensibly below what the landholders had only recently paid. Indeed, on top of this notional reduction, a range of cesses levied on the district's inhabitants were also abolished. Therefore, it must have seemed as though all was set fair, when in fact entirely the opposite was the case. For a start, the 1840s prices that were used as a benchmark were atypically high, and so completely misleading. Even before the radical fall in prices throughout the province, the revenue was already being paid with 'considerable difficulty' in Sialkot District. Then, when the deflation began in earnest, the settlement 'broke down' – officialese for being utterly impossible to pay in full – with the

³⁶ Khangarh District was renamed as Muzaffargarh District in 1859, it also underwent some boundary changes, and was transferred to the Multan Division.

district falling deeper and deeper into arrears.³⁷ The administration reported that ‘hundreds of fine villages’ were unable to ‘get a price’ for their produce and ‘failed to pay their highly assessed revenue.’ Clearly, something would have to give – indeed, ‘the evil was too pressing to admit of any delay.’³⁸ At the time, some incremental relief was afforded by the assessments then being made as part of the ongoing work for Lahore Division’s regular settlement. Consequently, by 1856, the nominal total of the district’s land tax had been reduced by fourteen per cent. It is telling that there was some attempt to offset this tax cut (almost entirely) by reintroducing the previously much criticised cesses. These tended to fall on other rural inhabitants besides the landowners in a fashion that therefore broadened the tax base.³⁹ As the British frequently discovered, the apparent injustices of the *ancien régime*, such as the supposedly regressive cesses, had saving graces.

But even after these reductions, the land tax imposed on Sialkot District was still too high, and had to be revised down again as soon as the regular settlement was completed. Henceforth, it was nearly twenty-two per cent less than the original assessment – a vivid indication of just how far-fetched the latter had been.⁴⁰ In the meantime, agricultural prices had recovered somewhat, with the result that, by the end of the decade, the land tax finally became more manageable. As in Sialkot District, so too elsewhere in Punjab, the decade following annexation witnessed much the same pattern of successive but belated downward revisions of the assessments; with each one falling short of what was required, so that another round of distress and revision had to occur.

³⁷ J.R. Dunlop-Smith, *Final Report on the Revision of the Settlement of the Sialkot District* (Lahore, 1895), pp.13-14.

³⁸ *GR1851-53*, p.110.

³⁹ Dunlop-Smith, *Sialkot*, pp.13-14.

⁴⁰ *Ibid.*, pp.13-14.

Jhang District in Multan Division was perhaps one of the province's worst cases. There, the first summary settlement, largely made by Arthur Cocks in 1847-1848, had thoroughly broken down by the early 1850s. It seems that Cocks' work had been characteristically flawed. He made quick surveys, sometimes covering dozens of villages in a single day. In some instances, he did not even bother to ascertain the average assessments of past years.⁴¹ In due course, some areas were hit worse than others. Within a few years, in Kalowal Tehsil, the settlement was reported to have so 'utterly' broken down that the division's Commissioner, Michael Pakenham Edgeworth, took matters into his own hands; reducing the assessment by twenty-five per cent after a cursory three-day tour of the area.⁴²

Meanwhile, in 1852-1853, some temporary relief was given elsewhere in Jhang District, but evidently not enough. Henry Monckton – who was then engaged in making a second summary settlement of the district – admitted that despite these reductions, 'the collection of the remainder was effected with great difficulty, and the number of *dastaks* [notices to pay, a prelude to more coercive measures such as dispossession,] increased from 1,910 to 3,304.'⁴³ Monckton warned that this distress was not fleeting but structural; attributing it 'to the inapplicability of our system as applied to this district'.⁴⁴ But he was largely ignored. In the event, Monckton's summary settlement was about twenty per cent below Cocks' summary settlement.⁴⁵ Even so, a subsequent official, Edward Steedman, thought that yet more relief ought to have then been given. Indeed, when work on the district's first regular settlement was begun in 1854, there was some difficulty in drawing-up the record of rights,

⁴¹ *Political Diaries*, p.444; Roseberry, *Imperial Rule*, pp.123-124.

⁴² E.B. Steedman, *Report on the Revised Settlement of the Jhang District* (Lahore, 1882), p.120.

⁴³ *Ibid.*, p.117.

⁴⁴ *Ibid.*, pp.117-118.

⁴⁵ *Ibid.*, p.119.

owing to the fact that the landholders were so traumatized that 'in many instances [they] threw up land that undoubtedly belonged to them, so fearful were they of the responsibilities that had hitherto attached to proprietorship of land.'⁴⁶ Nevertheless, the situation was redressed somewhat, and between 1854 and 1860, 'only' one village in the entire district was recorded as having 'broken down'.⁴⁷

Rawalpindi District in Jhelum Division was another particularly unfortunate illustrative case. The district's first Deputy Commissioner, John Nicholson (April-October 1849), had a tendency to over-assess even at the best of times. In the case of Rawalpindi, this was then compounded by the fact that Nicholson had deliberately imposed a high assessment on some villages as a way of punishing certain communities for the part they had played in the Second Anglo-Sikh War.⁴⁸ However, even where this was not the case, Nicholson's assessments were too high regardless, and in at least one instance he went over the heads of the landholders to a third-party contractor – a high-handed move which his superior, Edward Thornton (Jhelum Division's Commissioner), subsequently undid at the end of the settlement's term.⁴⁹ Before long, there was widespread agitation against Nicholson's assessments. However, these complaints were initially dismissed by Nicholson's successor as Deputy Commissioner – another military man – Captain G.W. Hamilton (October 1849 – March 1851). One of the reasons for Hamilton's stubbornness seems to have been that parts of the district had a longstanding reputation for (supposedly) groundlessly complaining of over-assessment, with the result that the British viewed their claims with scepticism.⁵⁰ Moreover, many old Sikh officials had been retained in office, and they represented the

⁴⁶ Ibid., p.120.

⁴⁷ Ibid., p.128.

⁴⁸ *Political Diaries*, p.357.

⁴⁹ *GR1849-51*, pp.218-219.

⁵⁰ *Political Diaries of the Agent*, pp.79-81, 90, 100.

complaints as being designed to test the nerve of the new regime. This was an argument which British officials could not help but take seriously. Hence, Hamilton made no concessions, and the term of the summary settlement was allowed to run its course without any relief.⁵¹

In 1851, when it came time to make a new assessment, Hamilton's successor, W.R. Carnac, was also half 'disinclined' to make the necessary reductions; in part, because he feared that it would appear as though he was yielding to the clamour, and so set a dangerous precedent.⁵² By then, 'the people of this district [had] rendered themselves somewhat notorious' in the minds of the administration.⁵³ Nevertheless, Carnac did reduce the land tax; though it seems not by enough, as it had to be revised down again in the following two years.⁵⁴ This was indicative of the wider pattern for Jhelum Division, which was amongst the worst affected parts of the province. As Punjab's administration later admitted, 'relief came somewhat slowly at first, while the revenue Officers were considering their measures and collecting their data; but in time it did come'.⁵⁵ In other words, poor knowledge of the situation had combined with a fear of being seen as weak to delay more timely action.

Turning to the area around Khangarh, here too officials were slow to realise what was occurring. Some appear to have been quite nonplussed by the failure of the landowners to pay the land tax in the midst of seemingly abundant harvests. In a subsequent generation, a later official, Edward O'Brien, reviewed the records of the area. O'Brien hinted at the

⁵¹ J.E. Cracroft, *Report on the Settlement of the Rawulpindee District* (Lahore, 1865), p.78.

⁵² *Ibid.*, p.78.

⁵³ *GR1851-53*, p.112.

⁵⁴ Cracroft, *Rawulpindee*, pp.78-79.

⁵⁵ *GR1851-53*, pp.111-112.

cognitive dissonance of the district's officials at this time, as plenty turned to poverty before their eyes. He noted that 'the district correspondence between 1850 and 1857 read as if there was continued famine in the district, while at the same time magnificent harvests are reported.' During these years, those failing to pay the revenue were imprisoned for months at a time, village headmen tried to resign their painful responsibilities and pleaded for reductions, whilst entire villages in revenue arrears were put up for sale.⁵⁶

Indeed, Khangarh was particularly hard hit, and its transition to British rule exemplified the dislocations caused by the new system – although this was entirely obfuscated by the provincial administration's second *General Report*.⁵⁷ Previously, much of Khangarh had been administered by Diwan Mulraj, and before him, his father, Diwan Sawan Mal. During this earlier period, the revenue system had been comparatively broad-based: along with the ubiquitous land tax, there had also been a poll tax on artisans, transit and town duties, as well as a monopoly over the area's date palms. Moreover, as in much of the rest of the country, the land tax had fluctuated depending on the harvest, and had also reflected current prices.⁵⁸ Furthermore, the Diwan's *kardars* and *ijaradars* had not been the purely extractive revenue collectors of British imagination, but had played a genuinely constructive role. Aside from taking the revenue, they had also organized cultivation, coordinated the allocation of credit, supervised the division of the harvest between superior and inferior proprietors and the tenantry, and had overseen the upkeep and extension of the canals.⁵⁹ This last was crucial; for in such an arid area, where there were only about six inches of annual rainfall, the canals were the vital arteries through which the life-blood of the country

⁵⁶ Edward O'Brien, *Report on the Land Revenue Settlement of the Muzaffargarh District* (Lahore, 1882), p.89; Major, 'Return to Empire', p.239.

⁵⁷ *GR1851-53*, pp.119-120.

⁵⁸ Edward Lincoln, *Muzaffargarh District, 1929* (Lahore, 1930), p.240.

⁵⁹ O'Brien, *Muzaffargarh*, pp.87-89.

flowed.⁶⁰ Around Khangarh, more than two-hundred thousand acres depended on the irrigation they afforded. Indeed, Diwan Sawan Mal's administration was a noted success: canals were built, wells were dug, and cultivation was extended.⁶¹ He was fondly remembered, notwithstanding the fact that he managed to accrue personal wealth of over £1 million by the time of his death in September 1844.⁶²

However, for many amongst the first wave of British officials, this *dirigiste* system looked like an indefensible interference with trade and the rights of private property – though there were heterodox dissenters, including Henry Lawrence, who rated Sawan Mal's administration highly.⁶³ Nevertheless, the economic orthodoxy of the day was that the government should, so far as was practicable, retreat from interfering in the workings of the market; eschew such regressive measures as indirect and poll taxes; and step aside from direct ownership and management. Thus, following annexation, the British opted for radical liberalisation: the monopoly over the date palms was relinquished in favour of the landowners; the poll tax on artisans was abolished; and the transit and town duties were removed. In a similar spirit, most of the *tehsildars* appointed by the British stepped back from the productive role previously played by the old *kardars* and *ijaradars*. As elsewhere, the British believed they were liberating the people from the grasping hand of native government. Meanwhile, officials based their land tax assessments on the standard calculation of 'the average payments for three years... converted into money at the market prices with a reduction of 10, 15 or 20 per cent, according to the state of the country.'⁶⁴

⁶⁰ Trevaskis, *Land of the Five Rivers*, p.354.

⁶¹ Roseberry, *Imperial Rule*, pp.11-19.

⁶² *Gazetteer of the Mooltan District, 1883-84* (Lahore, 1884), pp.30-31.

⁶³ Khilnani, *Punjab under the Lawrences*, p.29.

⁶⁴ O'Brien, *Muzaffargarh*, pp.88-89.

However, the disarray caused by the transition to a more *laissez faire* system soon became apparent. Without the directing hand of the *kardars* and *ijaradars*, and shorn of their financial support, the landowners were unable to meet their obligations. In fact, they even petitioned the Board for a return to the *status quo ante*.⁶⁵ And then there was the fall in prices. At the time of the district's first summary settlement, the price of wheat had been Rs.1/8 per *maund*, and this had been taken as the benchmark for fixing the assessments. Thus, in the ensuing couple of years, when prices fell to as low as Rs.0/10 per *maund*, the corollary was that each landholder had to sell 2.4 times as much wheat in order to meet the same fixed cash demand. It was therefore little wonder that the landowners were unable to pay.⁶⁶ At the time, some revenue defaulters were imprisoned, and may even have been tortured by over-ruthless *tehsildars* to get them to pay up. Meanwhile, village headmen tried to renounce their responsibilities and pressed for reductions, whilst entire villages fell into arrears, and were put up for auction.⁶⁷ Perhaps the *tehsildars'* ruthlessness explains why the district was initially able to meet its assessment with only 'inconsiderable' balances – something which encouraged the province's second *General Report* blithely to conclude that all was well in this benighted and distant corner of Punjab.⁶⁸ But the truth was that Khangarh's assessment was far too high. Faced with an impossible revenue demand, many of the district's landowners cut their losses and fled their homes to start a new life. Perhaps not unexpectedly, given the fiscal obligations attached to the land, nobody was then willing to take possession of these abandoned fields, which were thenceforth left untilled and forlorn, becoming barren wastes that were still deserted nearly eighty years later.⁶⁹

⁶⁵ *Ibid.*, p.89.

⁶⁶ *Ibid.*, p.89.

⁶⁷ *Ibid.*, pp.89-91.

⁶⁸ *GR1851-53*, pp.119-120.

⁶⁹ Lincoln, *Muzaffargarh*, pp.240-241.

What is more, having dispensed with many of Sawan Mal and Mulraj's old *kardars* and *ijaradars* (there were telling exceptions, discussed in the next chapter), the Board failed to make adequate arrangements for the maintenance of the canals throughout Punjab's dry south-west. Regarding Khangarh, O'Brien was scathing: 'our immediate predecessors paid the closest attention to the canal arrangements. [But] from annexation to 1876 the clearance and repairs of the canals were wholly neglected.'⁷⁰ Following annexation, the Board appointed an engineer officer to survey the watercourses in Leia Division (including Khangarh), but he was consumed with 'military works' – an indicative ordering of priorities – and seems to have made little headway.⁷¹ It was a similar story in the neighbouring Multan Division. In 1850, just one engineer was appointed to superintend the more than six hundred miles of canals in the division.⁷²

Whilst contemporaries represented these paltry arrangements as a success, the results suggested otherwise.⁷³ Both in the area around Khangarh and in Multan Division, large areas dried-up, and their productivity declined accordingly, making the revenue assessments still more unrealistic.⁷⁴ Most notably, in 1852, the Khanwa Canal, which served Googaira District (Multan Division), silted-up – suggesting a failure of maintenance – with the result that 'the crops rapidly began to wither' and 'upwards of half a lakh of Rupees was lost to the revenue on this account'. Indeed, Googaira District's land tax (originally assessed by Arthur Cocks) had to be cut by nearly a third at this time – a clear sign that it could not bear the weight of the British demand.⁷⁵ Thus, torn between the inflexible rules of a state-imposed fixed

⁷⁰ O'Brien, *Muzaffargarh*, p.91.

⁷¹ *GR1851-53*, p.170.

⁷² *Ibid.*, 170-172.

⁷³ *Ibid.*, pp.170-172.

⁷⁴ O'Brien, *Muzaffargarh*, p.91.

⁷⁵ *GR1851-53*, p.116.

money assessment on the one hand, and the neglect and disorder associated with a *laissez faire* approach on the other, much of the arid south-west of Punjab initially got the worst of both worlds. However, there were exceptions where the British continued older forms of administration, which are discussed in the next chapter.

For the province as a whole, the distress that unfolded under the Board was attributable less to the fact that the revenue was fixed *per se*, than the fact that it was fixed in terms of cash. Had it been fixed as a quantity of the commodity actually produced by the landowners, then the problems would have been far less, at least for these years; indeed, the harvests had generally been quite good. This phenomenon was demonstrated by the mixed fortunes of Lahore District, where there were still some large *jagirs* in which the landowners continued to pay the revenue in kind to the *jagirdars*. There, the amounts payable in kind by the landowners within the *jagirs* had been fixed by the officials making the summary settlements to be equivalent (according to prices up to that point in time) with the fixed cash sums that landowners elsewhere in the district paid to the government. However, the ensuing halving of prices utterly distorted the real incidence of the assessment on those landowners in the villages paying cash to the government, as a result of which they had to sell roughly double the amount of real produce to meet their nominally unchanged cash obligations. Meanwhile, by contrast, the landowners in the *jagirs* carried on paying the same fixed quantity in kind as before. Thus, those paying to the much-maligned *jagirdars* were far better-off than their counterparts, who were exposed to the British fixed money assessment. And, as in other districts, so too in Lahore District, many distressed

landowners abandoned their holdings rather than face the Company's now excessive revenue demand.⁷⁶

As this indicates, the somewhat novel monetary nature of the land tax was clearly a critical issue. Indeed, one of the main reasons why the fixed money assessments proved to be so disastrous in these years had to do with the radical monetary changes which occurred after annexation. Under the Sikhs, a quite different monetary and financial regime had prevailed. Crucially, 'hard' cash – that is, coinage containing silver roughly equal to its face value – played much less of a role in exchange and taxation than it would do under the British. Instead, the Sikh monetary system had revolved around 'token money' – coins which contained much lower quantities of silver than purported by their face value – many of which were debased or forged. Letters of credit (*hundis*) also played an important part. Furthermore, many local transactions had taken the form of barter, and grain itself had sometimes served as a sort of currency, and many fiscal obligations had been levied in kind; most obviously, much of the land tax, as well as the *begaree* (labour service).

In fact, although silver rupees were referred to in Sikh records and accounts (the standard being the Nanakshahi Rupee, which in theory was worth marginally more than the Company Rupee), it seems that quite often such numbers functioned more as near-figurative units of account rather than being literal reflections of hard cash amounts. For example, in 1847, Diwan Dina Nath estimated that before the First Anglo-Sikh War the government's income from the land tax had amounted to Rs.1,33,18,087 per annum.⁷⁷ However, it is inconceivable, given the trouble the British had in collecting a nominally

⁷⁶ Saunders, *Lahore*, pp.23-24.

⁷⁷ *GR1849-51*, p.57.

roughly equivalent amount following annexation, that the Sikh State could actually have realised *in genuine silver rupees* the amounts claimed by Dina Nath's accounts. Indeed, in nominal terms, Dina Nath's figures were about double what Ranjit Singh had raised in 1821 – and this is the clue.⁷⁸

For, between the early 1820s and the mid-1840s, the Sikh State appears to have undergone a great debasement as its treasury struggled to meet the burgeoning expense of its expanding army. By 1839, the army cost Rs.127,96,482 a year, and this price nearly doubled between then and the outbreak of the First Anglo-Sikh War.⁷⁹ Faced with the exorbitant demand created by an army altogether disproportionate to its fiscal base, the government and private entrepreneurs had resorted to debasing the currency. It was alleged that the mints of Lahore and Amritsar had issued an aggregate of six and a half crores of rupees (6,50,00,000) by face value in the two generations prior to annexation.⁸⁰ Moreover, where other sovereigns might have stamped on private individuals debasing or counterfeiting the currency, Ranjit Singh and his successors not only allowed it to happen, but virtually endorsed it by taxing the coiners instead of punishing them.⁸¹ More junior officials, including *kardars*, appear to have followed suit, so multiplying the problem.⁸²

Consequently, by the 1840s, there was a multitude of coins in circulation, each containing varying quantities of silver, all of which purported to be full value silver rupees. At annexation, there were supposedly over sixty denominations current in Punjab.⁸³ Yet, in

⁷⁸ Sita Ram Kohli, 'The Land Revenue Administration under Maharajah Ranjit Singh', *Journal of the Punjab Historical Society*, Vol.VII, No.1 (1918), p.90.

⁷⁹ Bajwa, *Military System of the Sikhs*, p.97.

⁸⁰ Arnold, *Dalhousie's Administration*, Vol.I, pp.305-306.

⁸¹ *Ibid.*, p.307.

⁸² *GR1849-51*, p.44.

⁸³ Arnold, *Dalhousie's Administration*, Vol.I, pp.306-309.

stark contrast to the nominal face value of the coins, there is good reason to believe that the silver content of Punjab's circulating monetary base cannot have been vastly more than the equivalent of fifty lakhs' worth of Company Rupees.⁸⁴ Needless to say, the result of the debasement was that the nominal price level current in Punjab was inflated. Hence, the unusually high commodity prices of the 1840s, against which the British had foolishly benchmarked their fixed money assessments. Crucially, it seems that the Sikh government had generally been content to accept the spurious coins as payment, more or less at face value, in those instances when the land tax or other imposts were paid in cash.⁸⁵ Depending on the issuer, *hundis* also seem to have been accepted – albeit presumably at a discount. As such, the nominal values to which official accounts referred were utterly misleading.

However, in the Sikh State's final years, under the shadow of British supervision, there had been some fitful attempts towards restoring monetary order. In June 1847, Dina Nath had proposed reforming the currency by recalling the numerous debased coins and having them reminted to the higher Nanakshahi standard, though quite how far this ever went is unclear.⁸⁶ Then, whilst Acting Resident, John Lawrence had given orders in October 1847 that the *kardars* were no-longer to accept anything other than genuine Nanakshahi Rupees as payment for the land tax, and some old coins were subsequently reminted.⁸⁷ But, the implementation of this was interrupted by the outbreak of the Second Anglo-Sikh War.

Following annexation, the Board resumed the monetary reform, albeit the Company Rupee was henceforth the standard towards which they were working. In a clear illustration of the intimate functional relationship between money and military labour, the currency

⁸⁴ *GR1849-51*, p.23.

⁸⁵ *Political Diaries of the Agent*, p.204; Arnold, *Dalhousie's Administration*, Vol.I, pp.306-309.

⁸⁶ *Political Diaries of the Agent*, p.189.

⁸⁷ *Ibid.*, pp.321, 381.

reform was expedited when, late in 1849, some of the Company's sepoys serving at Peshawar complained about being paid in debased local currency rather than the Company Rupee.⁸⁸ Spurred into action, and having received the sanction of the Supreme Government, in the spring of 1850, the Board began post-haste the work of assimilating their new province into the wider currency union which had operated in the Company's territories since 1835. As such, the policy was partly about administrative convenience and fiscal consolidation; both major features of Dalhousie's Governor-Generalship. The Board was also motivated by the question of political credibility. Officials believed that not to have incorporated the province into the Company's monetary union would have been to sow doubts about the permanence and legitimacy of annexation. To them, the currency reform appeared to be a necessary condition for establishing the Company's sovereignty. For they saw the Nanakshahi Rupee as 'the symbol of the Sikh religion and power', and thus a standing rebuke to the Company's claims.⁸⁹

But, alongside *raison d'état*, the British genuinely thought that they were doing good by reforming Punjab's currency. With the problems entailed by the 'great variety of coinage', including 'mercantile confusion, disadvantageous exchanges, and... fraud', there was a reasonable case for monetary reform.⁹⁰ Certainly, the British took a dim view of the moneychangers, whose business model depended on the numismatic disarray.⁹¹ The conventional wisdom of the day was that a precious metal standard benefitted the agrarian classes at the expense of financial speculators, who were thought to dupe stolid rural folk by

⁸⁸ R.C. Lai, 'The Reorganization of the Panjab Government 1847-57', PhD Thesis, University of London, School of Oriental and African Studies (1937), p.285.

⁸⁹ *GRu1849-51*, p.34.

⁹⁰ *Ibid.*, p.34.

⁹¹ *Political Diaries of the Agent*, p.189.

arbitraging between the real and face value of non-uniform coins.⁹² Hence, the province's officials saw monetary reform as consistent with their supposed pro-peasant paternalism – though, in this, they were deluded. As for the quite extensive (and hitherto semi-legal) counterfeiting operations ongoing at the time of annexation, the Board treated them as criminals and moved decisively against them; especially Henry Brereton, who was responsible for hunting forgers in the Trans-Sutlej Division, before turning his attention to *thugs*. In the ensuing years, hundreds were arrested, such that by 1853 the phenomenon was judged to be 'fast disappearing'.⁹³

Starting in 1850, the Board withdrew Punjab's 'dead currencies' in stages and replaced them with Company Rupees. 'Large bullion remittances of the old coin, aggregating about fifty lacs', were sent to the mints at Calcutta and Bombay, where they were melted down, and what precious metal they contained was salvaged and reminted to a higher standard, and then impressed with 'the British stamp' before being returned to Punjab.⁹⁴ Obviously, the reminting process entailed coins being temporarily taken out of circulation, whilst the number of coins returned (though more precious) were far fewer than those that had been withdrawn.⁹⁵ Thus, the nominal money supply in the province was radically reduced. By the summer of 1852, the old coinage had 'to a great extent' been 'absorbed and recalled', and replaced by roughly fifty lakhs of Company Rupees.⁹⁶ In that year, it was reported that 'three-fourths of the revenue are now paid into the Treasury in British coin'.⁹⁷

⁹² Boyd Hilton, *A Mad, Bad, and Dangerous People? England 1783-1846* (Oxford, 2006), p.262; David Kynaston, *Till Time's Last Stand: A History of the Bank of England, 1694-2013* (London, 2020), pp.110-114.

⁹³ GR1851-3, p.64.

⁹⁴ GR1849-51, p.23.

⁹⁵ Smith, *Lawrence*, Vol.I, pp.307-308.

⁹⁶ GR1849-51, p.23.

⁹⁷ GR1854-56, p.29.

This radical and rapid change contributed to a process whereby Punjab pivoted from a long-running great debasement to a sudden great deflation. Owing to the concurrent imposition of a land tax set as a fixed cash sum, this hit landholders particularly hard – which was precisely the opposite of what the Board had intended. Certainly, the Board ought to have realised that if they were disbursing only fifty lakhs worth of Company Rupees in the new province in lieu of the more numerous withdrawn coins, at the same time as demanding that the land tax (due in two seasonal instalments a year of about seventy lakhs each) be paid in Company Rupees, then Punjab would be subjected to what can only be described as a monetary heart-attack.⁹⁸ The result was a situation in which there were too many taxpayers chasing too few coins, with all the necessary downward implications for agricultural prices, and rural immiseration, this entailed. At the time, some officials were vaguely aware of what was occurring. J.E. Cracroft, an Assistant in Rawalpindi District during these years, recalled a ‘want of ready money’; and, alongside the fall in agricultural prices, it was noticed that a range of goods were sold ‘much cheaper’ than before in the markets of Amritsar.⁹⁹

But the monetary reform was not the only problem. The taking of victor’s spoils after the Second Anglo-Sikh War probably exacerbated the deflation. Besides the moral issues, the economics were unambiguous. The draining of the treasuries at Lahore, Amritsar, Multan, and elsewhere, as well as the more irregular looting that occurred, removed a lot of conventional collateral which had directly or indirectly contributed to liquidity in the past. For example, Rs.12,43,511 worth of ‘jewels and other property’ was officially taken from

⁹⁸ *GRu1849-1851*, p.34; *GR1849-51*, p.23.

⁹⁹ Cracroft, *Rawulpindee*, p.78; *GR1849-51*, pp.199-200.

Multan.¹⁰⁰ Similarly, the sale of many of the less transportable goods in these treasuries further soaked-up cash and depressed prices.¹⁰¹

But more significant still was the fact that the Board ran a massive budget surplus; it seems partly out of a desire to refute those who had argued that Punjab would be an expensive encumbrance. In the four years 1849-1853, the province's fiscal surplus totalled 321 lakhs, or an average of about 80 lakhs per year.¹⁰² This fiscal transfer from the province to the imperial government of India must have contributed considerably to the downward pressure on the money supply and aggregate demand. True, this surplus and more besides was then expended on the Company's and Royal forces stationed in the province, which together cost about Rs.165 lakhs per year.¹⁰³ However, in practice, this offered little relief, as much of this pay was remitted homewards, to Hindustan and further afield.¹⁰⁴ Thus, the drain remained unabated. In the mid-1850s, the province's third *General Report* admitted as much; observing how, in recent years, 'there was less money in the Punjab than previously; large sums, which would formerly have circulated in the Punjab, were remitted to other parts of the Empire by the Soldiery and other Government employees.'¹⁰⁵ In light of all this, a radical fall in the price of produce was practically overdetermined, and it is hard to escape the conclusion that the Board inadvertently crucified their new province on a cross of silver with the bluntest of fiscal nails.

¹⁰⁰ 'Memorial from East India Company to Treasury on property which came into possession of Government of India or Army during late operations in Punjab', *House of Commons Papers*, Vol.36, No.71 (London, 1852), p.2.

¹⁰¹ *GR1849-51*, p.199.

¹⁰² *GRu1849-51*, pp.155-162; *GR1851-53*, pp.205-210.

¹⁰³ Major, 'Return to Empire', p.238.

¹⁰⁴ Arnold, *Dalhousie's Administration*, Vol.I, p.301.

¹⁰⁵ *GR1854-56*, pp.27-28.

But perhaps the Board's most critical failure was not the currency reform *per se* – although the associated deflation would always have been problematic – so much as their decision to take at face value the old inflated prices, accounts, and assessments of the Sikh State, and then to continue using these unadjusted as the basis for tax assessments that were to be paid in a higher value coinage. It was this conjunction of monetary and fiscal factors that made the change excruciating for the province's taxpayers. In part, this was accidental and unconscious, and seems to have been a decision that the British were themselves largely unaware of having taken. For, as has been seen, the monetary transition was not linear, and those making the assessments, both before and after annexation, were not necessarily cognisant of ongoing or future monetary changes, so could not make the necessary adjustments. At the same time, the province's pre-existing monetary confusion was such that it would have required more time, information, and administrative capacity than the British possessed to translate the prices and assessments denominated in the old currencies into new ones in realistic fashion. Thus, the Board took a leap in the dark – although, of course, it was Punjabis who suffered the fall.

In Punjab, this deflationary trend would only be reversed following the Rebellion; an event which radically changed the economic fortunes of the province relative to other parts of northern India. Whereas previously Hindustani sepoys had been stationed in Punjab, and 'year after year laks and laks of rupees were drained from the Punjab, and enriched Oude', henceforth the tables were turned.¹⁰⁶ Not only were the many Punjabis in military employ now remitting their pay homewards, but they 'also have sent quantities of prize property and plunder, the spoils of Hindoostan, to their native villages.'¹⁰⁷ This was but a foretaste of

¹⁰⁶ *GR1856-58*, p.23.

¹⁰⁷ *Ibid.*, p.23.

the inward flows that followed over the next generations, as first, the post-Rebellion policy of balancing Hindustanis with Punjabis, and then, the 'Punjabisisation' of the Indian Army, meant that the province profited from military wages unlike anywhere else in the Raj. Indeed, Rajit Mazumder estimates that by the early twentieth century, about ten per cent of the Government of India's expenditure was spent on military pay and pensions for Punjabis.¹⁰⁸ However, in the early 1850s, all this lay far in the future.

Besides the monetary dislocations and fiscal drain that characterised the first years of British rule, there were further issues which made the operation of the new land tax still more malign. One fundamental problem had to do with climactic and geographic conditions, which meant that fixed money assessments were a particularly poor fit for much of Punjab, especially the 'peripheral' west of the province. After all, the British system of fixed money payments had originally been devised elsewhere in India, where the climate and geography were (somewhat) more hospitable to fixed money assessments, owing to the rather greater reliability of the monsoon rains. However, westwards of Ambala, the rains were much less consistent, with the result that crop yields – as well as price levels – could fluctuate wildly, frequently making the fiscal obligations of fixed money assessments unachievable.¹⁰⁹ This was particularly problematic in Leia, Jhelum, and Multan Divisions. In these places, rainfall and harvest yields were so variable as to defy anything other than what otherwise looked like a very low assessment. It was therefore no coincidence that it was these areas which required the greatest tax reductions in the years following annexation.

¹⁰⁸ Mazumder, *The Indian Army and the Making of Punjab*, pp.22-23.

¹⁰⁹ Thorburn, *Punjab in Peace and War*, pp.173-174.

Added to these geographic and climatic issues, there were socioeconomic factors that impacted on the working of the fixed money assessments in foreseeable but apparently unforeseen ways. First, the disbanding of the Sikh Army, alongside the forced redundancy of many former state officials, eliminated a large source of effective demand, and meant that thousands of men returned to the land and increased the province's agricultural production. As Robert Cust recalled, 'vast tracts of uncultivated waste were being brought under the plough; but there is a Nemesis in all things, and the price of grain fell, and the landholder was ruined in the midst of his abundance.'¹¹⁰ Again, the Board's demand that the land tax be paid in cash only made matters worse. For it forced landowners to put their products all at once onto the market in a manner that was basically price insensitive. The result was that they competed against each other, establishing ever lower prices as they raced to come up with the necessary funds. Just as Mridula Mukherjee has contended, this Gadarene rush had not existed before the British system of fixed money payments had subordinated Punjab's landowners to the logic of the market.¹¹¹ A decade later, Cust admitted as much, remarking that 'a sudden abolition of kind rates... [was] a mistake, and by forcing so much grain into the market, has had to do with the fall of prices, and the breakdown of the Settlements.'¹¹² But then, this was being wise after the event.

So much for the causes, what about the British response? Perhaps predictably, this was neither timely, nor commensurate to the distress. But, again, this was not because of any uniquely malevolent intent on the part of officials. Rather, bureaucracies are callous

¹¹⁰ Cust, *Pictures*, p.148.

¹¹¹ Mukherjee, *Colonializing Agriculture*, p.1.

¹¹² Cust, *Manual*, p.37.

machines at the best of times – how much more so a colonial bureaucracy, such as the Company-State in Punjab, whose very alienness and the attendant linguistic and cultural differences limited their ability to gather, interpret, and respond to information in an effective fashion. True, British officials were not entirely unaware of what was occurring.¹¹³ However, their awareness was neither immediate nor perfect. Therefore, the relief they did allow was often given too incrementally and too late. After all, it is rare indeed that a government takes at face value popular complaints about taxes being too high. And, again, a colonial state, hyper-sensitive about its own authority, was still more likely to be suspicious. The general mindset of British officials appears to have combined obstinacy with insecurity and ignorance, as well as a misplaced sense of duty and rigour. This attitude was reflected in Robert Cust's declaration that 'to abandon the rights of the State, without sufficient reason, would be weakness and dereliction of duty'.¹¹⁴ Proof, in the form of genuine distress and failure to pay, supported by 'facts and figures', had to be seen before officials were satisfied that the landowners had a point, and either reduced or suspended the land tax.¹¹⁵ Of course, by then, it was often too late, and much of the damage had already been done.

For, whilst those at district headquarters and higher up were beginning to entertain doubts, the *tehsildars* (ruthlessly) pressed on with collections. Indeed, British officials were often quite remote from the dirty work of collecting the land tax. In Cust's (perhaps somewhat self-serving) words, they were 'in many cases... most innocent of all knowledge of the means by which it has been realised.'¹¹⁶ It is therefore perhaps unsurprising that even when reductions were granted, they were frequently belated and insufficient.¹¹⁷ Moreover,

¹¹³ GR1856-58, p.20.

¹¹⁴ Cust, 'Collector', p.148.

¹¹⁵ Ibid., p.148.

¹¹⁶ Ibid., p.149.

¹¹⁷ GR1856-58, p.20.

as in other hierarchical bureaucracies, careerism and fixed targets combined to create perverse outcomes. In this case, officials typically put off having to apply for a reduction in their district for fear of blotting their copybook; though the cruel irony was that the Board was willing to give remissions when asked.

Thus, officials responded too slowly, and it was not until February 1852, after nearly two years of pronounced rural distress, that the Board issued a circular systematically enjoining Deputy Commissioners to give relief where they thought it was required.¹¹⁸ In part, the increasing awareness of the problems with the land tax owed much to Henry Lawrence – or, at least, his changing appreciation of the situation corresponded with a wider re-evaluation of the matter. At the start of that year, he had passed through the countryside north of Lahore, *en route* to the Afghan Frontier. Travelling through Gujrat, he was shocked by what he saw, and wrote a memorandum calling on his fellow Board members for action. He reported how, in the several villages he had visited, there had been widespread complaints at the assessment from landowners who were in ‘great poverty’ and seemed genuinely unable to pay the land tax. He had been moving fast, so there had been little time to talk. Nevertheless, he had received up to fifty petitions a day, and estimated that there would have been hundreds if he had stopped in any place for more than a few hours.¹¹⁹

However, at this stage, Henry Lawrence thought that the problem was specific to Gujrat District, and was more technical than fundamental: being to do with the way in which the revenue demand was divided between villages within each of the district’s revenue circles. The result was that in some villages the demand was impossibly high, whilst in others it was

¹¹⁸ Mackenzie, *Goojerat*, p.47.

¹¹⁹ H.L. in *ibid.*, p.48.

nugatory.¹²⁰ He therefore advocated that a new summary settlement for the district be made as soon as possible in order to iron-out these inequalities, estimating that ‘an active intelligent officer’ might remedy the situation in a month.¹²¹ Accordingly, Gujrat District’s Deputy Commissioner, Brand Sapte, rapidly reassessed the district before the end of May. Although the aggregate amount of land tax was not decreased by all that much, Sapte spread the burden thinner than before by bringing a large amount of previously tax-exempt land within the auspices of the land tax.¹²² However, Sapte should have gone further. By the end of the decade, in just one *tehsil* (Phalia Tehsil), five villages had ‘completely broken down,’ meaning that they had defaulted on the land tax and were up for sale. That they were not immediately purchased said much about the ineligibility of land when thus taxed. At that time, another five villages were then ‘held kham’ – that is, they were directly managed by officials, with the landowners temporarily demoted to being tenants of the state. On top of this, more were close to breaking, and ‘balances to the amount of 3 and 4 per cent occurred yearly.’¹²³

From Gujrat District, Henry Lawrence continued on his veritable road to Damascus. In Rawalpindi District, he found that matters were if anything even worse. He was furiously petitioned by numbers of landowners complaining at the assessments, and he had to admit that he had never seen such discontent in all his days in civil employ – including under the Sikh State.¹²⁴ Perhaps indicatively, Henry Lawrence found that the district’s Deputy Commissioner, W.R. Carnac, was closeted away in a fort instead of being out in the fields, seeing matters for himself and getting to grips with the unfolding crisis. Henry Lawrence

¹²⁰ H.L. in *ibid.*, p.48.

¹²¹ H.L. in *ibid.*, p.48.

¹²² *Ibid.*, p.48.

¹²³ *Ibid.*, p.50.

¹²⁴ Lee, *Brothers*, pp.268-269.

also blamed Jhelum Division's Commissioner, Edward Thornton (whom he seems to have disliked), for not having done more to alleviate the distress, and he instructed Thornton to authorize Carnac to grant remissions forthwith.¹²⁵ Perhaps indicative of how personal loyalties could cloud judgment, Henry Lawrence seems to have overlooked the responsibility of his protégé, John Nicholson, who had conducted the district's summary settlement, for the district's hardship. The degree to which Rawalpindi District was overtaxed might be inferred from the fact that the ensuing assessment was some Rs.50,000, or ten per cent, less than Nicholson's summary settlement.¹²⁶ From Rawalpindi, Henry Lawrence visited Hazara, where it was obvious that, for all Abbott's faults, at least he was willing to camp out in his district, unlike Carnac, and ensure that the people were not subjected to some unrealistic paper assessment.¹²⁷

In March, having finished his tour of the Afghan Frontier, Henry Lawrence wrote to his fellow Board-member, Robert Montgomery, about what he had seen.¹²⁸ That he did not address his brother, even though the land tax was John Lawrence's department, speaks volumes. Evidently, by the spring of 1852, the Lawrences' increasing fraternal antagonisms (to be discussed) were getting in the way of a grown-up discussion of policy – something which did not bode well either for the province, or the future of the Board. In his letter to Montgomery, Henry Lawrence emphasized that economic conditions along the Frontier were deteriorating and, perhaps more to the point, rural stability fraying. He recalled how, on a previous occasion, he had been able to traverse the Frontier with barely any escort, but now he had to be accompanied by 'ten or twenty horsemen, and picquets out at night'.

¹²⁵ Ibid., p.269.

¹²⁶ A.J.W. Kitchin, *Final Report of the Revision of the Settlement of the Rawalpindi District* (Lahore, 1909), p.8.

¹²⁷ Lee, *Brothers*, pp.269-270.

¹²⁸ Ibid., p.285.

With some sarcasm, he observed that 'the people by no means appreciate the *blessings* of British rule'. He explained that 'the precision and sternness of our revenue system *without its moderations,*' was to blame, adding that 'here as elsewhere there have been little or no reductions and yet cash payments have been insisted on.'¹²⁹

A week later, having considered matters further, Henry Lawrence gave a fuller description of affairs to Dalhousie, and now emphasized that the real issue was the insistence on fixed cash payments. In fact, it seems that Henry Lawrence had at long last seen the light. 'The unusual cry is *not* for reduction but for payment in kind as they say with truth that their crops depend on rain and the mountain floods, both of which are precarious'. He also noted the arithmetical fallacies on which the assessments had been made, 'it is a fact that the assessment was made on the average of five or seven years past collections without any deduction or margin'. He also pointed out the derangement caused by the fact that the assessments had been made on the basis of nominal values at a time 'when grain was double the price it is now or has been during the last 2 years.' And the results were plain. 'The effect of all this is that I have *seen* six or seven villages completely deserted, the inhabitants having gone to the hills.'¹³⁰

Much of the problem, Henry Lawrence explained, was that the British assessments had too often taken the old Sikh figures at face value. Thus, in Dera Ghazi Khan District, which was one of the worst cases, the Deputy Commissioner, 'Mr [Henry Charles] Van Cortlandt allows that he made no deductions on the Sikh averages and says he did not like to recommend a loss of revenue'.¹³¹ Quite possibly, Van Cortlandt had felt extra pressure to

¹²⁹ H.L. to Montgomery, 28th March 1852, MSS Eur F85 13.

¹³⁰ H.L. to Dalhousie, 5th April 1852, MSS Eur F85 13.

¹³¹ *Ibid.*

conform because he had been transferred from the old Sikh administration into Company service – he was also mixed race. Thus, much as elsewhere (albeit with the exacerbating dimension of Cortland’s background), inappropriate fixed money assessments were imposed and adhered to in Dera Ghazi Khan, owing to a combination of clumsy administrative methods (taking the Sikh averages at face value) with the assumption that the Company’s extractive fiscal imperatives must have primacy, and a desire amongst subordinates to avoid the displeasure of superiors. As Henry Lawrence told Dalhousie, ‘though many men think as I do, they do not like to appear to oppose established rules.’¹³²

Still, it was manifestly obvious that the fixed money assessments had been a disaster. Henry Lawrence reported that ‘from Rawul Pindee downwards the cry has been the same and where we are professedly only assessing at one-third and one-quarter the produce, the people have begged to give half *in kind*.’¹³³ This last was logical; given that prices had roughly halved from the time when the assessments were made, a fixed ‘one-third’ cash assessment would have become equivalent to two-thirds in kind. This was a serious matter, and Henry Lawrence recalled talking with a native official, with thirty years’ experience in the North-Western Provinces, who ‘had seen no people so badly off as in this [Dera Ghazi Khan] District and added, when I put the direct question, that they are much worse off than under the Sikhs.’¹³⁴ Given that the unnamed official had therefore probably witnessed the famine years of the late 1830s in the North-Western Provinces, this was a grim testament indeed.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

Faced with such distress, and based on his discussions with Van Cortlandt, Henry Lawrence proposed a compromise between fluctuating payments in kind and a money assessment, which was basically a return to the old Sikh system. Indeed, it is practically the validation of a historiographic cliché that a Eurasian like Van Cortlandt, awkwardly straddling two worlds, should have conveyed a more clear-eyed and appreciative appraisal of the old native system to British officialdom.¹³⁵ Accordingly, just before each harvest, the crops would be surveyed, and a certain estimated proportion would be assigned to the land tax. This quantity would ‘then be converted into cash at the Bazaar price of the day’, and paid as such to the government.¹³⁶ In recommending this, Henry Lawrence knew full well that he was ‘arguing against theory and against the opinions of many excellent Revenue Officers’, and so did not advocate a total reversal throughout the entire province. Rather, he proposed substituting Cortlandt’s and his suggestions only in those places least suited to a fixed money assessment. That is, ‘mainly in lands dependent on floods and rain and where the people are wild and have nothing to fall back upon’.¹³⁷

It was characteristic of Henry Lawrence’s somewhat heterodox flexibility and pragmatism that he was inclined to eschew the theory behind John Lawrence’s iteration of the Village System in favour of a return to old practices. Indeed, he could not help but notice that ‘Murwut and Bunnoo [in Dera Ismail Khan District], where *alone* grain payments have been continued, have *alone* paid as much to us as they did to the Durbar.’¹³⁸ Evidently, the British had underestimated the advantages of the old system, whilst overestimating the benefits of their own – a characteristically arrogant mistake. In fact, those areas where the British had

¹³⁵ Bayly, *Empire and Information*, pp.7-8.

¹³⁶ H.L. to Dalhousie, 5th April 1852, MSS Eur F85 13.

¹³⁷ Ibid.

¹³⁸ H.L. to Dalhousie, 30th September 1852, MSS Eur F85 13.

opted to continue the old system, often because they were overstretched or needed to co-opt local elites, generally fared better in these years.

Having observed the situation on the ground, Henry Lawrence warned Dalhousie that, whatever the theoretical justifications for fixing the land tax, the fact was that it had made the people 'worse off' than before, and were 'not in the best humour to learn lessons of political economy and industry.' Certainly, the government's promise to landowners that they might keep future profits was meaningless, if in the meantime the land tax forced them deep into debt, or resulted in the forced sale of their land. Significantly, Henry Lawrence also implied that 'joint responsibility' for the land tax was also causing some discontent as well.¹³⁹ As always, Henry Lawrence prioritized political considerations over economic nostrums. Accordingly, whatever might be gained by an undiminished land tax would be lost if the tax provoked the people to resort to arms. For all that, he still had his blind spots, and he suggested that landowners should borrow in order to meet their tax obligations when they fell short.¹⁴⁰ Time would show this to be a cure as bad as the disease.

Henry Lawrence's warnings to Dalhousie made some impression, and the Governor-General indicated that Henry Lawrence would have his backing should he tender his '*modified grain system*' to the other members of the Board. Some other officials also seem to have privately agreed with Henry Lawrence, including George Edmonstone and George Barnes, at that time, respectively, the Commissioners for the Cis-Sutlej and Lahore Divisions. However, such was the state of feeling between the two Lawrence brothers that Henry Lawrence blanched at the prospect of renewed confrontation with John Lawrence, the one

¹³⁹ H.L. to Dalhousie, 5th April 1852, MSS Eur F85 13.

¹⁴⁰ Ibid.

man who really mattered. As he admitted to Dalhousie, 'I was averse to enter into (or rather, continue) unpleasant discussion on the subject with my brother.' Indeed, whenever the possibility of reverting to payments in kind was raised, John Lawrence was adamant. His telling response was that 'we should be cheated, that we have no machinery to work such a system, and that it [would] engender sloth.' Thus, Henry Lawrence reluctantly accepted that 'John is altogether against it and Montgomery is for a quiet life, so I surrender'.¹⁴¹

In the event, the distressed district of Dera Ghazi Khan, which had contributed so much to Henry Lawrence's awareness of the problems of fixed money payments, was given another summary settlement, at which reductions were granted. The fact that the decrease amounted to some twenty per cent of the old assessment was a clear indication of just how over-assessed the district had initially been. Even then, as was too often the case, these reductions soon proved insufficient, and another eight per cent reduction was granted by the third summary settlement at the end of the decade, which seems to have been more realistic.¹⁴² But, by then, the damage had been done. As a later Settlement Officer, Frederick Fryer, admitted, 'I cannot here categorise all the mischief done by the first Summary Settlement. Many villages had to be taken under direct management, and many had to be farmed [sold]; but the real extent of the evil done can never be fully known.'¹⁴³

Naturally, this raises the question of why John Lawrence had been so stubborn. One key reason was his anxiety that if fixed money assessments were 'partially abandoned on the first shock of difficulties which, with patience, could be overcome', then a precedent would be set, and the government would be forced into endless retreats and *volte faces*

¹⁴¹ H.L. to Dalhousie, 30th September 1852, MSS Eur F85 13.

¹⁴² F.W.R. Fryer, *Final Report on the First Regular Settlement of the Dera Ghazi Khan District* (Lahore, 1876), pp.114, 116-117.

¹⁴³ *Ibid.*, p.118.

elsewhere.¹⁴⁴ Evidently, as so often, considerations of credibility played an important role in the minds of colonial officials. What is more, the fact that the suggestion to retreat from fixed money payments came from Henry Lawrence possibly made it even more difficult for John Lawrence to accept. After all, the revenue was John Lawrence's department, and he was not about to allow his brother to invade it. Indeed, John Lawrence responded to his brother's suggestions with the threat that, if Henry Lawrence pressed the point, then he would respond in kind by trespassing into Henry Lawrence's political brief.¹⁴⁵

For all that, John Lawrence was not totally insensitive to the predicament of the peasantry. On the contrary, his insistence on fixed money payments was partly based on a sincere and longstanding belief that this system would be beneficial in the long run. The idea was that a fixed demand, which 'secure[d] to them the fruits of their own industry', would incentivise landowners to save and invest the surpluses of good seasons in productive improvements, or just extend cultivation into untilled lands (indeed, most villages' commons also served as a reserve for further expansion). All this would then facilitate a higher baseline of output in the future.¹⁴⁶ This was not entirely unreasonable, although it carried its own risks such as over-farming and soil degradation.

In 1854, John Lawrence saw the situation in Dera Ghazi Khan District for himself. Although the district still bore all the scars of its fiscal tribulations, John Lawrence resolutely insisted that it was not the principle of fixed money assessments which had been at fault, but their inept implementation.¹⁴⁷ He also dictated a rejoinder to those still minded to try reviving the Sikh system of rolling reassessments and fluctuating payments. He

¹⁴⁴ Temple, *Men and Events*, p.63.

¹⁴⁵ Lee, *Brothers*, p.286.

¹⁴⁶ J.L. to Elliot, 31st March 1848, *PRP*, p.116; *GR1851-53*, pp.145-146.

¹⁴⁷ Fryer, *Dera Ghazi Khan*, p.115.

adumbrated what, to him, were the notorious 'evils' of the system. He warned that a return to the Sikh system would turn officials into 'the corn factors of the country', and necessitate 'the employment of a host of harpies' to enact it, all being corrupted by the temptations it put in their way. John Lawrence added that such a system would denude the peasantry of any incentive to forward-plan and invest, but would keep them 'in a state of pupillage'.¹⁴⁸ Thus, John Lawrence justified a fixed land tax on the basis of the putative progressive pedagogical function of transforming subsistence cultivators into productive petty-capitalist peasant proprietors.

Of course, a more sympathetic interpretation of the Sikh system would suggest that what it really involved was officials possessing a granular and grounded appreciation of agricultural conditions, whose material interests were aligned with the long-term wellbeing of the taxpayers, and who were in touch with local market conditions. As for John Lawrence's notion that the people would be kept 'in a state of pupillage', the reality was that they had enough to contend with as it was, without the government adding to their difficulties in the name of progress.

For all that, John Lawrence had at least half a point, and the alternative to forced growth (even if painful) was economic stagnation, and the ever-present risk of famine which that implied. He was aware that the poor landowner might well have preferred paying the land tax in kind. However, he was also aware that if they were allowed to continue to do so, then poor they (or at least their counterparts) would remain. Without some sort of spur or encouragement – in this case a fixed revenue demand – they would neither increase production, nor yield the land to someone else who would, but remain content with what

¹⁴⁸ J.L. in *ibid.*, p.115.

was essentially subsistence farming.¹⁴⁹ Still, taking the long view was not exactly a luxury the landowners of Punjab could then afford. Moreover, a fixed revenue demand was not the only means of increasing production, and the native system (when it worked) was quite compatible with growth.

In fairness, John Lawrence fully accepted the necessity for 'moderation' in 'demand and collection', along with a 'scrupulous readiness to reduce [the tax] when an undue pressure might be apparent'. In fact, he added that such responsiveness was 'the *only* means by which a system of cash payments can be rendered popular and effective in a new country, previously accustomed to payments in kind.'¹⁵⁰ Certainly, John Lawrence would sooner give remissions or revise entire settlements than revert to the old system of proportional payments in kind.¹⁵¹ Regarding Dera Ghazi Khan District itself, he stated that 'if a failure has taken place, a half, one-third or a quarter [of the land tax] may be suspended', and enjoined that 'a money assessment is perfectly bearable if our officers are equal to their duties and responsibilities'. Of course, the problem was that not all officials were of this calibre. Indeed, John Lawrence admonished (too late) that 'in a country such as is here described, great care and prompt action are necessary. If our officers are too rigid in their demands, the country will be depopulated and the people driven away' – and this was precisely what had happened.¹⁵²

John Lawrence also seems to have had more creative remedies in mind, and later looked to exporting Punjab's agricultural surpluses as offering an escape from the problem which

¹⁴⁹ J.L., 'Report on Pergunnah Rewarree', *Selected Report, on the Revision of Settlement under Regulation IX of 1833, in the Delhie Territory*, No. 1 (Agra, 1846), pp.16-20; Cf. Mukherjee, *Colonializing Agriculture*, p.2.

¹⁵⁰ GR1851-53, p.145.

¹⁵¹ GR1849-51, p.66.

¹⁵² J.L. in Fryer, *Dera Ghazi Khan*, pp.116-117.

he more than anyone had created.¹⁵³ In John Lawrence's words, 'until something of the kind be effected, there must always be some anxiety regarding our Land Revenue. Let means of export, the grand desideratum, be once supplied everything will follow.'¹⁵⁴ Certainly, access to larger markets would help stabilize the price level, and therefore enable the peasantry to pay the land tax in cash more easily. However, for the present, poor infrastructure meant that it was impractical to export large quantities of foodstuffs. Hence, improved roads, railways, and navigable waterways would have to be conjured into existence first.

Nevertheless, John Lawrence predicted that, if his plans were put into effect, 'then money will be abundant, prices will recover their standard, and the Land Revenue will flourish.'¹⁵⁵

In this, John Lawrence anticipated Punjab's economic future as a key agricultural exporter.

Tellingly, it seems not to have occurred to him (or subsequent officials) that another solution for Punjab's economic predicament might have been to encourage a more diversified economy. But then, extensive agricultural growth, rather than intensive manufacturing or services growth, was what British officials were more comfortable with; in large part, because agriculture was what they knew how to tax. In many ways, taxing the land had become both the means and the ends of the Company-State.

From all this, the image that emerges of the British officials in Punjab is ambiguous, if not tragic. On the one hand, they were relatively sincere paternalists, who genuinely wanted to do good – albeit defined in their own terms. On the other hand, they caused a lot of suffering. It was cruelly ironic that just as they paternalistically instituted peasant proprietorship in Punjab in a comparatively egalitarian fashion, they also made this status

¹⁵³ *GR1854-56*, p.29.

¹⁵⁴ *Ibid.*, p.30.

¹⁵⁵ *GR1854-56*, p.30.

something of a poisoned chalice by coupling it with an excessive revenue demand. In some respects, these unintended consequences presaged some of the disasters of the twentieth century, when government bureaucracies would impose large scale changes on societies, whilst lacking a realistic grasp of the situation on the ground, with horrendous results. In this case, the problems of informational and emotional distance – two of the necessary conditions for such disasters – were compounded by the fact that the bureaucracy in question, in all but its lower strata, was linguistically and culturally remote from those it governed. This was the congenital flaw of a colonial bureaucracy, and goes far in explaining how relatively benign intentions could yield calamity.

True, by the second half of the decade, particularly after successive revisions of the land tax assessments, ‘a viable land revenue policy was beginning to emerge’.¹⁵⁶ In large part this was because prices stabilized, albeit around the new lower level. Perhaps not uncoincidentally, the fiscal outflow from Punjab had also decreased somewhat by then. For, between 1853-1856, a greater share of the provincial tax-take was consumed in-province owing to increased spending on public works.¹⁵⁷ Thus, by 1859, Charles Aitchison, then the Personal Assistant to the Judicial Commissioner (at the time Edward Thornton), wrote hopefully that ‘in a few years the Punjaub may become in reality, what it is in fable, ‘the Garden of India.’’¹⁵⁸ Indeed, having got their hands burnt, the British were henceforth much more cautious when setting the land tax, with the result that the Punjab School’s reputation for low tax paternalism – arguably entirely undeserved under the Board – became a reality over the ensuing decades. For example, according to Ian Talbot, ‘by the time British rule

¹⁵⁶ Major, ‘Return to Empire’, p.237.

¹⁵⁷ *GR1854-56*, pp.77-78.

¹⁵⁸ Aitchison, ‘Crime and Punishment’, p.81.

ended [in Punjab], the farmer probably had to sell as little as 10 per cent of his crop to pay his land revenue.¹⁵⁹ This was but a relative fraction of what landowners had been obliged to pay under the Board.

However, the land tax was not the only issue with which Punjab's farmers had to contend. British policies, the dynamics of Punjabi society, and of course nature, all left their mark. In 1860-1861, there was a drought, followed by famine conditions throughout much of the province. Meanwhile, the steps taken under the Board towards creating a market in landed property, combined with the burdensome fixed cash assessments, created the necessary conditions for a creeping crisis of rural indebtedness.¹⁶⁰ This proved to be a chronic issue, and one which burgeoned over the decades; such that, by the late 1930s, the annual interest payments paid by Punjab's landowners amounted to more than four times what they paid in land tax and water rates.¹⁶¹ The matter of rural indebtedness encapsulated the contradictions and ambivalences bedevilling British policy. It also epitomized the way in which British officials were not acting unilaterally, but were interacting with local interests in a manner that produced unpredictable and unintended consequences.

As with much else, so too with rural indebtedness, the changes wrought by the Board laid the ground for subsequent developments in Punjab. Under the Sikhs, rural credit had been supplied by village lenders as well as wealthy officials, particularly *kardars*, *ijaradars*, and *nazims* (the great merchant bankers of Amritsar and Lahore seem to have played a less

¹⁵⁹ Talbot, *Punjab and the Raj*, p.54.

¹⁶⁰ Dungen, *Punjab Tradition*.

¹⁶¹ Talbot, *Punjab and the Raj*, p.118.

direct role). In general, the village lenders had provided small sums, which were generally spent by landholders and cultivators on operating costs between harvests.¹⁶² As for the officials, they were able to use their control over revenue flows to fund more substantial and longer-term investments that would increase output. They also used their official authority to regulate the lending done by others towards similar ends. In many respects, they were entrepreneur-administrators, who engaged in profit-sharing with the landholders. Whether this was corruption, as John Lawrence argued, or a neat alignment of incentives, was moot; though almost all British observers definitely thought it the former. Ultimately, the earnings of the old officials turned on the difference between what they took direct from the landholders and what they were obligated to render unto Lahore. Thus, it was in their interests for their landholders to increase production. As such, their lending was not just about extracting value via interest payments from an unvarying quantum of agricultural output, but was intended to enhance future output in a meaningful fashion, from which they too stood to benefit.¹⁶³

Perhaps the best case of such entrepreneurial administration was Diwan Sawan Mal's tenure as *nazim* of Multan between 1823 and 1844. In the former year, the area had been arid and sparsely populated. However, over the ensuing two decades, he promoted the construction of many miles of canals and attracted colonists to settle and become tax-paying subjects, making him a rich man.¹⁶⁴ True, Sawan Mal was unusual, and his counterparts elsewhere in Punjab were not necessarily so enterprising – Sheikh Imam-ud-din's tenure in the Jullundur Doab often being singled-out for criticism.¹⁶⁵ Indeed, in some

¹⁶² Wace, *Hazara*, p.85; Saunders, *Lahore*, p.61.

¹⁶³ Kohli, 'Land Revenue Administration', pp.78,82,85; Trevaskis, *Land of the Five Rivers*, pp.309-310.

¹⁶⁴ *GRu1849-51*, pp.89-90.

¹⁶⁵ Robert Cust, 'The Jhelundur Doab', *Calcutta Review*, Vol.10, No.19 (July 1848), p.11.

instances, the relationship between entrepreneur-administrators and their subjects-turned-borrowers seems to have resembled violently enforced debt bondage and sharecropping, rather than a mutually beneficial commercial relationship.

Nevertheless, the fact remains that the self-interest of lenders, be they large or small, constructive or parasitic, had the effect of keeping interest rates within bounds. After all, the only security lenders really had was a borrower's future productivity – there being no underlying collateral, as land could not be compulsorily sold in the case of default. Hence, lenders had little choice but to accommodate a debtor's inability to make repayments by allowing moratoriums, or increasing the duration of the loan, and so on. Often, they had to be content with receiving whatever share of the produce the borrower could afford to give.¹⁶⁶

After annexation, much of this pre-existing system of give-and-take was (with some exceptions) swept away by the British; not least, the public-private financing and capital investment which the more entrepreneurial administrators had provided. Much of this was the result of well-meaning misunderstandings. The British believed that a more market-based system, combined with clear laws, would free-up credit for further investment, at the same time as protecting debtors and creditors alike from fraud or extortion. Doubtless, to the unsympathetic or uninitiated, a lot of the old venal practices appeared to be harmful, and it seems doubtful that most British officials fully appreciated the more constructive role that *kardars*, *ijaradars*, and *nazims* had sometimes played. Moreover, in British eyes, the

¹⁶⁶ Trevaskis, *Land of the Five Rivers*, pp.309-310.

very elasticity of local customs regulating borrowing and lending appeared more like exercises in competitive swindling than a conventional business deal.¹⁶⁷

Thus, the British instituted a more formal system that substituted rules for flexibility. This was done in good faith: the rules were meant to be fair for both borrowers and lenders. In fact, reflecting British officials' paternalist proclivities, Punjabi debtors were afforded much greater protections than debtors under contemporary English Law, which still had recourse to debtors' prison. Moreover, whereas England was shortly to abolish its protective usury laws (by the Usury Laws Repeal Act of 1855), in Punjab, British officials continued to regulate interest rates. What is more, in Punjab, interest could only be charged on loans for a period of up to twelve years.¹⁶⁸ As for the protections afforded creditors, they were given the assurance that they could sue a defaulting debtor in court, with the prospect of recovering their loan via the attachment and sale of any assets that the debtor may have had, including *in extremis* land, which was a novelty in Punjab.¹⁶⁹ Furthermore, if the debtor still owed money, he was bound 'to liquidate his unpaid debts from any property he may subsequently acquire'. Meanwhile, debt fraud was punishable by a prison term of up to one year.¹⁷⁰

However well-intentioned these legal changes may have been, when coupled with the ousting of the *kardars*, *ijaradars*, and *nazims*, they contributed to a double crisis that paradoxically coupled mounting indebtedness with private underinvestment. Both phenomena took time to become fully manifest, and even then, the British were much more aware of the former than the latter. In large part, this was an unintended consequence of

¹⁶⁷ Cust, 'Non-Regulation Justice', p.258.

¹⁶⁸ *APL*, pp.49-50.

¹⁶⁹ *Ibid.*, pp.51-52.

¹⁷⁰ *Ibid.*, p.52.

removing the elite administrators of the erstwhile Sikh State, who had not always been the vampires of British caricature.¹⁷¹ Of course, the old elite's ability to play the constructive role of funding the construction of wells and canals had been inextricably linked with their extractive role as revenue collectors. Denuded of their management of revenue flows by the British, the elite could thus no longer play the part of lender either. The result was a slow-moving crisis of private underinvestment in certain areas – despite or perhaps because of government schemes like the Upper Bari Doab Canal – for which the British did not fully compensate until work started on the Canal Colonies in the 1880s. In fact, it was perhaps symptomatic of the scale of private underinvestment in the province that there were fewer wells in Lahore District in the late 1920s than there had been in the 1850s.¹⁷²

Meanwhile, the removal of the larger lenders necessarily enhanced the importance of the village moneylenders, whose business model (if such it can be called) was far less long-term and constructive. As elsewhere in India, so too in Punjab's countryside, 'stripped of state banking and revenue functions, indigenous capital lost much of the framework sustaining its previous structure and was reduced to petty roles in local moneylending and commodity peddling.'¹⁷³ Needless to say, this was not a change for the better.

Simultaneously, a combination of factors meant that small-scale credit started to flow more readily than before; albeit, not to fund productive investment, as the British had hoped.

Later, some British officials would castigate Punjabi landowners as irresponsibly borrowing for the sake of maintaining status (particularly to fund marriages and dowries), couching their argument in terms of moral hazard.¹⁷⁴ In the 1920s, Malcolm Darling noted the

¹⁷¹ Cf. Cust, 'Jhelundur Doab', pp.10-11.

¹⁷² Sultan, *A Broken Record*, p.31.

¹⁷³ Washbrook, 'Progress and Problems', p.80.

¹⁷⁴ Wace, *Hazara*, pp.85, 87; Saunders, *Lahore*, p.60.

correlation between the prosperity of agriculturists and the absolute volume of their debt, and concluded that peasant indebtedness was thus a perverse corollary of peasant prosperity, and he argued that 'such poverty as exists in the Punjab to-day has little to do with the activities of Government.'¹⁷⁵ In this, Darling ignored what really mattered, which was the relative incidence of interest payments, which hit the poorest hardest.¹⁷⁶ Moreover, it was all too convenient for British officials to fault Punjabis, rather than acknowledging their own role in raising up this mountain of debt.

For the British really did share a crucial portion of the responsibility. Fundamentally, rural indebtedness initially burgeoned so problematically primarily because the British had imposed inappropriate fixed money assessments, which often compelled poorer landowners to borrow just to pay the land tax or make ends meet afterwards. Before annexation, there had been no such fixed demand, and there had been no large-scale chronic debt distress. After annexation, both these things changed. Although British officials were often loath to admit it, this was more than just correlation.¹⁷⁷ There had been some early signs of the causal relationship between the revenue demand and rural debt. For example, in the Alipur Tehsil of Khangarh District, in the mid-1850s, it was noticed that there was a high rate of land-transfer to Hindu moneylenders as a result of the landowners being driven into debt by the horrendous over-assessment.¹⁷⁸ Likewise, it was noted that in Gujrat District, which (as has been seen) was another particularly over-assessed area, 'annual advances to the amount of several thousands of Rupees were made [by the Government]

¹⁷⁵ Malcolm Darling, *The Punjab Peasant in Prosperity and Debt* (London, 1928), p.xii.

¹⁷⁶ M. Mufakharul Islam, 'M.L. Darling and *The Punjab Peasant in Prosperity and Debt: A Fresh Look*', *The Journal of Peasant Studies*, Vol.13, No.1 (1985), pp.83-98.

¹⁷⁷ Roe and Purser, *Montgomery*, p.xi.

¹⁷⁸ Dungen, *Punjab Tradition*, pp.47-48.

for building Wells, but were to a great extent expended in Revenue payments.¹⁷⁹ There could hardly be a clearer illustration of the way in which the government's excessive revenue demand crowded-out productive investment whilst forcing landowners into debt, much as Mridula Mukherjee has argued.¹⁸⁰ For all that, these issues were only in embryo during the tenure of the Board. Nevertheless, by instituting a market in land, and enabling land to be sold to settle debts, at the same time as raising up protective barriers to minimize these socially destabilizing transfers, the Board set in motion the dialectic tension between liberalism, in the form of the market and the rule of law, and conservatism, in the form of paternalism and official discretion, which would characterise the ensuing ninety-four years of British rule.

A critical active agent for the maturation of the problems of rural indebtedness came in the form of the legal reforms of the 1860s, which were intended to bring Punjab (and its British officials) more firmly under the rule of law – thereby ostensibly ending the province's anomalous non-regulation status. However, whilst these reforms might have afforded the population greater (but still highly imperfect) protections against high-handed officials, the introduction of more legalistic procedural codes, and a Chief Court to supervise their implementation, also eroded the scope for officials to prioritize equity over the letter of the law when deciding debt suits.¹⁸¹ This had serious repercussions. Between 1860 and 1870, the amount of civil litigation more than doubled, and a third of such cases were to do with debt.¹⁸² In the following years, the rate of land transfer accelerated markedly, in large part because of debt-distressed peasants being forced to sell.¹⁸³ The first to sound the alarm

¹⁷⁹ Mackenzie, *Goojerat*, p.50.

¹⁸⁰ Mukherjee, *Colonializing Agriculture*, pp.1-4, 151.

¹⁸¹ Thorburn, *Muslims and Money-Lenders*, pp.116-117.

¹⁸² Major, 'Return to Empire', p.312.

¹⁸³ Hamid, 'Dispossession', p.63.

were energetic young officials, above all, Septimus Thorburn, who harked back to the non-regulation days of the Lawrences.¹⁸⁴ Meanwhile, more senior officials moved slowly and with reluctance. However, when tensions mounted to the point of rioting in the second half of the 1880s, Thorburn was apparently vindicated.

Alarmed by the prospects of a dispossessed and disgruntled peasantry, as well as the erosion of the standing of their landed allies, the British belatedly sought to staunch the flow of debt-induced land transfer. Notably, the then Lieutenant-Governor, James Lyall (1887-1892), brought back some aspects of the non-regulation system championed by Thorburn; empowering officials to use their discretion and consider the equity of the case, not just the mere letter of the law, in debt suits. Then, in 1900, the Punjab Alienation of Land Act was passed.¹⁸⁵ By this, the British sought to shore-up the peasant and landlord constituencies on which they had come to base their rule.¹⁸⁶ But ultimately (and perhaps tellingly), they were far more successful in promoting the fortunes of the landlords than the peasants. Meanwhile, some officials – most notably, Malcolm Darling – bestirred themselves to initiate peasant cooperatives that in many ways resuscitated the hands-on, personalised, and paternalistic ideal touted by the Board a half century before. But, this effort, which was arguably another instance of collaboration between British officialdom and Punjabi society, fell short of the scale of the challenge. Nonetheless, Atiyab Sultan has recently suggested that, in some respects, the cooperative movement prefigured post-Independence efforts at microeconomic community development.¹⁸⁷

¹⁸⁴ Thorburn, *Muslims and Money-Lenders*.

¹⁸⁵ Sultan, *A Broken Record*, pp.33-34.

¹⁸⁶ Hamid, 'Dispossession', p.54.

¹⁸⁷ Sultan, *A Broken Record*, pp.2, 36-37.

Chapter Five: The Elite, Punishment or Partnership?

The question of the treatment of Punjab's elite was the cause of greatest controversy between the Board's officials, for on it turned the future character of British rule. Would the British govern directly over a flattened society with relatively little mediation; or would they administer in partnership with a native elite, and through local intermediaries, over a relatively unchanged social landscape? The first involved a powerful state capable of projecting power down to the grassroots throughout the province. The second recognized the limitations of the Company-State, and acknowledged that in India there was much that the British did not know, and could not do, without relatively empowered native collaborators. This weighty issue was by no means unique to Punjab, and in the years leading-up to its annexation, the trend had increasingly been towards bypassing and expropriating India's elites, supposedly the better to assert the Company's authority and consolidate its fiscal and strategic position.

In the case of Punjab, however, this issue was particularly fraught because the economic basis of the old elite – *jagirs* and offices – had been so intimately imbricated with the Sikh State's fiscal administration, which, as has been seen, the British were determined to overhaul. For, throughout the country, alongside the lands paying revenue to the government, there were *jagirs*: areas where the Sikh State had temporarily assigned its right to the land revenue to an individual or family as payment for some service or as a reward.¹ Inherited from Mughal statecraft, *jagirs* had originally been a convenient way for the Sikh State to pay its functionaries and co-opt powerbrokers, and they had become the economic

¹ Cust, *Manual*, p.1.

flywheel powering Punjab's elite. By 1844, roughly one-third of Punjab's land revenue had been alienated in this way.²

During the Second Anglo-Sikh War, Lord Dalhousie had determined that expropriating the *jagirdars* would help pay for the conflict and the ensuing administration of the country after annexation.³ To many British officials, most notably John Lawrence and his trained civilian followers, it seemed obvious that the matter was a zero-sum game: each acre held as a *jagir* was an acre that might otherwise have paid revenue to the government. Moreover, following annexation, aside from the self-evident fiscal advantages of expropriating the *jagirdars*, and thereby increasing the territory from which the administration drew its land tax, political considerations were also at play. The Second Anglo-Sikh War was widely interpreted as proving the dangers of over-mighty *jagirdars*, who were represented as being incorrigibly hostile, despite all the 'consideration' previously shown them during the Residency period.⁴ This reading involved a degree of wilful misinterpretation, for it overlooked the fact (of which the British were aware) that the leading *jagirdars* had divided roughly equally between the rebels and the British.⁵ Moreover, many *jagirdars* had resisted the siren-song of rebellion till their hands had practically been forced by their more combative subordinates. Nevertheless, many British officials saw the *jagirdars* as a baronial challenge to their authority, and as natural leaders for the anti-British cause. As Robert Napier remarked, 'I think we ought, if we take the Punjaub, to reduce entirely the aristocracy. The people without heads are nothing.'⁶

² Cunningham, *History of the Sikhs*, pp.420-424.

³ Dalhousie to Hobhouse, 15th August 1848, in Hasrat, *Punjab Papers*, p.183.

⁴ Currie to Elliot, 6th November 1848, *PRP*, p.405.

⁵ Major, 'Punjabi Chieftains', pp.67-68.

⁶ Robert Napier to Currie, 3rd October 1848, Singh, *Correspondence*, p.361.

Certainly, neither John Lawrence and his followers, nor Dalhousie, had the slightest intention of sharing power with a chieftain class, and were even less likely to do so if it entailed making fiscal concessions at the cost of the Company's administration. At the outset, they wanted to concentrate power exclusively in the hands of the Company's formal administrative apparatus, and were uninterested in outsourcing governance to a local elite whose rewards ate into the Company's own tax-base.⁷ As John Lawrence had previously warned in relation to the Trans-Sutlej Division, it would be 'madness' for the British to uphold the old elite. 'It is a mistake to think that by making Rajas and Chiefs powerful you attach the country', he had declared. On the contrary, 'one lakh given in the reduction of assessments and making people comfortable and happy in their homes is better than three lakhs given to Rajas.'⁸ In short, John Lawrence envisaged winning the favour of the peasantry, and securing the administration's finances, by redistribution at the *jagirdars'* expense. Moreover, although this should not be overstated, John Lawrence's position was partly informed by his personal disdain for many of the native elite. It was quite clear that he and his allies, most notably Richard Temple and Robert Cust, looked on many of the *jagirdars* as an anachronistic incubus on the peasantry.⁹ Thus, Dalhousie, John Lawrence, and other like-minded officials, saw the decline of the *jagirdar* class and many of Punjab's other historic elites as practically a necessary condition for the full assertion of British authority, the financial health of the administration, and even the material progress of the province itself.

⁷ Cust, 'Jhelundur Doab', pp.15-17.

⁸ J.L. in Aitchison, *Lawrence*, pp.43-44.

⁹ *GR1851-53*, p.132; *GR1849-51*, p.260; Robert Cust, 'The Lahore Division', *Calcutta Review*, Vol.33, No.65 (September 1859), p.104.

Accordingly, on annexation, all the rebel *jagirdars* had their grants rescinded forthwith; though they were left with modest pensions.¹⁰ As for those *jagirdars* who had stayed neutral, or had been active supporters of the British, even they faced the prospect of a slow dispossession by degrees, following an investigation into the province's *jagirs*. From the outset, Dalhousie was impatient for a general inquiry into the *jagirs*, presuming that the longer the inquisition was delayed, the more unjustified the associated expropriations would seem, and so a 'special officer' was appointed to expedite the investigation.¹¹ With the Company's victory a recent memory, it made sense to strike while the iron was hot and the people numb with the shock of defeat.¹² Major Beecher was ultimately appointed as a 'Special Commissioner' for this purpose, with a remit to focus on those villages that were entirely alienated as *jagirs*. Meanwhile, district officials investigated those villages which were only partially held as *jagirs*.¹³ It was indicative of British priorities that the bureaucratic time and effort expended on investigating the *jagirs* was second only to that involved in the revenue settlement itself.¹⁴

Obviously, the *jagirdars'* loss promised to be so much gain for the new government, and so a relatively high bar was set for any *jagir* to be upheld. Thus, those *jagirdars* who could not show valid deeds faced immediate expropriation. As for those who could, or else could prove that their *jagir* had been held in their family for over three generations, they had the limited consolation of being guaranteed a portion of their *jagirs* merely for life. The convenient assumption was that *jagirs* had merely been lifetime grants, which had turned entirely on the arbitrary whim of the ruler, and that heritable *jagirs* were thus the exception

¹⁰ Major, 'Return to Empire', pp.218, 225.

¹¹ *GR1849-51*, p.22.

¹² Lee, *Brothers*, p.249.

¹³ Dunlop-Smith, *Sialkot*, p.64.

¹⁴ Cust, *Manual*, p.8.

rather than the rule. Hence, the majority of *jagirs* were destined to be resumed in their entirety on the death of their current incumbents; though a few were allowed to pass to any lineal male heirs, albeit at a much-reduced scale (often only one-quarter).¹⁵ The intention was that time, destroyer of all things, would slowly erode the remainder of this forlorn class. John Lawrence predicted that by the early 1860s, the province's *jagirs* and pensions would 'have begun to diminish by demise and lapses', and he looked forward to the slow euthanasia of the old elite, who would practically be extinct after one generation.¹⁶

Even before then, those *jagirdars* whose *jagirs* were upheld had to relinquish one-quarter of their *jagir* as a 'gift' or *nazarana* to the new regime.¹⁷ Most *jagirdars* also lost those portions of their *jagirs* which had been held on condition of state service – services for which many British officials now believed they had no use.¹⁸ Moreover, the Board also intervened in the internal workings of the *jagirs*, fixing the amount *jagirdars* could take from landowners so that they could not 'rackrent'.¹⁹ As has been seen, *jagirdars* typically continued to collect their revenue in kind, which ironically transpired to be a saving grace that provided an unflattering contrast to the British administration of the land tax.

With suspicious serendipity, between 1849 and 1852, the sum recouped to the state through the confiscation of *jagirs* – amounting to about twenty-five lakhs in 'Punjab Proper' – practically made up one-for-one for the nominal reductions in the land tax given by the summary settlements begun in 1847. Thus, although the land was now being taxed at a lower rate, if only on paper, more of it was being taxed than before, leaving the

¹⁵ *GR1849-51*, p.85; Major, 'Return to Empire', pp.225-227.

¹⁶ *GR1849-51*, p.109.

¹⁷ *GR1849-51*, p.84; *GR1849-51*, p.260; Major, 'Return to Empire', pp.218-220.

¹⁸ Major, 'Return to Empire', pp.225-227.

¹⁹ *Cust, Manual*, p.11.

administration nominally no worse off. In truth, the new administration was far better off than the *darbar* had been, not least, because in real terms the land tax was now much higher.²⁰ This outcome is revealing, and suggests that fiscal concerns, were setting the pace with which *jagirs* were revoked. Certainly, economic orthodoxy and the anti-*jagirdar* attitude were tightly aligned. Thus, John Lawrence and other trained civilians, who more willingly adhered to the constraints of maintaining a balanced budget, were generally readier to deny the claims of the *jagirdars*.²¹ As that archetypal civilian, Robert Cust, later wrote: 'money is the sinew of the state, and, if one quarter of the land tax is alienated in perpetuity, and another quarter granted away in pensions, insolvency must follow.'²² By uncritically accepting the constraints set by the provincial administration's balance sheet, the civilians made it inevitable that paternalistic concessions to the masses (however illusory), such as the abolition or reduction of various taxes, had to come at the expense of the old elite. As John Lawrence later warned John Nicholson, the more money that was 'eaten up' by 'pensions and pay', the more 'good and useful projects' would be 'refused or stinted for finance considerations.'²³ However, these arguments about fiscal constraints were partly disingenuous given that the province ran a massive budget surplus under the Board. Arguably, the administration could easily have afforded to be less confiscatory towards the *jagirdars*.²⁴

However, the new administration was not monolithic, and the *jagir* policy was controversial from the very beginning. Henry Lawrence and his mostly military followers took a very different stance over what ought to be done with the province's *jagirdars*. He

²⁰ *GRu1849-51*, pp.82-94; *GR1851-53*, pp.131-132.

²¹ Temple, *Lord Lawrence*, p.60.

²² Cust, 'Lahore Division', p.101.

²³ J.L. to Nicholson, 17th July 1853, in Smith, *Lawrence*, Vol.I, p.406.

²⁴ *GRu1849-51*, pp.155-162; *GR1851-53*, pp.205, 210.

was inclined to uphold their *jagirs* and co-opt them, associating them with the new administration, and working in partnership with them. Thus, Henry Lawrence resisted John Lawrence's anti-*jagirdar* policy practically every step of the way. This set up a fatal fissure at the heart of the Board; pitting Henry Lawrence, and his mostly military-trained followers, against Dalhousie, John Lawrence, and their mostly civilian-trained supporters.

Arguably, the fundamental difference was that Henry Lawrence and his disciples – men like Herbert Edwardes, John Nicholson, and Reynell Taylor – saw matters through a military-political lens, and as such were keener to identify elite collaborators, potential military allies, and those with local administrative know-how. This set them apart from the trained civilians, epitomized by John Lawrence, Richard Temple, and Robert Cust, who were more preoccupied with the province's orderly fiscal administration, and generally more confident in their technocratic administrative abilities. Moreover, unlike the trained civilians, Henry Lawrence and his followers' experience of the province was not limited to its 'core', where conditions were more conducive to establishing the direct authority of the Company-State. Instead, many of them had prior experience of Punjab's 'periphery' – its western districts and the Afghan Frontier – and then served there after annexation. Here conditions were somewhat more inimical to direct administration by the British, making the support of local elites more necessary. Furthermore, despite their closer acquaintance with the violent enforcement of the authority of the Company-State, or arguably because of it, Henry Lawrence and his followers were much more aware of the limitations of British power, and recognized the extent to which the Company-State's coercive capacity depended on native collaboration. So far as they were concerned, the British needed elite allies and intermediaries, especially if they had martial expertise.

Indeed, an appreciation for the value of elite collaborators with local influence had long been quite common amongst military men in civil employ. For example, Sir Thomas Munro, who was arguably Henry Lawrence's chief role-model, had staked-out much the same pro-elite position decades before.²⁵ In words which Henry Lawrence would have read, Munro had opined that 'one of the greatest disadvantages of our Government in India is its tendency to lower or destroy the higher ranks of society, to bring them all too much to one level, and by depriving them of their former weight and influence, to render them less useful interests in the internal administration of the country.'²⁶ This was a sentiment with which Henry Lawrence largely agreed.

Moreover, Henry Lawrence seems to have believed that the main risk to British power came not from the native elite, as John Lawrence and Dalhousie appear to have thought, but from the British overreaching themselves by trying to intervene too invasively in Indian society, and thereby provoking a backlash which united all sections and classes against themselves. In Henry Lawrence's mind, India's elites were the main bulwark protecting the British against a mass insurrection. According to him, 'so long as their own *izzut* [honour] has not been touched', and they were offered 'employment', the elites could be counted on to support 'the established power', even against 'their own kindred'. As for 'the middle and lower classes', he declared that they would 'act differently; their sympathies will be with their fellows'.²⁷

This relatively pro-elite stance was reinforced by the fact that Henry Lawrence and his followers were comparatively uninterested, and often inexpert, in fiscal matters. For them,

²⁵ Edwardes and Merivale, *Lawrence*, Vol.I, p.31.

²⁶ Thomas Munro quoted in G.R. Gleig, *The Life of Major-General Sir Thomas Munro*, Vol.III (London, 1830), p.384.

²⁷ Henry Lawrence, 'The Mahratta History and Empire', *Calcutta Review*, Vol.4, No.7 (July 1845), pp.204-205.

financial considerations were entirely secondary. Henry Lawrence's instructions to an Assistant working in Dera Ismail Khan District in June 1850 were indicative of his general attitude: '[make a] light assessment, considering [favourably] the claims and privileges, even where somewhat extravagant, of the privileged classes, especially where they affect Government'.²⁸ That Henry Lawrence and his followers had a history of setting the land tax far too high does not disprove this sentiment, so much as highlight the extent of their amateurism on this matter.

Above all else, it was this disagreement between Henry Lawrence and John Lawrence over the future of Punjab's *jagirdars* which poisoned their wider working relationship. Both felt betrayed by the other, and jealously guarded their authority – which as members of a Board necessarily overlapped and conflicted. In fairness, it was genuinely ambiguous as to whether the *jagir* question was fiscal, and therefore John Lawrence's primary responsibility, or political, in which case it belonged to Henry Lawrence. Unsurprisingly, each brother argued that it was their special prerogative, whilst Henry Lawrence contended that since he was President, John Lawrence was doubly obliged to consider his opinions.²⁹ Evidently, Henry Lawrence did not realise, or else chose to ignore the fact, that Dalhousie had established the Board as a way of reining him in, partly on the presumption that he would be too generous to Punjab's elite.

Nonetheless, the convention was that when the Lawrence brothers disagreed over what should be done with a given *jagir*, the third member of the Board (Charles Mansel followed by Robert Montgomery) would provide the casting vote.³⁰ The Board would then tender

²⁸ H.L. to David Simson, 2nd June 1850 in Merivale and Edwardes, *Lawrence*, Vol.II, pp.171-172.

²⁹ H.L. to J.L., 21st August 1849, MSS Eur F85 9; H.L. to J.L., 1st October 1850, MSS Eur F85 11 A.

³⁰ H.L. to Taylor, 7th November 1850, MSS Eur F85 11 A.

their recommendation to Dalhousie for his approval. However, the Governor-General was wont to take John Lawrence's side, even when it was the minority view, and overrule the others. Still, there was room for some compromise. What typically happened was that each brother surrendered part of what he deemed desirable in return for getting something else as a *quid pro quo*. In practice, this meant that while more *jagirs* were resumed than Henry Lawrence would have liked, a larger portion of those that were upheld were recognized as partly heritable.³¹

British officials had to decide thousands of *jagir* cases, many of which were personally painful for those, like Henry Lawrence, who felt some degree of empathy for the *jagirdars*. Even those in the anti-*jagirdar* camp, like Richard Temple, recognized that Henry Lawrence was in an invidious position. As he later reflected, 'Henry Lawrence, shared in some degree the sentiments of regret and dissatisfaction which were feelingly, even touchingly, expressed by the Natives in private interviews, though seldom declared openly.'³² And Henry Lawrence was not the only official to feel torn. According to Herbert Edwardes, Arthur Cocks was similarly uncomfortable about the derogation of the old officials and *sardars*. Having been appointed Deputy Commissioner of Lahore District, he was brought into close contact with the levelling process; something which he found so distasteful that after a year he quit his post for the Sudder Court at Agra.³³

Of course, the *jagirdars* were the real losers, with the rulings of Dalhousie and John Lawrence drawing to a close 'an era of comparative prosperity' for many of Punjab's elite and local notables.³⁴ This transition was encapsulated in a conversation that Robert Cust

³¹ Major, 'Return to Empire', p.220.

³² Temple, *Men and Events*, p.73.

³³ Edwardes quoted in Raikes, *Notes on the Revolt*, pp.25-26.

³⁴ Major, 'Return to Empire', p.220.

(whilst Deputy Commissioner of Hoshiarpur District) had with a local notable, Dil Sukh Rai, who lamented that the resumptions had 'been the ruin of many a family, and the cause of bitter discontent all over India'.³⁵ True, Dil Sukh Rai was not a disinterested observer; he himself possessed an *inam* (essentially a mini-*jagir*), which was set to lapse on his death. In response, Cust defended the government's decision in characteristic fashion, pointing out that for each acre of land that did not pay tax to the government, the revenue burden on others would have to be increased. However, like many an official, Cust could not help himself but make special exceptions for those he liked. In due course, Cust interceded for the sake of Dil Sukh Rai's heir (his grandson), ensuring that the *inam* might be continued in perpetuity after all.³⁶ As so often, policy bent before personal discretion.

Indeed, it was not all take. Whilst the prevailing wind was with John Lawrence and his supporters in the core of the province, in the west and along the Afghan Frontier (the 'periphery') a more generous policy towards selected local elites was adopted. Fundamentally, in Punjab's periphery local conditions were much less susceptible to the flattening administrative schemes imported from the North-Western Provinces. There, chiefs and *pirs* (Sufi religious leaders) still retained more independent influence over local society than elsewhere in the province. It therefore behoved the British to befriend them. In fact, the British had started to do this prior to formal annexation. Especially during the Second Anglo-Sikh War, British officials had courted Muslim support against the Sikh and Hindu dominated rebellion, making promises of future employment and fiscal rewards in the process. And many local notables – particularly many Multani Pathan families, as well as the Noons, Hayats of Wah, and the Shahpur Tiwanas – had sided with the British. Following

³⁵ Cust, *Pictures*, pp.144-145.

³⁶ *Ibid.*, pp.145-146.

annexation, they were rewarded with new *jagirs* and pensions worth thousands of rupees a year.³⁷ What is more, this co-optation of local elites in the periphery continued to be expedient after annexation for political, military, and administrative reasons.³⁸

This tendency was reinforced by the fact that relatively more of Henry Lawrence's supporters were deputed to Punjab's periphery, and so were in a position to enact their policy preferences there. As has been seen, many of them appreciated the value of the periphery's elites and their followers as military employees, and sought to co-opt them into the Guides, Punjab Irregulars, and military police. Thus, about 2,000 Multani Pathans, who had fought alongside Herbert Edwardes, were employed in the latter. Referring to them, Reynell Taylor (the first Deputy Commissioner of Dera Ismail Khan District), recommended that the British 'retain by kind and considerate treatment a right to call on these men and all like them when an hour of perplexity and difficulty arrives'.³⁹ Whilst the scale of military employment the British opened-up to the notables of Punjab's west was by no means as significant as it would later become, it still formed a crucial exception to the rule that the new administrative structure imported by the British initially offered Punjabi elites few opportunities for official power and prestige.⁴⁰

This was epitomized by Faujdar Khan Alizai, a Multani Pathan who had been Herbert Edwardes's 'right-hand man' in 1848. Following annexation, he was rewarded with the honorific title of 'Khan Bahadur' and a *jagir* worth Rs.4,000 a year in Multan District. He was subsequently sent as a Company envoy to Kabul, and was rewarded with the still more

³⁷ W.G. Davies and G. Ouseley, *Report on the Revised Settlement of the Shahpooor District* (1866, Lahore), pp.43-44; Talbot, *Khizr Tiwana*, pp.32-33.

³⁸ Major, 'Return to Empire', p.232; Major, 'Punjabi Chieftains', pp.72-73.

³⁹ Taylor, 'Memorandum', *FR*, p.159.

⁴⁰ Major, 'Punjabi Chieftains', p.70.

exalted title of 'Nawab', as well as another hereditary *jagir* worth Rs.9,600 a year.⁴¹ Aside from Faujdar Khan's 'character and ability' – which even John Lawrence came to recognize – it was obviously good politics to make sure that he, his followers, and many others who had partnered with the British, were well rewarded so as to encourage them and others to do the same in the future.⁴² Alive to this, Edwardes wrote to Faujdar Khan during the summer of 1849 in a manner that somewhat artlessly emphasized the lesson.⁴³ 'In time of peace speak well, among your countrymen, of the British Government, and in time of war be ever ready with the good sword Sir Henry Lawrence gave you to assist.'⁴⁴ If this was an investment, then it paid dividends. When aid was needed in 1857, many of the Multani Pathans chose their side accordingly, and helped to tip the balance in favour of the British.⁴⁵ Likewise, the Shahpur Tiwanas, Noons, and Hayats of Wah, also fought for the British in the Rebellion – and made sure that their services were not forgotten.⁴⁶ They, and others like them, were rewarded, and formed a partnership with the colonial authorities that would last for generations.⁴⁷

In the west and along the Afghan Frontier, administrative convenience also told in favour of collaborating with the old elite. Many of these districts were poor, sparsely populated, and barren, with large areas yielding very little land tax. It therefore made little sense for the British to expend the effort and cost required to administer them as thoroughly as the richer districts in the province's 'core'. Instead, it seemed more practical to devolve the

⁴¹ Henry St George Tucker, *Report of the Land Revenue Settlement of the Dera Ismail Khan District* (Lahore, 1879), p.321; Roseberry, *Imperial Rule*, p.102.

⁴² J.L. to Dalhousie, 24th March 1854, Smith, *Lawrence*, Vol.I, p.451.

⁴³ Edwardes, *Memorials*, Vol.I, pp.155-156.

⁴⁴ Edwardes to Faujdar Khan Alizai, 12th July 1849, *Memorials*, Vol.I., pp.155-156.

⁴⁵ Edwardes, *Memorials*, Vol.II, p.140.

⁴⁶ O'Dwyer, *India as I Knew It*, p.40.

⁴⁷ Talbot, *Khizr Tiwana*, p.53.

work of direct administration to local elites – there being fewer village communities to act as organs of local government. Moreover, by ceding fiscal privileges over these poor areas to men of local influence, the British were in truth not giving up much. Mailsi Tehsil in Multan District exemplified this. At annexation, it was a relatively empty ‘waste’, wandered over by semi-nomadic pastoral tribes. Hence, rather than trying to administer it directly, the British farmed out tens of thousands of acres to one of Diwan Sawan Mal’s erstwhile *kardars*, a Multani Pathan called Ghulam Mustafa Khan Khakwani. The British knew about Ghulam Mustafa Khan’s role in excavating the Diwanwah Canal for Diwan Sawan Mal in the 1830s, and Herbert Edwardes, in particular, appreciated his ‘remarkable talent’. It also helped that Ghulam Mustafa Khan had good connections with other Multani Pathan chiefs in the area, and had sided with the British in 1848.⁴⁸

Therefore, a combination of Ghulam Mustafa Khan’s political reliability, local ‘tribal’ influence, and expertise in agricultural management and irrigation works, made him an ideal ‘state proxy’ in a region where such proxies were required.⁴⁹ In many respects, Ghulam Mustafa Khan’s subsequent administration represented a continuation of the old entrepreneurial administration of pre-annexation days. Not least, he shielded cultivators from the full brunt of the regime of fixed assessments instituted by the British, and the old system of fluctuating payments was continued in parts of Mailsi Tehsil after annexation. Tellingly, Mailsi Tehsil appears to have fared the least badly amongst the *tehsils* in Multan District under the Board.⁵⁰

⁴⁸ Edwardes, *Punjab Frontier*, Vol.II, pp.14-15.

⁴⁹ Gilmartin, *Blood and Water*, pp.131-132.

⁵⁰ E.D. Maclagan, *Gazetteer of the Multan District* (Lahore, 1902), pp.295-296.

In 1861, with the sanction of the British, Ghulam Mustafa Khan began work on an inundation canal from the Sutlej. Although work was not finished until after his death, when completed in the 1870s, the so-called Hajiwah Canal and its side channels ran for about fifty miles and irrigated some 89,000 acres. Both Ghulam Mustafa Khan and his heir, Ghulam Kadir Khan Khakwani, encouraged settlement on the land. Here too, they continued the old system with success, including taking a fluctuating share of the crops in kind from the settlers – in stark contrast to the frequently disastrous rigidities of the British system. At length, a portion of the lands thus improved was transmuted into private property by the British, who granted about 60,000 acres of Mailsi Tehsil to Ghulam Kadir Khan in 1879.⁵¹ Thus, the British set about transforming erstwhile lords of the land into landlords (or ‘water lords’) and allies of the administration.⁵²

For their part, the Khakwanis drew both financial and political benefits from their collaboration with the British. As David Gilmartin has noted, the Khakwanis’ control over the canal and its water enhanced their ability to dispense patronage, as it gave them the opportunity to distribute water on more or less favourable terms to the local population in a fashion that reinforced their personal influence as lineage leaders.⁵³ Thus, both Ghulam Mustafa Khan and Ghulam Kadir Khan increased their *izzat* (honour and prestige) and their hold over local society. This, in turn, made them all the more valuable as allies for the British. However, the Khakwanis were not so invaluable that the British would stand by them in all circumstances. In the 1880s, Ghulam Kadir Khan’s heirs fell out among themselves and began to jeopardise the Hajiwah Canal’s operation, with the result that the

⁵¹ Roseberry, *Imperial Rule*, pp.211-213; Gilmartin, *Blood and Water*, pp.131-132.

⁵² Gilmartin, *Blood and Water*, pp.131-132.

⁵³ *Ibid.*, pp.132-133.

British assumed direct management of it in 1888.⁵⁴ Ultimately, elite collaborators only continued to reap their rewards for as long as they remained useful allies to the British.

As for the Afghan Frontier, here too local cooperation was imperative. Geographic, economic, and social factors meant that the administrative hold of the state, whether Sikh or British, was much more tenuous there than elsewhere. It therefore behoved the British to win as many allies as practicable from amongst the area's various *maliks* and *khans*. The idea was that in return for payment, privileges, and occasional armed support, these local notables might then advance British interests in the region – interests which the British were typically only capable of enforcing via highly imperfect intermittent violence. Thus, for the sake of peace along the Frontier, Henry Lawrence warned Dalhousie that it was necessary that friendly chiefs 'be maintained in contentment', whether through military employment or fiscal privileges.⁵⁵ However, as will be seen in the next chapters, the relative egalitarianism of the Pashtun tribes on the Frontier made it difficult to find intermediaries and form lasting relationships.

The controversy regarding the fate of Punjab's *jagirs* was played out on a smaller scale over the province's *inams*. These were essentially miniature analogues to the *jagirs*; being revenue exemptions on plots held by village headmen, accountants, constables, priests, and others who had performed some sort of local public service or leadership role. Nearly every village in Punjab had set aside some of its lands in this fashion. Typically, they had been granted by the local *kardar* or even the village community itself. Inevitably, therefore, these grants rarely possessed the formal deeds necessary to pass muster with the British; though

⁵⁴ Ibid., pp.133-134.

⁵⁵ H.L. to Dalhousie, 8th January 1851, MSS Eur F85 12, HLP.

it fell to the Deputy Commissioners and their Assistants whether or not to nullify them.

Thus, much turned on the opinion of the official in question. In Jullundur District, Richard Temple maintained those *inams* which were obviously connected with some ongoing local public service, which were typically held by families with local influence.⁵⁶ For the province as a whole, a similar unofficial rule applied, and *inams* held by village headmen and other 'influential landholders', whose 'influence' was deemed useful for the functioning of the local administration, were upheld.⁵⁷

As with the *jagirs* and *inams*, so too with religious grants, throughout much (but not all) of the province, the Board's policy generally reflected John Lawrence's and Dalhousie's preferences: meaning that the maximum was resumed consistent with avoiding what was deemed by them to be dangerous levels of political provocation. Hence, endowments to religious institutions, like temples, mosques, shrines, and schools, were suffered to continue, albeit sometimes at a much-reduced scale. It was partly the case that these religious institutions were regarded as serving a function, and therefore as relatively worthwhile. In the words of the province's first *General Report*, 'these institutions are ornaments to the villages.... They add much to the comfort of rustic life, and keep alive a spirit of hospitality and piety among the agricultural people.' Equally, the Board probably apprehended the discontent that might ensue if they revoked the grants and exemptions on which these establishments depended. Moreover, since the Board had made practically no headway in providing for education or other local public services – 'the pressure of urgent

⁵⁶ *GR1849-51*, p.261.

⁵⁷ Major, 'Return to Empire', p.214; *GR1849-51*, p.85.

business', or regime-founding, being paramount – these institutions were effectively all the people had.⁵⁸

Moreover, British officials were also dimly aware of the influence wielded by various religious authorities and the attachment of the people to certain shrines. Most notably, the Board recommended a grant of Rs.10,000 to restore the Baha-ul-Haq in Multan, which had been damaged during the Second Anglo-Sikh War – though this was countermanded by Dalhousie.⁵⁹ Indeed, in the west of the province, it was frequently the case that the British had incurred obligations owing to the support they had received from some *pirs*, who had encouraged their *murids* (disciples) to align themselves with the British. Herbert Edwardes appears to have benefitted from the good offices of Shah Mahmud Qureshi, the *Makhdum* of the Baha-ul-Haq (hence the attempt to bestow a grant for its restoration), whose pre-existing *jagir* and cash grants were thus largely upheld by the Board.⁶⁰

Within three years of annexation, despite Henry Lawrence's efforts, the amount of land held as *jagirs* in Punjab was roughly half what it had been before 1849, and now amounted to between one-sixth and one-seventh of the province's total land revenues.⁶¹ Writing in 1853, Richard Temple declared that the native elite were fair collateral damage for the 'great revolution' that had been 'accomplished'.⁶² According to Temple, their fall was the price of progress. In due course, John Lawrence himself would wax lyrical about how the stars of the feudal Sikh firmament were fading before the rising sun of British power and modernity.⁶³ Henry Lawrence found all this personally distasteful in the extreme. As will be

⁵⁸ GR1849-51, pp.85-86, 98.

⁵⁹ Roseberry, *Imperial Rule*, pp.100-106.

⁶⁰ *Ibid.*, pp.74-75.

⁶¹ Major, 'Return to Empire', p.234.

⁶² Temple, 'Administration', p.280.

⁶³ GR1851-53, p.212.

seen in the Conclusion, the question of whether to maintain or resume a number of old *jagirs* in the Trans-Sutlej Division was the proximate cause of the Board's collapse at the start of 1853.

By that point, Punjab could be divided between the core, where John Lawrence's and Dalhousie's anti-*jagirdar* preferences had prevailed, and the periphery, where Henry Lawrence's more collaborative approach had made some headway. But, considering the province as a whole, there can be no doubt that the fortunes of Punjab's elite were at a relative low ebb.⁶⁴ Dalhousie and John Lawrence's levelling strategy appeared set for realization; all that was wanted was a few more years' worth of lapses and resumptions. However, to stop the clock in 1853 would be to give an entirely false picture. In 1857 events would prove that the British were not as strong as John Lawrence and Dalhousie had assumed, and that the British needed Punjab's elite after all. Thus, John Lawrence and other officials found themselves taking-up and extending Henry Lawrence's collaborative approach *throughout* the province. Henry Lawrence was then Commissioner of Oudh, where he penned a memorandum in May 1857, which adumbrated the strategy that was, *faute de mieux*, now adopted in Punjab. Although it is unclear who read it and when, Henry Lawrence's memorandum was almost certainly repeating arguments he had made many times before to John Lawrence and others. In it, he insisted that 'in preserving internal tranquillity, the chiefs and people of substance may be most usefully employed at this juncture. Many of them have as much to lose as we have. Their property at least is at stake. Many of them have armed retainers'.⁶⁵

⁶⁴ Major, 'Punjabi Chieftains', p.73.

⁶⁵ Henry Lawrence, Memorandum, 18th May 1857, MSS Eur F85 17.

Indeed, within weeks John Lawrence utterly reversed his former anti-elite stance. He even offered those erstwhile rebel chiefs, who had suffered the confiscation of their *jagirs* at his hands, the chance to 'retrieve their character' by convening on Lahore with their retainers in support of the Company. Many were then sent to Delhi to fight alongside the British. According to Andrew Major, co-opting the chiefs by employing them as irregulars was a strategic masterstroke on the part of the British. For, 'apart from providing the British with much-needed troops, it channelled the growing uncertainties and frustrated ambitions of the chieftains into acceptable competition and adventure.'⁶⁶ Indeed, Herbert Edwardes averred that 'perhaps nothing tended more than these levies to keep the frontier quiet. They absorbed all the idlers and adventurers of the Peshawur valley, and made the campaign against the Hindoostan mutineers a highly popular service. To use a country phrase of the natives, it put the people into our boat.'⁶⁷

Critically, this collaboration extended beyond patronising the elites of the province's periphery. Many leading Sikh families from the core districts – like the Ramgarhias, Sindhanwalias, Ahulwalias, and Majithias – answered the British summons and were rewarded accordingly. Dozens of honorific titles, cash gifts, *jagirs*, pensions, and land grants were duly handed out. Thus, Sardar Mangal Singh Ramgarhia was rewarded with a *jagir* worth Rs.37,000 per annum, and his descendants served in various official posts in the province.⁶⁸ Some of the Sikh elite who had picked the 'wrong' side during the Second Anglo-Sikh War, realised their tactical error, and sought to recover their fortunes by siding with the British during the Rebellion. This was exemplified by Sardar Surjit Singh Majitha, who lost

⁶⁶ Major, 'Punjabi Chieftains', p.75.

⁶⁷ Herbert Edwardes, 'Report of Events in the Peshawar Division during the Mutiny', MSS Eur 211 5, HEP.

⁶⁸ Talbot, *Punjab and the Raj*, p.50.

then gained a *jagir* at British hands within the course of a single decade.⁶⁹ Likewise Kahn Singh Rosa and Jawahir Singh Nalwa performed a similar political pirouette and received *jagirs* for their troubles.⁷⁰ Others who sided with the British, such as Ali Reza Khan Qizilbash (from Lahore District), were even rewarded with lands in Oudh, and so became *talugdars*. As Andrew Major has written, all this 'signalled the beginning of a new British policy towards the Punjabi chieftains. After 1857 the officialdom of British India was caught up in a search for ways to accommodate the interests of the rural elites, who were now regarded as being not the parasitic classes of Indian society but the 'natural leaders of the people.'"⁷¹

Thenceforth, *throughout* Punjab, the British made greater efforts to incorporate Punjab's chiefs into the official power structures of the colonial state. In 1860, twenty-five chiefs were appointed as Jagirdari Magistrates, meaning that they had the power 'to try middle-order revenue and criminal cases within their landed estates.'⁷² Meanwhile, the post of Honorary Magistrate was created, with jurisdiction over petty criminal and (from 1867) petty civil cases. Then, having trialled it on an *ad hoc* and informal basis, Punjab's administration introduced the post of *zaildar* in 1871. *Zaildars* were supposed to play the part of intermediary between the formal state apparatus and the more informal and customary organs of local governance. According to Andrew Major, 'the lesser chieftains, who possessed influence at the sub-district level, quickly monopolised the office'.⁷³ In a similar fashion, the British generalised to the *pirs* the collaborative relationship that had already been formed with Shah Mahmud Qureshi, who received a gift of Rs.3,000 for his support

⁶⁹ Ibid., p.50-51.

⁷⁰ Major, 'Return to Empire', p.281.

⁷¹ Major, 'Punjabi Chieftains', pp.75-76.

⁷² Ibid., p.76.

⁷³ Ibid., p.77.

during the Rebellion.⁷⁴ Indeed, the more acquainted officials became with Punjabi society, the more they came to appreciate the influence of the *pirs*, and so courted their support by fostering their transformation into large landowners.⁷⁵

Meanwhile, those elite families with martial traditions, many of whom had proven their prowess either in 1848 or 1857, were courted with redoubled vigour as soldiers and officers by the British, who looked on them as a counterweight to the Hindustanis in the army, and increasingly saw them as members of India's 'martial races'.⁷⁶ Their fortunes waxed in direct proportion to the 'Punjabisation' of the Indian Army, which opened-up opportunities and gave them access to resources on an imperial scale. Families like the Hayats and Tiwanas, who had experienced the vertiginous exigencies of court politics in the 1840s, received land grants, honorifics, and had their authority as tribal leaders upheld, whilst forging a secure niche for themselves as officers and officials under the British.⁷⁷ Thus, from 1857 on, the British largely reversed their policy towards Punjab's old elite by generalizing a collaborative approach that had initially only been implemented in the province's periphery. Therefore, not only did the British resurrect a class that many of them had previously set out to destroy, but they increasingly came to govern the province in partnership with them.⁷⁸

But the *jagir*-holding political-military elite were not the only group constituting an elite in Punjab, for there were also the wealthy urban elite of bankers and merchants. Elsewhere in India, merchants and bankers had been major beneficiaries of the rise of the 'merchant-

⁷⁴ Talbot, 'Deserted Collaborators', p.75.

⁷⁵ Talbot, *Punjab and the Raj*, pp.21-22.

⁷⁶ Major, 'Punjabi Chieftains', p.77.

⁷⁷ Talbot, *Punjab and the Raj*, pp.36, 69-70.

⁷⁸ Major, 'Punjabi Chieftains', pp.79-80.

friendly' Company-State, and had been notable for the highly practical support they had rendered it as financiers and vendors.⁷⁹ In Punjab, British officials appear to have established quite cordial working relations with the province's merchant and banking elite soon after annexation. Above all, Robert Montgomery, the first Commissioner of Lahore Division, seems to have been alive to the prosaic and political advantages of co-opting the urban elite; referring to Amritsar's municipal corporation as 'the most influential and respectable body of men I have met with in the Punjab'.⁸⁰

Given that Amritsar and Lahore were effectively the religious and political capitals of Sikhism respectively, whilst the adjacent rural areas were notably hostile in the early days of British rule, the disposition of the urban elite was of considerable moment. Certainly, the riots or 'Cow Row' in Lahore, back in April 1846, had demonstrated the dangers posed by densely populated urban areas to British authority. More than in the countryside, in the cities word spread fast and overwhelming crowds could be concentrated on political pressure points before authorities had time to react. Perhaps it was this which accounted for the paradox that, for all the notional pro-peasant paternalism of Punjab's British officials, the British initially treated the urban population with far greater fiscal leniency in practice than country-dwellers. It might also partly explain their relative solicitude for the urban elite, whose cooperation was deemed necessary for managing the urban populace, compared with the supposedly somewhat more dispensable *jagirdars*. For their part, the elites of both Lahore and Amritsar orchestrated shows of support once the British had withdrawn the House Tax. Thus, when Dalhousie visited Lahore in December 1849, the corporation had the city illuminated in celebration, '*at their own hand*, and not by

⁷⁹ Tirthankar Roy, *An Economic History of India, 1707-1857* (Abingdon, 2022).

⁸⁰ *GR1849-51*, pp.195, 199.

suggestion.’ Whilst Dalhousie doubted that this was positive ‘attachment’ to British rule, it was welcome nonetheless.⁸¹ In due course, the British reciprocated by granting honorific titles.⁸²

Crucially, the interests of the Company-State and those of the merchants and bankers coincided on many points. If only incidentally, many of the changes that the new regime instituted in Punjab were beneficial to the greater bankers and merchants, even if the currency reform might have removed an old source of business. Again, to quote Montgomery, ‘the trader has seen that [nearly] all restrictions on trade have been removed; customs have been abolished, his goods are no longer liable to stoppage. The roads are protected.... The merchant carries on his business uninterruptedly, and he must feel confident that his capital can be invested without fear or hindrance.’⁸³ Doubtless, this was somewhat too idealistic. Perhaps more to the point, the Company generally enforced commercial contracts with the force of law, and also issued interest-bearing debt, whether in short-term bills or longer-term bonds, that it reliably repaid to its native creditors.⁸⁴ Moreover, in light of the rioting and extortion of the Sikh Army earlier in the 1840s, the merchants and bankers may well have heaved a sigh of relief now that political stability appeared to have been established.⁸⁵ Indeed, as elsewhere in India, there was a relationship of mutual dependence between the credit-hungry Company and the ‘capitalists’, which

⁸¹ Dalhousie to Couper, 15th December 1849, Baird, *Letters*, pp.105-106.

⁸² *GR1849-51*, FNp.194.

⁸³ *Ibid.*, 201.

⁸⁴ Roy, ‘State Capacity’, p.89.

⁸⁵ Peshawari, ‘Sher Singh Nama’, pp.105, 118.

even those officials like Herbert Edwardes, whose self-styled paternalism had an anti-capitalist streak, were not so foolish as to sunder entirely – at least for the time being.⁸⁶

However, following 1857, notwithstanding a period of relative *laissez faire* between the 1860s and 1890s, British officials in Punjab increasingly based their rule on promoting the interests of the province's peasantry and landed elite at the expense of its urban commercial and professional elites. Nothing epitomized this more than the 1900 Punjab Alienation of Land Act, by which the British blatantly sided with the peasantry and landlords against the so-called 'non-agriculturists'. It was perhaps therefore no surprise that Punjab's landed elite and peasantry generally cleaved to the Raj via the Punjab Unionist Party until the very last years of British rule, whilst nationalism of various types gained ground in the province's cities.⁸⁷

⁸⁶ Edwardes, *Memorials*, Vol.II, pp.155-157; Tirthankar Roy, 'The Mutiny and the Merchants', *The Historical Journal*, Vol.59, No.2 (2016), pp.393-416.

⁸⁷ Talbot, 'Deserted Collaborators', pp.73-93.

Chapter Six: The Afghan Frontier, Coercion and Collaboration

Despite initial British fears about a resurgence of Sikh rebelliousness in the Manjha, it was the Afghan Frontier that ultimately provided the greatest military and political challenges for the Board. This ought to have been no surprise. The Sikhs themselves had never really controlled the entire Frontier, but had farmed it out to local strongmen, occasionally intervening to take revenue at gunpoint.¹ To a territorial state, such as both the Sikh State and the Company-State, the Afghan Frontier posed a geoeconomic conundrum. For, with a few exceptions such as the fertile Peshawar Valley, it was too poor to support either the conventional apparatus of state control, or the type of society amenable to it. In Herbert Edwardes' words, Afghanistan and the Frontier produced 'a surplus of warriors, with a deficit of revenue.'² Despite this, the Frontier could not be surrendered lightly. The British were simply inheriting the (admittedly blurred) boundaries of the old Sikh State. And, if they did not hold the line there, then where would they? In many respects, the Afghan Frontier resembled what Charles Tilly has referred to as a 'fortified buffer zone' – an area 'run at a loss, to protect the secure [and remunerative] area' which constituted a state's core territory.³

So far as the British were concerned, the population of the Frontier could be divided into two broad groups, the settled 'villagers' inhabiting the lowland areas, who were predominantly engaged in arable farming, and the 'hill tribes' inhabiting the upland areas, who combined pastoral activities with trading, raiding, and some arable farming. The lowland villagers were more readily governable and taxable, whilst the hill tribes were an

¹ Caroe, *Pathans*, p.325; Thomas Simpson, *The Frontier in British India: Space, Science, and Power in the Nineteenth-Century* (Cambridge, 2021), p.26.

² Edwardes and Merivale, *Lawrence*, Vol.I, p.418.

³ Tilly, *Coercion, Capital, and European States*, p.70.

ever-present challenge to state authority. The first had been 'subjects' of the Sikh State, and so were now the 'subjects' of British authority as well, whereas the hill tribes were practically independent. Though the distinction between the settled villagers and the hill tribes was blurred, it was nevertheless real, and predated the coming of the British.⁴ Indeed, the differences were something that the hill tribes themselves were perhaps more keen than any to uphold. Doubtless, the rugged topography of the uplands, especially in the eastern half of the Frontier, and the dry climate in the western half, were hardly propitious for settled arable farming.⁵ But it also seems likely that the hill tribes' pastoral lifestyles, social institutions, and customs were in part deliberately calculated to help them evade state control; amounting to a strategy of not being governed.⁶

In many respects, the 'hills' or uplands of the Frontier were structurally inimical to both state formation and continuation. It was a zone of low economic productivity, sparsely populated by quite mobile populations, the so-called 'hill tribes', which were organised into various, often competing, patrilineal kinship groups, each of which was subdivided into sections and subsections defined by a more proximate common ancestor. These groupings were by no means prescriptive, however. Formal and durable political institutions were weak; groups and individuals could unite or divide and switch allegiances as they reassessed their interests and loyalties. This was a nightmare for outsiders to comprehend, especially if they were government officials tasked with imposing some sort of 'order'. Hence, the British resorted to the concept of the 'tribe', which at this early stage was used particularly crudely, with officials often viewing the 'tribes' as relatively homogeneous and monolithic mini-

⁴ Caroe, *Pathans*, pp.346-347.

⁵ Trevaskis, *Land of the Five Rivers*, p.358.

⁶ Hugh Beattie, *Empire and Tribe in the Afghan Frontier Region* (London, 2019), p.205; James C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven, 2009), p.32.

nationalities. The fallacy of such simplifications became obvious during periods of confrontation, when the segmentary nature of 'tribal' society rendered it a veritable hydra, dividing in order not to be ruled.⁷ Therefore, in what follows, whilst the term 'tribe' is sometimes used as a convenient shorthand, this is done cautiously and with awareness of its limitations.

Adding to the state's difficulties, the tribes produced relatively little in the way of a conveniently 'appropriable' surplus, such as grains, which the state could easily tax.⁸ Instead, the tribes augmented what arable farming they engaged in with various forms of 'illegible' production, including pastoral farming, trading, raiding, and enforcement: all of which were less conducive to state appropriation.⁹ Nor, for that matter, did the tribes possess much in the way of accumulated capital investment that might keep them fixed, and serve as a hostage for good behaviour. Their villages were spartan and often inaccessible, and their pastoral, sometimes semi-nomadic, lifestyles meant they posed a moving target for the state. Some groups, such as the Waziris, lived in tents for much of the year; alternating between the independent highlands and the British controlled lowlands. Furthermore, in times of crisis, the tribes were afforded back-up shelter by caves or the villages of allies.¹⁰ It was this combination of low levels of economic and institutional 'development' that rendered the tribes 'savages' or 'barbarians' in the eyes of contemporary British officials, who saw them as living on a 'lower' or 'earlier' rung on the civilizational ladder. Thus, for all its pejorative baggage, this categorization of the tribes

⁷ Beattie, *Empire and Tribe*, p.16.

⁸ Joram Mayshar, Omer Moav, Luigi Pascali, 'The Origin of the State: Land Productivity or Appropriability?', *The Journal of Political Economy*, Vol.130, No.4 (2022), pp.1091-1095.

⁹ Scott, *Against the Grain*, p.33.

¹⁰ *GR1849-51*, p.13.

turned on (admittedly prejudiced) assessments of political, social, and economic development, rather than inherent or indelible factors like race.¹¹

Shorn of its conventional socioeconomic base, in the form of grain-based arable farming and fixed accumulations of capital, the territorial state form embodied by the Company-State could not easily be applied to conditions along the Frontier. And the state authority that was projected into the region – whether Sikh, British, or Afghan – had long suffered (and would continue to do so) from overextension and weakness. Indeed, the weakness of the state, in the sense of an institution possessing an effective monopoly over the means of legitimate force, had become something of a self-fulfilling prophecy. Without an ultimate arbiter of disputes and enforcer of order, the tribes had looked to their own security and were armed accordingly, making them yet more challenging to the state.

Indeed, the tribal way of life – pastoral, semi-nomadic, proudly independent, often predatory – threatened the interests of the territorial state and its subjects. The tribes often demanded protection money from the state's subjects, raided their villages, and imposed levies on travellers. Not unlike the nomadic tribes inhabiting the arid intervals between the riverine reaches of Punjab's *doabs*, the hill tribes of the Frontier were in many respects 'roving bandits', and as such were competitors to the 'stationary bandits' of the state. After all, both the tribes and the colonial state were often in the same business of resource extraction from the settled communities, as well as violent enforcement.¹² Moreover, the hill tribes provided a sanctuary and even a model for those who wished to reject life under the Company-State; a phenomenon exemplified by the so-called 'Sitana fanatics', a

¹¹ *FR*, p.63; Malthus, *Principle of Population*, pp.23-34.

¹² Mancur Olson, 'Dictatorship, Democracy, and Development', *American Political Science Review*, Vol.87, No.3 (September 1993), pp.567-569; Bhattacharya, *Agrarian Conquest*, pp.342-356.

community of Wahabi Muslims drawn from across northern India, who (in British eyes) 'harbour[ed] murderers and bad characters of all kinds'.¹³

Thus, to the British, the hill tribes were the antithesis of the settled subjects of the state, and a challenging exception to the state's sovereign authority – its 'exclusive and complete control over the people and territory within its borders'.¹⁴ Hence, the overarching objective of the Board was to get the otherwise independent hill tribes, living or operating within the borders of Punjab, to acknowledge the Company's overlordship and sovereignty, and act accordingly. So far as the British were concerned, this was less a theoretical issue than a thoroughly practical matter. Obviously, a tribe that acknowledged British sovereignty, even if it remained autonomous in practice, might be counted on not to be hostile, and perhaps might even be called on as an ally against others. At the very least, the impression that such a tribe was in the British camp might render other tribes more wary of courting British enmity – though, in practice, the British would discover that sometimes the precise opposite was the case. More importantly, the British apprehended that if they were to relinquish sovereignty or surrender authority at points along the Frontier, then they would be opening the floodgates to further challengers elsewhere.

This more maximalist notion of sovereignty set the British apart somewhat from the Sikh State or the Afghans, who had tended to leave their border villages to fend for themselves most of the time.¹⁵ But, much as Mark Condos has argued, British stridency was born less out of confidence than a sense of insecurity.¹⁶ British officials were imbued with an abiding sense of their own regime's vulnerability, which in turn was largely a product of their

¹³ *FR*, p.6.

¹⁴ Elkins, *Legacy of Violence*, p.10.

¹⁵ Beattie, *Empire and Tribe*, p.13.

¹⁶ Condos, *Insecurity State*, pp.25-26.

consciousness of being so foreign from those they governed. Feeling that they lacked popular support or traditional legitimacy, the British assumed that if they did not appear strong at all times and at all places within their borders, they would invite opposition from virtually all quarters. Consequently, asserting British supremacy, as well as credibility and 'prestige', often appeared all important. As one of Henry Lawrence's role-models, John Malcolm, had declared: 'we have, whenever our authority is in question, no retreat. Our situation is unlike that of a national government which is associated in language, prejudices, habits, and religion, with the people it governs.' Malcolm had added that, because of 'this want of natural root in the soil', the British 'name and ascendancy must be supported, and victory must, on any terms, be obtained; for we cannot long exist if our strength be even doubted'.¹⁷ As will be seen, the Board, its subordinates, and Dalhousie, basically agreed with this influential view.

Indeed, it was for the sake of asserting their sovereignty and upholding their general credibility that the Board insisted on trying to levy taxes on the hill tribes (in so far as the tribes engaged in taxable activities like lowland farming), even if the amounts taken were only nominal. One would think that this was a needless provocation on the part of the British, and that it would have been sensible to avoid this all too obvious cause of conflict. Many officials appreciated this, and yet insisted on taxing the tribes nonetheless – even if this then meant making large disbursements to the chiefs of the self-same tribes to buy their cooperation. The reason why they did this was to prove the point that they were in charge. As Herbert Edwardes had written of Bannu, 'the first thing to be done, is to assert with a high hand the impartiality and... fearlessness of what all the tribes regard as 'British

¹⁷ John Malcolm, *A Memoir of Central India*, Vol.II (London, 1832), pp.267-268.

law'.¹⁸ The implicit fear amongst British officials was that if too conspicuous an exception was too freely made for one group – whether in relation to the land or grazing taxes, or the salt monopoly – then others would demand the same, and before long, not only would no taxes be paid, but no-one would submit to 'British law'.

Again, these Frontier taxes were less fiscal operations than political acts – the enforcing of sovereignty.¹⁹ On the Frontier, the intimate connection between money, sovereignty, and political power was overt. Essentially, it was a question of who-whom: who paid money to whom, and therefore who was master. The British reasoned that if they did not assert their authority and impose taxes on the borderlands, then the tribes would fill the vacuum, and end-up 'robbing' or 'taxing' (depending on one's point of view) on their own account. As Henry Lawrence declared, 'Asiatics must be master or servant – pay, or be paid. They know no medium; no amiable friendships. If we are unable to *oblige* these within our bounds to pay a *light* assessment, they will soon require black mail'. He insisted that whilst he did not want to drive the tribes to arms by an extortionate demand, 'something, however small, should be taken as acknowledgment of fealty.'²⁰ In this instance, the language used was certainly Orientalist. However, Henry Lawrence seems to have applied the same underlying hammer-or-nail logic universally. Indeed, in later years, when he propounded that 'a good thrashing might be useful to them and take a little of the wind out of their heads', he was not referring to the Frontier tribes, but to 'our *brethren*' in the USA.²¹

¹⁸ Edwardes, *Punjab Frontier*, Vol.I, pp.128-132.

¹⁹ Bhattacharya, *Agrarian Conquest*, p.348.

²⁰ Lawrence, 'Napier's Posthumous Work', p.270.

²¹ H.L. to *Calcutta Review*, 22nd July 1856, MSS Eur F85 15, HLP.

Of course, getting the hill tribes to pay taxes or accept the Company-State's sovereignty was the hard part. Here, the issue posed by the Frontier was that for social and economic reasons the tribes were to varying degrees less amenable to the 'softer', less coercive, forms of leverage wielded by a territorial state. Positive inducements, such as police protection, enforcement of contract and property rights, market regulation, physical infrastructure, concessionary tax rates, and fiscal privileges, were more applicable to a population that was permanently settled, economically embedded, and relatively unarmed. The tribes possessed such characteristics to a much lesser extent – although, in specific cases, there were some important points of economic interdependence, which the British came to appreciate and exploit. The basic fact was that, as pastoralists, even if only part-time, the hill tribes were inclined to reject the proposition of life under a territorial state. Unlike settled arable agriculturists or urbanites, they had less to gain from consenting to the Company-State's authority, and less to lose from defying it. Moreover, they were better equipped by their lifestyles to contest the Company-State's power. In practice, this appeared to British officials to leave the hammer of hard coercive power as the least unpromising option for them in their attempt to bend the tribes to their will. Hence, along the Frontier, British officials reverted to raw violence even more readily than elsewhere in Punjab, primarily because there appeared to be few other workable ways to subordinate the tribes.

Indeed, it has been well written by Mark Condos that the Frontier represented a zone where the colonial state was 'stripped bare of its hallowed trappings', leaving the brute force on which it was founded naked for all to see.²² However, it is possible to go further. Arguably, the British experience on the Frontier had a much wider significance than what

²² Condos, 'License to Kill: The Murderous Outrages Act and the Rule of Law in Colonial India', p.484.

Condos suggests. For what it revealed was not so much the foundational violence of the 'colonial' state *per se*, but of all states in general. Ultimately, all states are underwritten by violence at some point. The severity and frequency with which violence is exercised is often not just a reflection of virtue or morality, so much as levels of state development and capacity. Once a territorial state has remade a society, beating it into shape to optimize it for governance and terrorising it into obedience, there is less need for extreme violence at the interface of state and society. Indeed, state and society practically become one, with the two increasingly sharing common interests. The state-society relationship ceases to be confrontational, and instead becomes symbiotic and mutually beneficial, and hard power gives way to soft power.

In fact, some of the Board's Frontier policies were geared towards establishing common interests between the state and society, such as by employing the Frontier tribes as irregulars. Harry Lumsden (Commandant of the Guides, 1846-1852) was later explicit about this. According to him, the intention was that the hill tribes would 'consider our service as the great field for all the young aspirants of their clans,' and so would be 'drawn closer to us, and must eventually see that they really have a common interest with us'.²³ Similarly, the British occasionally tried to remake Frontier society in the image of the territorial state by fitfully encouraging some of the hill tribes to settle down permanently and become full-time farmers. Referring to the Waziris of Bannu, Edwardes predicted that 'so long as they cultivate they will obey', not least because 'every field is so much bail for keeping the peace'.²⁴ However, the fact that the erstwhile hill tribes would be subjecting themselves to the overweening authority of the state, if they changed their way of life in this fashion,

²³ Harry Lumsden, *The Mission to Kandahar* (Calcutta, 1860), p.37.

²⁴ Edwardes, *Punjab Frontier*, Vol.I, pp.316-317.

somewhat undermined the attractiveness of the proposition. Consequently, the scheme of turning tribesmen into peasants – ‘detach[ing]’ them from the ‘wilder’ tribes and encouraging them to wear the fetters of ‘a permanent interest in the soil’ – had very limited success. During the period of the Board’s tenure, headway seems to have been made only with one section of the Waziris in Bannu.²⁵ Military employment was somewhat more successful, but still did not achieve the grander aspirations harboured by the British. The limited success of positive inducements meant that there was so much more reliance on negative coercion.

Again, much of the extreme violence often attributed to colonialism, both on the Afghan Frontier and elsewhere, was not necessarily uniquely colonial, but was the violence of state-building. When successful, such violence establishes a strong state, and therefore does not require constant repetition. It is a one-off shock and exception that, by ending all effective resistance, provides the peaceful context in which state violence can then be delimited within ‘lawful’ channels. By contrast, weak states are (by definition) caught midway in the process of trying to establish a strong state, hence they are always state-building. Their ‘founding’ violence is continuous and ongoing. It was the fact that colonial states – including the Company-State in India, and especially on the Afghan Frontier – were generally comparatively weak, which meant that they remained in the atavistic and violent phase of state development, and were engaged in forever wars of state-building.²⁶

This emphasis on the role of the weakness of the colonial state in engendering violent methods of government is superficially similar to Mark Condos’ contention about colonial

²⁵ *FR*, pp.28-29.

²⁶ Cf. Wagner, ‘Calculated to Strike Terror’, pp.186-189.

insecurity encouraging violent overcompensation by British officials. However, whereas Condos interprets this weakness as having been exaggerated in the minds of British officialdom – the product of a ‘colonial culture of insecurity’ – it may instead be argued that the British in Punjab really were relatively weak and overstretched, especially on the Frontier.²⁷ After all, Ranjit Singh had held Punjab with a far larger force than they commanded.²⁸

Nonetheless, the relationship between pronounced violence, state weakness, and colonialism was closely correlated. For the weakness of colonial states, including the Board’s administration of Punjab, was largely a function of the social and cultural distance of colonial administrators from the populations they governed. The result was that they laboured under a deficit of legitimacy, support, and information.²⁹ Thus, at the same time as they struggled to win widespread consent, they could neither effectively mobilize, nor effectively direct, the resources required for building greater state capacity; something which would have enabled them eventually to transcend violence as an everyday tool of government. This became a self-fulfilling prophecy, as sociocultural distance led to poor knowledge, which led to ineffective and brutal governance, which in turn compounded sociocultural distance, and so on.

Along the Afghan Frontier, the weakness of the colonial state, and thus its reliance on brute force, resulted in the semi-routinization of state-building’s ‘exceptional’ violence, in the form of summary executions, punitive expeditions, and collective punishments. In the second half of the nineteenth century, increasingly legalistically-minded colonial

²⁷ Condos, *Insecurity State*, pp.25-26.

²⁸ Bajwa, *Military System of the Sikhs*, p.83.

²⁹ Bayly, *Empire and Information*, pp.6-7.

administrators and metropolitan populations attempted to reconcile this 'lawless' violence with their own sense of legal legitimacy, and came up with various doctrines of 'legalized lawlessness' to this end.³⁰ As Mark Condos has shown, in Punjab, this was epitomized by special legislation like the 1867 Murderous Outrages Act.³¹

At the outset, however, many of the Board's officials – above all, Henry Lawrence and his followers on the Frontier – were largely unconcerned with legalism, and proud of it. They envisaged themselves as ruling by personal character, not by the letter of the law. 'This is the way I treat these things', said John Nicholson, pointing to a bundle of papers on his desk, before proceeding to kick them across the floor.³² Added to this, the fact that the Frontier was an indeterminate border meant that the line between law and war was necessarily blurred. It must have been difficult to distinguish between domestic lawbreaking and foreign invasion, and in practice it was left to the man on the spot to decide – and the presumption was in favour of force as a precaution. As Henry Lawrence counselled Harry Lumsden, whose dual role as Commandant of the Guides and Assistant at Yusufzai (later Commissioner for Peshawar), gave him both military and civil powers: 'recollect you can attack and slay all invaders of our territory and act against any armed men within our border, but are not to go beyond it. No reference however to higher authority is required to enable you to attack and disperse invaders or disturbers of the peace.'³³

Being well aware of the affinitive gulf separating them from those they ruled, British officials believed that coercion was an indispensable condition for establishing their authority on the Frontier. Not trusting to voluntary consent, they reasoned that the tribes

³⁰ Elkins, *Legacy of Violence*, pp.13-15.

³¹ Condos, *Insecurity State*, pp.142-144, 222.

³² Trotter, *Nicholson*, p.162.

³³ H.L. to Harry Lumsden, 10th February 1850, MSS Eur F85 9.

had to be convinced by coercion that there were no realistic alternatives to cooperation and collaboration with the colonial state. In Henry Lawrence's words, only when the British had deterred defiance and disobedience by forbidding violence, could they employ a more open-handed policy on a sustainable basis. Apparently, conciliation could sometimes be used in conjunction with coercion, but never entirely instead of it.³⁴ He maintained that for 'all that can be done by conciliation, moderation, energy, and good sense... until we are secure at home, we are not in a position even to be civil to barbarians. Every soldier of ours they kill, wound, or even plunder, is a little victory, and emboldens further attack.'³⁵

Moreover, because governing the Frontier demanded far greater direct state capacity than the Board possessed, its officials sought to project and multiply their authority by deterrence – arguably much as virtually any weak government would have done. The Board inferred that if they convinced the tribes that they would respond to tests of their authority with disproportionate violent force, then the tribes would soon submit. In Henry Lawrence's words, 'if the hill tribes commit aggressions... all must be made to feel that their persons are never secure from our vengeance, and that no retreat can protect them from the skill and courage of our troops.'³⁶ The assumption was that if the British established deterrence, the tribes would be less likely to oppose them, and might even become more willing to cooperate. In turn, this would free-up limited resources, which might be deployed more usefully elsewhere. As John Nicholson advised Henry Lawrence during a period of cross-border forays: 'we have remained on the defensive too long... prudence counsels more active measures, unless we are prepared permanently to increase the force in the Derajat.'³⁷

³⁴ Edwardes and Merivale, *Lawrence*, Vol.I, FNpp.329-330.

³⁵ Lawrence, 'Napier's Posthumous Work', p.275.

³⁶ *GR1849-51*, pp.18-19.

³⁷ Nicholson to H.L., 5th September 1852, MSS Eur E211 8.

True, the British sometimes overrated the value of deterrence, credibility, or ‘prestige’ (which all ultimately amounted to the same thing), in a fashion that can look foolish in hindsight.³⁸ However, it was the practicalities of state weakness – more than Orientalism or racism – that impelled such behaviour. Officials understood that the Company-State was run as the political equivalent of a highly overleveraged bank, with totally insufficient equity-capital or material resources to cover all its liabilities or protect all its assets, if called on to do so simultaneously. Much therefore seemed to depend on maintaining an awesome deterrent, not least through conspicuous displays of force, to forestall the myriad of potential challengers. Equally, they believed that shows of strength would encourage opportunists to take their side.

The perennial fear amongst British officials was that they might lose deterrence, at which point the political equivalent of a bank run would unfold. According to this logic, local setbacks – even if they seemed materially insignificant in themselves – could assume general significance by precipitating a cascade of challenges throughout the land that would overwhelm British resources. Perhaps nowhere more so than on the Frontier, where British authority was most overstretched and vulnerable, did this line of thinking inform activity. This was made explicit by Lord Dalhousie in a letter to George Couper, wherein he explained that British ‘supremacy must be maintained... fully and loftily’ along the Frontier, because ‘the fiery cross, lighted by one instance of successful resistance, would speed through all these mountain tribes and bring the whole upon our heads.’ He added that it was not the ‘insolence or disobedience’ of any particular ‘trumpery hill chief’ or ‘savage’ that was the

³⁸ C. Wallace, ‘Masterly Inactivity’: Lord Lawrence, Britain and Afghanistan, 1864-1879’, PhD Thesis, King’s College London (2014), pp.114-164.

problem, so much as ‘the effects upon 10,000 others’, if the British were seen to be ‘giving impunity to the insolence or the disobedience of this one.’³⁹

Thus, much seemed to turn on offsetting the underlying reality of British weakness into strength by the force multipliers of credibility and deterrence. When it came to the latter, overcompensation or disproportionality was an essential component of the British approach. Ultimately, deterrence is a function of multiplying the probability of successful enforcement with its severity. Hence, for the sake of deterrence, potentially limitless violence had to take-up the slack left by the Company’s inadequate state capacity – that is, its low probability of successful enforcement. In general, throughout history, the weaker and more insecure the state, the more vicious its punishments; and Punjab under the Board was no exception. As Christopher Bayly has written, bloody terror and ‘incidents of extreme brutality’ were ‘a mirror of weakness in depth’.⁴⁰

Accordingly, conspicuous violence was used in lieu of the deep and thorough administrative techniques that were the hallmarks of a more confident and competent state.⁴¹ Of course, deterrence only worked if the intended audience received or understood the message, or was in a position to adapt – which was not necessarily always the case. Moreover, as will be seen, the British often lashed-out at the wrong community, largely because of ignorance. Furthermore, the tribal intermediaries they depended on were also frequently unreliable, and appear to have distorted messages or doctored information to

³⁹ Dalhousie to Couper, 4th December 1852, Baird, *Letters*, p.234.

⁴⁰ Christopher Bayly, ‘Returning the British to South Asian History: The Limits of Colonial Hegemony’, *South Asia: Journal of South Asian Studies*, Vol.17, No.2 (1994), p.19.

⁴¹ Condos, *Insecurity State*, pp.3, 6.

suit their own agendas. All this somewhat undermined the efficacy of deterrence as a strategy.

Nevertheless, much the same logic of offsetting state incapacity – however ineffectively – also informed British recourse to collective punishments. Unable to punish specific individuals, owing to informational and physical limitations, the British made do with retaliating against the associated community. In other words, for want of a scalpel, they reached for a hammer. In the circumstances, the alternative would have been for them to do nothing – something that risked encouraging further offenses, and ultimately the total negation of British authority. Of course, the inherent inaccuracy of collective punishments meant injuring innocents. Besides the serious ethical issues, collective punishments therefore had the potential to provoke those who would otherwise have remained uninvolved, creating more enemies than they deterred. For this reason, collective punishments often proved self-defeating. Indeed, the British would (belatedly) realise that the more accurately targeted and precisely focussed the punishment, the more effective it would be in achieving its desired outcome.⁴² Just like physical pressure, political pressure was a function of force over area; the better targeted it was, the less the force required. However, this demanded accurate intelligence, which was something that the British rarely had.

Although collective punishments were often described in racialised language – usually for the sake of retrospective justification – the motivation seems to have been more practical than racial. Resort to communal or collective punishments recur wherever and whenever there are weak regimes of law and order; and native practices, such as *barampta*, similarly

⁴² Caroe, *Pathans*, p.350.

involved holding a community responsible for the behaviour of its individual members.⁴³

Again, the reasonable inference is that the Board's activity on the Frontier was not primarily determined by racial ideology or Orientalism, but was about maximising deterrence in a context of constrained resources.

When it came to fighting the hill tribes, the Board was faced with all the challenges of asymmetric warfare. Thus, they found themselves grappling with an elusive enemy that used guerrilla tactics, knew the area intimately, and could draw on local support. Critically, the tribes were often fighting in defence of hearth-and-home, which naturally boosted their morale. By contrast, for the British, the sepoys, and (to a lesser extent) their tribal auxiliaries, hill fighting was a disorienting and frustrating experience, for which their equipment and training were ill-suited, and their information inadequate. It was also a job rather than an existential issue. Thus, they were often at a tactical, informational, and moral disadvantage. For all these qualitative reasons, they often relied on material quantity, and resorted to extreme, disproportionate, and indiscriminating blanket measures, to achieve maximal impact with minimal personal risk.⁴⁴

In time, such ruthless expediencies would be distorted into a veritable ideology of counterinsurgency or 'savage warfare' that was rationalized by racist ideas.⁴⁵

Simultaneously, notions of deterrence and credibility would be transformed into the doctrine of 'moral effect'.⁴⁶ But all this lay in the future. True, at the time, there were

⁴³ Ibid., p.350.

⁴⁴ Huw Bennett, Michael Finch, Andrei Mamolea, David Morgan-Owen, 'Debate: Military History. Studying Mars and Clio: Or How Not to Write about the Ethics of Military Conduct and Military History', *History Workshop Journal*, Iss.88 (August 2019), pp.274-280.

⁴⁵ Patrick Porter, *Military Orientalism: Eastern War Through Western Eyes* (New York, 2009), p.40.

⁴⁶ C.E. Callwell, *Small Wars: Their Principles and Practice* (London, 1906), pp.76-79; Elkins, *Legacy of Violence*, pp.102-103.

conditioning assumptions, such as civilizational (as opposed to racial) notions of the 'savage' stage of civilization, but these seem not to have been determinative. In fact, for all that the British were often derogatory about the inhabitants of the Frontier, they were also sometimes highly complimentary. Herbert Edwardes' description of the Waziri *malik*, Swahn Khan, 'a more splendid specimen of human nature in the rough I never saw', was high praise indeed from a twenty-seven-year-old lieutenant, and bespeaks genuine esteem.⁴⁷ When it came to administering the Frontier, rather than being guided by racist ideologies, British officials under the Board were feeling their way, adapting by trial-and-error, and improvising in response to the perceived exigencies of asymmetric conflict. At this seminal stage of Frontier administration, 'encoded assumptions concerning the inherent difference of local opponents' seem to have played a secondary part, though this would later change.⁴⁸ Indeed, the British were often quick to highlight (with some truth) that they were doing little different from what previous governments had done when they engaged in retaliatory raids, collective punishments, and village burnings.⁴⁹ The conclusions the British arrived at were repugnant, but they were not purely the product of ideological fanaticism or racism.

In fact, if there was one culturally specific tactical or strategic practice which distinguished the British from their foes, it was their reluctance to engage in targeted assassinations. Whilst these were clearly part of the repertoire of local rivalries, the British denied themselves this seemingly convenient and comparatively unbloody expedient, with the result that they had to adopt blunter tactics. Strange though it might seem, they preferred to burn a village than countenance assassinating a chief. Clearly this was not the

⁴⁷ Herbert Edwardes, *Political Diaries of Lieut. H.B. Edwardes* (Allahabad, 1911), p.49.

⁴⁸ Cf. Wagner, 'Savage Warfare', p.220; Wagner, *Amritsar 1919*, p.256.

⁴⁹ *GR1849-51*, p.19.

product of humanitarianism, nor was it just a question of gentlemanly fair play, but was based on cynical calculations. Besides the practical difficulties targeted assassinations involved, British officials were wary of provoking a retaliation in kind. In part, this seems to have been a legacy of the Afghan War; specifically, the fate of William Macnaghten, who was murdered outside Kabul in December 1841. Henry Lawrence believed that Macnaghten was killed because he had recently given orders (or was believed to have) for the assassination of the Afghan prince, Akbar Khan, who pre-empted him accordingly. Evidently, deterrence worked both ways, via mutually assured assassination.⁵⁰

At this point, it is well to qualify the claim that British officers had a vested interest in representing the Frontier as an inherently violent and turbulent place, only governable through a form of 'military despotism' which would empower and reward men such as themselves.⁵¹ The implication of this argument is that the British inflated threats to suit their own self-aggrandizing agendas, and so needlessly brutalized those who had the misfortune to cross their career paths. Again, this was not necessarily the case. Many British officials were decidedly ambivalent about the sort of 'terror' tactics they were called on to deploy against recalcitrant tribes. As often as not, instead of jumping at the opportunity for a bit of 'butcher and bolt', the officials and officers on the spot counselled against such actions when pressed by those far away. Reynell Taylor spoke for many when he warned that by engaging in punitive hill raids, the British merely played into their adversaries' hands.⁵² Colin Campbell, the commanding officer of the Peshawar Garrison, harboured even greater doubts, and was personally disgusted by the collective punishments the Board

⁵⁰ H.L. to George Lawrence, 14th March 1850, MSS Eur F85 9.

⁵¹ Cf. Condos, *Insecurity State*, pp.41-42.

⁵² Taylor, 'Memorandum', *FR*, p.70.

required him to conduct.⁵³ Not only did he consider the policy of punitive village burnings a ‘most cruel injustice’, but he also thought it ineffective.⁵⁴ In the summer of 1852, faced with the prospect of continuing to do the Board’s dirty work, Campbell resigned his command.

Certainly, there were some who were much more hawkish, perhaps most notably John Nicholson. Whilst Deputy Commissioner for Dera Ismail Khan District, he departed from his predecessor, Reynell Taylor’s, more defensive approach. However, this was not because this famously taciturn and antisocial man was psychotically chasing promotion and fame. Instead, there was some strategic rationale to Nicholson’s approach – at least, from his perspective. In his own words, his policy was ‘to do all we can, without sacrificing our dignity, to maintain friendly relations with our border tribes’. However, he added the caveat that, ‘[if] you cannot preserve friendly relations or make peace with border tribes without a sacrifice of dignity,’ it was necessary to attack. ‘I think that by attacking and beating them in their own fastnesses you must convince them that peace with us is necessary to their own existence. When that is done I believe the frontier will be perfectly tranquil and not before.’⁵⁵ Doubtless, it was with good reason that the Bannuchis came to regard Nicholson as ‘a hard-hearted self-willed tyrant, to be feared and disliked, and remembered him as a ‘chieftain of indomitable will... terrible to those who crossed him.’⁵⁶

All the same, Henry Lawrence and his acolytes – including John Nicholson – were not unthinking hawks. Like practically everyone who was anyone in the Board’s administration, they fully accepted that coercion could only achieve so much, and that sooner or later conciliation and collaboration would be necessary. Ultimately, ‘no colonial regime can

⁵³ Shadwell, *Campbell*, Vol.I, pp.266-267.

⁵⁴ Campbell in Shadwell, *Campbell*, Vol.I, pp.274, 307-308.

⁵⁵ Nicholson to H.L., 26th July 1852, MSS Eur E 211 8.

⁵⁶ Thorburn, *Bannu*, pp.52-53; Caroe, *Pathans*, p.334.

survive by means of force alone.⁵⁷ The Company-State had to co-opt certain groups, find collaborators, assimilate society to itself, or adapt itself to its social context by adopting indigenous customs or practices. On the Frontier the British did all these things, albeit to varying degrees. Of course, force provided a critical backstop by ensuring that there was little alternative to cooperating with the colonial state for the local population. As elsewhere in India, so too on the Frontier, force was a *necessary*, but *not sufficient*, condition for the imposition and maintenance of the Company-State. In fact, coercion and conciliation were often used in concert, the idea being that they would thereby complement one another.⁵⁸ The implicit assumption seems to have been that the tribes would value British payment and patronage all the more if the alternative was not neutrality, but enmity, punishment, and prohibition. Equally, defiance and violent opposition would seem still more foolish, when a potentially profitable compromise was on offer.

Presaging the post-Rebellion 'aristocratic reaction', the Board and its subordinates frequently courted, co-opted, and even promoted cooperative local elites along the Frontier.⁵⁹ Again, given the weakness of the state in this region, they had little option. So long as the Board's authority was accepted, the general tendency was to project only a patina of formal administration over the Frontier districts, beneath which local strongmen and powerbrokers continued to hold sway, or even had their authority enhanced thanks to British backing. Officials compacted with 'influential chiefs and land-holders' to keep the

⁵⁷ Alexander Morrison, 'Amlakdars, Khwajas and Mulk Land in the Zarafshan Valley after the Russian Conquest' in Paolo Sartori (ed.), *Explorations in the Social History of Modern Central Asia (19th-Early 20th Century)* (Brill, 2013), p.23.

⁵⁸ Condos and Rand, 'Coercion and Conciliation at the Edge of Empire: State-Building and Its Limits in Waziristan, 1849-1914', pp.699-701.

⁵⁹ *GR1849-51*, p.10.

peace in their locale, and aid them when called upon, in return for legal recognition of their authority, as well as cash payments, *jagirs*, and tax-farms.⁶⁰

Obviously, this pro-elite stance was a marked departure from practices elsewhere in the province, especially the 'core' districts. To take one example, contrary to the anti-*jagirdar* policy in the rest of Punjab, roughly one-third of Hazara's land tax was still alienated as *jagirs* and *inams* a couple of years after annexation – which was roughly double the proportion elsewhere in the province.⁶¹ Whilst this was somewhat higher than in the other Frontier districts, it was by no means exceptional. Moreover, *jagirs* were recognised as hereditary far more often along the Frontier than elsewhere.⁶² Besides this, the Board also continued the *ijaradar* system in certain Frontier locales. Hence, roughly one-third of the revenues of Khuttuk were farmed out to a local chief, Khawaja Mahomed Khan; who also wielded magisterial powers, maintaining an armed retinue to keep the peace in his veritable fiefdom. Shah Nawaz Khan presided over Tank in much the same fashion.⁶³ Meanwhile, at the level of the tribal section and village, many of the *khans* and *maliks* continued to exercise revenue, judicial, and magisterial powers over their communities; it being the case that the Board could not do without them.⁶⁴

Indeed, during the Residency, Herbert Edwardes had learned the hard way that it was futile to try and bypass the *maliks* by attempting to levy the land tax directly on landholders. Finding that the landholders then did not come forward to pay, he realised his mistake. As he reported (certainly somewhat self-servingly), 'reluctantly therefore I handed them [the

⁶⁰ GR1851-53, p.12.

⁶¹ GR1849-51, p.58.

⁶² FR, pp.46-47; Wace, *Hazara*, p.294.

⁶³ GR1849-51, p.12, 14, 60; FR, pp.49-51; Henry St. George Tucker, *Report of the Land Revenue Settlement of the Dera Ismail Khan District* (Lahore, 1879), p.123.

⁶⁴ GR1851-53, pp.121-122.

landholders] once more over the to the Mullicks, whose barbarous language of blows, imprisonment and fines is, I am afraid, more suited to their comprehension than the patient forbearance we have shown.⁶⁵ In other words, the British outsourced much of the coercive work of revenue extraction to local headmen, who were then held liable for their villages' tax liability. In practice, it was also often easier to hold the *maliks* and *khans* to account, given that they were identifiable individuals – indeed, sometimes this entailed taking them or their family members ransom for arrears.

Doubtless, the British stood to benefit from the expertise and local influence of these poachers-turned-gamekeepers. Equally, the *maliks* and *khans* benefited from the recognition, consideration, privileges, and occasional armed support that the British provided. For example, in 1852, one of the leading chiefs in Hazara, Jehandad Khan, received James Abbott's armed support in retaking a fort of his from some rivals – notwithstanding that it lay outside the Company's territory.⁶⁶ Certainly, local rivalries, both between and within tribes, were a critical facilitating factor that enabled the British to find allies. The fact was that the chiefs, tribes, sections, or subsections, were often as likely to be hostile towards one another as towards the British. Logically, therefore, rival communities and their chiefs might look to the British for support against their mutual opponents.⁶⁷ There was always a group that needed British support, and the British were always in need of some group's help.

Then again, for both the British and the chiefs, this patron-client relationship was something of a devil's bargain. Certainly, there were downsides for both; and it was rarely

⁶⁵ Edwardes, *Political Diaries of Lieut. H.B. Edwardes*, p.73.

⁶⁶ James Abbott, 'Expedition Against the Black Mountain', MSS Eur C210:1853, JAP.

⁶⁷ GR1849-51, p.249.

clear who was using whom – and both sides were probably using each other. Obviously, whatever resources the British gave could be turned against them in the future. Similarly, the intelligence supplied to the British by the chiefs was often limited to what it was in the latter's self-interest to reveal, or even fabricate. This would prove to be a recurrent problem for the colonial state in India and elsewhere.⁶⁸ As discussed in the next chapter, it seems that the British were sometimes unwittingly reduced to acting as the oversized puppet of a chief or tribe engaged in a local rivalry. As for the chiefs themselves, they were often put in the invidious position of enforcing British rules. Indicatively, the redoubtable Waziri *malik*, Swahn Khan, was probably only half-joking when he complained that he would be killed by the Waziris if he even attempted to collect a fine imposed on them by the British.⁶⁹ Henceforth, Swahn Khan evaded British efforts to appoint him as the official representative or leader of the Waziris, realising that it was a poisoned chalice.⁷⁰

Moreover, the chiefs were not above weaponizing this interdependence to suit their own ends, sometimes manipulating the British by threats and lies, or pressuring them with menaces and even violence, into conceding more advantageous terms. Often, this brinkmanship went over the brink, and erstwhile stipendiaries of the state became outright enemies. This would inaugurate a state of hostilities, which lasted until both sides rediscovered where the true balance of power lay, and readjusted their expectations accordingly, and adopted a new *modus vivendi*. This was violent bargaining *par excellence*.⁷¹

These drawbacks notwithstanding, a pro-elite collaborative policy of patronage, devolution, and alliances saved the British the trouble and expense of attempting to exert

⁶⁸ Elkins, *Legacy of Violence*, p.166.

⁶⁹ Edwardes, *Punjab Frontier*, Vol.I, Second Edition, p.168.

⁷⁰ Beattie, *Empire and Tribe*, p.17.

⁷¹ Thomas Schelling, *The Strategy of Conflict* (Harvard, 1990).

direct control over a remote area that was inimical to the authority of the state. Frequently, attempts at more direct control proved both difficult and counterproductive. Certainly, such efforts often provoked the very instability – in the form of enmity, violent opposition, and raids – that the British had wished to mitigate in the first place. The alternative was to use a mixture of blandishments, patronage, threats, and violence, to turn the local elites into quasi-functionaries of the state, who would govern and administer their communities in accordance with the overarching objectives of the British.

However, a major flaw with the Board's approach of elite co-optation was that the chiefs themselves had a relatively loose grip over their followers. This was especially true of the Pashtuns – less so the Baluchis at the southwestern end of the Punjab-Afghan Frontier.⁷² Pashtunwali meant that the former were comparatively egalitarian (at least amongst their menfolk), and their social hierarchies were relatively mutable and depended heavily on consent.⁷³ Positions of authority were not necessarily hereditary but could be won. A man eager for acclaim might rally a war-party with the promise of booty and glory – and 'hawks' often commanded more charisma than 'doves'. Certainly, dovish chiefs were vulnerable to accusations of selling-out to the British.⁷⁴ For their part, the chiefs often owed their position largely to their ability to dispense rewards. Obviously, timely cash payments from British officials might help them in this. Equally, however, the dominance of a dovish chief might be jeopardised if the British proved miserly, or late in payment, or negatively interfered with some aspect of a tribe's livelihood.

⁷² Warburton, *Eighteen Years in the Khyber*, p.317.

⁷³ Henry W. Bellew, *A General Report on the Yusufzais* (Lahore, 1864), p.203.

⁷⁴ Edwardes, *Punjab Frontier*, Vol.I, Second Edition, p.130.

The tribes' quasi-democratic character necessarily imparted a somewhat fickle quality to their activities, which to an outside observer might appear as duplicity. Indeed, from the British perspective, the tribes were highly unreliable counterparties, infamous for their treachery – not that the British were any less treacherous. But this view was not just a racial trope. A chief really might have to switch his position almost continuously to keep abreast of shifting opinion amongst his followers, who might take matters into their own hands regardless. Moreover, there was little guarantee that a deal achieved with a chief would translate into good terms with his followers. Henry Lawrence complained how, even with a tribe 'with whose head we are on amicable terms', 'the leaders keep back, but loose characters must have their foray'.⁷⁵ Arguably, the comparatively acephalous nature of tribal society made it less amenable to establishing state control. The corollary was that more durable local elites promised to make the political management of the Frontier much simpler. Local elites provided a handle for the state to grip; and, in their relative absence, the state was left grasping at air.⁷⁶

Thus, in stark contrast to other parts of the province at this time, the Board attempted to augment the authority of various tribal chiefs, supporting and upholding them against rival tribes, and even their own followers, so that they might more effectively manage affairs on behalf of the British.⁷⁷ In the circumstances, this attempted hierarchization of the Frontier by the Board – albeit, largely for want of better alternatives – was a quite rational state-building strategy. To reiterate, Punjab encompassed two socio-political zones. In the 'core' lowland settled areas, where communities were already comparatively subordinated,

⁷⁵ Lawrence, 'Napier's Posthumous Work', p.275.

⁷⁶ Akbar Ahmed, *Pukhtun Economy and Society: Traditional Structure and Economic Development in a Tribal Society* (Abingdon, 2011), pp.142-144; Nika Kabiri, 'Tribal Durability: Explaining Autonomy Among the Pashtun Frontier Tribes', PhD Thesis, University of Washington (2012).

⁷⁷ GR1851-53, p.121.

existing local elites were potential or actual competitors to the government. Unsurprisingly, in such areas, the anti-elite policy favoured by John Lawrence and his followers prevailed for the moment. By contrast, in the 'peripheral' areas, which were often more remote, and where society revolved around more pastoral forms of agriculture, communities were less subordinated. In such areas, those local elites that did contrive to exist were potentially useful allies for the government. Hence, along the Frontier, the pro-elite policy of Henry Lawrence and his acolytes was tolerated by Dalhousie and John Lawrence.

One symptom of this state-sponsored hierarchization (which outlived the Board), was that positions of tribal authority became increasingly hereditary and institutionalized – as opposed to being the rewards of an often violent meritocracy.⁷⁸ Had this gradual institutionalization of local authority gone further it might have made the Frontier more amenable to state control. However, it was undermined by a combination of partible inheritance, rivalry, and egalitarian customs – as well as the provocative conduct and inconsistency of the British themselves. Similarly, the British tried to get the various tribal groups to recognise and enforce something like collective responsibility; consolidating their 'tribal' identity so that they might become more manageable.⁷⁹ But again, it was not always in the interests of communities to go along with this. Of course, the irony was that rather than playing divide-and-rule, the British therefore sometimes played unite-and-rule.

Ultimately, relations on the Frontier had an almost dialectical quality, with British efforts to increase their authority almost invariably provoking a countervailing reaction. In hindsight, it may well appear that less was more, and that the British would sometimes have

⁷⁸ Septimus Thorburn, *Report on the First Regular Land Revenue Settlement of the Bannu District in the Derajat Division of the Punjab* (Lahore, 1879), pp.66-67.

⁷⁹ Beattie, *Empire and Tribe*, pp.14, 16.

done better to ignore various challenges to their authority rather than responding in escalatory fashion. However, it was difficult for those at the time to know what they could afford to look through, especially given the paucity of reliable information. In light of this synoptic overview of the Board's approach towards the Frontier, it will now be instructive to take a closer look at an illustrative episode; their relations with the tribes of the Kohat Pass.

Chapter Seven: The Kohat Afridis

What was to become the major test of the Board's approach to the Afghan Frontier began on February 2nd 1850. As the winter sun rose over the northern edge of the Kohat Valley, a party of sappers stirred in their camp ahead of another day's work. They were then building the southern stretch of a road that was projected to run through the notoriously difficult Kohat Pass; the rugged hills of which loomed ominously about four miles to their north. However, the morning quiet was shattered when a force of about one thousand tribesmen descended, as if from nowhere, taking the sappers' guard entirely by surprise. The sappers stood little chance; twelve were killed, and six badly wounded. The assailants then plundered the camp before vanishing into the surrounding landscape.¹

This attack occurred a few days after Charles Napier's arrival at Peshawar as part of his tour of Punjab. The Commander-in-Chief had come to the Frontier in partial anticipation of a 'hill war' in Yusufzai, where there had been some trouble late in 1849 over the non-payment of revenue. However, the attack on the sappers was an altogether more serious matter, and henceforth it became the focus of his attention.² Whilst preparations for an armed retaliation were being made, Napier attempted to get to the bottom of the affair. It had its own contested backstory; the twists and turns of which revealed both the limits of British information, and the ramifying complexities of local interests and rivalries along the Frontier.

¹ *FR*, p.16; Charles Aitchison (ed.), *A Collection of Treaties, Engagements, and Sunnuds, Relating to India and Neighbouring Countries*, Vol.II (Calcutta, 1863), p.391; 'Summary and Review', *Allen's Indian Mail*, Vol.8, No.146 (2nd April 1850), p.185.

² Charles Napier, William Napier (ed.), *Defects, Civil and Military of the Indian Government* (London, 1853), pp.88, 111-114.

The episode started at the end of April 1849, when the British reached a deal with the Kohat Pass Afridis, who were the dominant tribal section in this strategically important defile, which provided the most direct route between Peshawar and Kohat. Under the Sikhs, the Afridis had effectively been independent. And, at least to begin with, the British resumed where the old regime had ended, modelling their agreement on the compacts of the past.³ Thus, the Afridi chiefs engaged to keep the pass open and secure, even guaranteeing the value of any property stolen in it, in return for an annual payment from the Board of Rs.5,700. Of this, Rs.3,000 was a personal stipend for the chiefs themselves – basically a bribe to induce them to refrain from charging or attacking travellers – whilst the remaining Rs.2,700 was intended as pay for forty-five Afridi matchlock-men, who would guard the route. This last precaution was considered necessary because the Afridis were not the only ones with claims to the area. Most significantly, there were also the Bangashes and Orakzais at the southern, Kohat, end of the pass. Critically, all these tribal sections – including the Afridis – were not single communities as such, but were divided into different subsections or '*khels*', each following different chiefs and residing in separate villages.⁴ These communities and their chiefs had different, sometimes rivalrous, interests. Buying off one of them, always risked earning the enmity of another. In the case of the Kohat Pass Afridis, the two key groups with which the British first dealt were the Gali Khel Afridis and the Hasn Khel Afridis.⁵

Initially, the Afridis' subsidy was paid by the Assistant stationed at Kohat, Lieutenant Richard Pollock. It was doled-out in increments over the course of the year, the better to

³ *FR*, pp.17-18.

⁴ *GR1851-53*, pp.17-19.

⁵ W.H. Paget, *A Record of the Expeditions Undertaken Against the North-Western Frontier Tribes* (Calcutta, 1874), pp.223, 233.

encourage the Afridis to keep up their end of the deal.⁶ However, before long, this arrangement was upset. At least, this was the version Napier gleaned from his investigations. He claimed authority based on a conversation with a notable then dwelling in Peshawar, who purported to be an Afridi chief. According to Napier's informer, the subsidy had since been diverted by another chief or 'prince', who had convinced Pollock that he could better distribute the payment and keep the peace.⁷

These details were subsequently disputed by Henry Lawrence. He contended, it seems accurately, that Napier's informer was actually a 'half crazed' Orakzai chief, called Rehmat Khan – who appears to have been temporarily estranged from his brethren in the hills.⁸ Certainly, Rehmat Khan was not the most dispassionate of informers, nor was he a disinterested third party. As for the man who had supposedly misappropriated the funds, he was not quite the fraud Napier or Rehmat Khan alleged, but Shahzada Mahomed Zumbir, an Afghan prince descended from Timur Shah Durrani. The Shahzada had first allied himself with the Company during the Afghan War, when they had attempted to restore his kinsman, Shah Shuja, to the Afghan throne. Since then, the Shahzada had lived in the Peshawar Valley, from where he maintained his connections with the Company, and had generally aligned his interests with theirs.⁹ Indeed, Henry Lawrence vouched for him as 'one of the very best specimens of fallen royalty in the East'.¹⁰ On annexation, the Shahzada was employed by the Board as an Extra Assistant, and had arrived in Kohat in November 1849 to help Pollock manage the tribes of the pass.¹¹ It seems that Rehmat Khan himself had been

⁶ Napier, *Defects*, p.119; *FR*, pp.19-20.

⁷ Napier, *Defects*, p.68.

⁸ Lawrence, 'Napier's Posthumous Work', pp.260-261.

⁹ Charles Massy, *Chiefs and Families of Note in the Delhi, Jalandhar, Peshawar and Derajat Divisions of the Punjab* (Allahabad, 1890), pp.491-492.

¹⁰ Lawrence, 'Napier's Posthumous Work', pp.260-261.

¹¹ Henry St. George Tucker, *Report on the Land Revenue Settlement of the Kohat District* (Calcutta, 1884), p.47.

angling for this post, and was therefore at pains to discredit the Shahzada, who was (according to Henry Lawrence) his 'deadly enemy'.¹² True, the Shahzada may well have instigated a change in the way the subsidy had been paid to the Afridis. Still, given that Pollock personally supervised the distribution, it seems likely that he agreed with the changes – if indeed there really were any.¹³ Certainly, it stands to reason that the Afridi chiefs might have complained that their paymaster was not keeping up his end of the deal as a prelude to negotiating better terms for themselves.

According to Napier's version of events, the Afridi chiefs, dissatisfied as they were, 'thought it useless to complain to the political agent [Lieutenant Pollock] against his favourite prince, with whom he lived in habits of intimacy; so they said nothing'. Critically, Napier alleged that the Afridi chiefs were particularly 'discontented, as they lost money and were lowered in the eyes of their tribes.'¹⁴ Perhaps the Afridi chiefs needed the British – or at least their money and recognition – as much as the British needed the cooperation of the chiefs. After all, much of a chief's authority rested on the consent of their followers, which, in turn, partly depended on a chief's ability to receive and distribute patronage and purchasing power. If they did not have cash with which to give (or promise) rewards, then their influence would soon dissipate on the mountain winds, with their followers transferring allegiance to someone who had more to offer, or was more charismatic. Hence, for their own sake, if the chiefs did not receive the tribute, or felt that it was not enough, then they would have to find another way of rewarding their constituents, or boosting their prestige.

¹² Lawrence, 'Napier's Posthumous Work', pp.260-261.

¹³ Napier, *Defects*, p.68; Tucker, *Kohat*, p.47.

¹⁴ Napier, *Defects*, pp.68-69.

Meanwhile, the British offered further provocation to the tribes of the Kohat Pass by pressing ahead with construction of the contentious Peshawar-Kohat road, work on which had started following annexation.¹⁵ From the perspective of the hillmen in the pass, whether Afridis or Orakzais, chiefs or followers, this was an existential threat to their independence and way of life. Each rut or defile along the route was added friction for the Company's armed detachments and guncarriages – the metaphorical and literal wheels of the state. The smoother the surface, the more seamlessly the power of the Company-State could be projected into the hills. The creeping advance of the road was therefore tantamount to an invasion in slow-motion, and the tribes were not about to surrender themselves to Leviathan. No chief in their right mind – payment or no payment – would have yielded up the keys to the kingdom by allowing the road to snake into their sanctum. So far as the tribes of the pass were concerned, the Company's annexation of Punjab was irrelevant to their own standing. As Napier's informer explained: victory over the Sikhs 'gave you no right to the Affreedee territory', nor 'any right to appropriate this Pass which is in our territory!'¹⁶

Then there was salt tax. Following annexation, salt was one of the few articles which the British were explicitly willing to tax at a higher rate than their predecessors. In the rest of Punjab, the so-called 'Cis-Indus salt' was thenceforth mined as a state monopoly and sold at a price of two rupees per Company maund (82 lbs). This represented an increase of fifteen per cent over the previous price of two rupees per Punjabi maund (about 94 lbs).¹⁷ As with the land tax, so too with the salt tax, dislocations were caused by banal changes in units of

¹⁵ Ibid., p.69.

¹⁶ Ibid., p.69.

¹⁷ *GR1849-51*, pp.80-81.

measurement and currency that were designed, in part, to rationalize and streamline administration. Even so, on the Frontier, the British at least tried to tread more warily. Ultimately, the Trans-Indus mines – of which there were several in Kohat District – were subjected to much smaller imposts.¹⁸ Nevertheless, the new arrangement was a greater departure than the British had initially appreciated. Under the Sikhs, whatever the official arrangements, in practice, the more independent tribes, including those of the Kohat Pass, had been free to mine salt almost at will.¹⁹ This was reflected in the old Trans-Indus prices for salt, which were far lower; ranging from half an anna per maund to one anna per maund. However, the British now tried to impose tighter control over the Trans-Indus mines, so limiting the tribes' access to them, at the same time as raising the official price.

In fact, shortly after annexation, and apparently unbeknown to the Board, Richard Pollock had increased the selling-price at the pitheads of the Kohat salt mines to one rupee per maund; effectively multiplying the price by at least sixteenfold overnight.²⁰ This precipitate price increase was followed by other measures regulating salt, which threatened the tribes' interests. First, the Board began to impose a tighter preventive line along the Indus, so as to exclude the cheaper Trans-Indus salt from the rest of Punjab, where it would undercut the Company's monopoly. Then, in the autumn of 1849, the Board also temporarily closed the Bahadur Khel salt mine in the Kohat Valley, while they debated a new price. All this hurt the tribes living in the Kohat Pass, who relied for much of their income on carrying the salt from Kohat to Peshawar and perhaps further afield.²¹ To the south, Reynell Taylor noted that around this time, 'thousands of men, usually engaged in

¹⁸ *Ibid.*, p.80; *GR1854-56*, p.35.

¹⁹ Taylor, 'Memorandum', *FR*, p.100.

²⁰ Tucker, *Kohat*, pp.49, 150.

²¹ Napier, *Defects*, p.69; Paget, *Expeditions*, p.233.

extracting or conveying salt from the mines to all parts of the country, were thrown out of employment, and some disturbances occurred at Kohat and Bahadoor Khail, but passed off'.²² In January 1850, there was some reprieve, when the Board overruled Pollock's unilateral price increase, and instead established a somewhat lower monopoly price on the Trans-Indus Salt of two to four annas per (Punjabi) maund. But, by then, it was probably too late.²³ Certainly, Napier thought that salt had been the key grievance motivating the attack on the sappers.²⁴

Doubtless, the clumsiness of the British moves must have empowered the more hawkish tribesmen. To them and their peers, it may well have seemed that if they did not stand their ground, they would soon lose both their autonomy and their livelihoods. It was now or never. Thus, the unfortunate sappers were set upon and killed, and the pass closed. Or, at least, that was what the British inferred. Writing a few years after the event, Richard Temple would largely dismiss the Afridis' grievances. He imputed the 'chief causes of this outrage' to the 'innate ferocity of the Afreedees, [and] their distrust of a civilized Government'. Temple also posited the malign influence of a 'noted freebooter'.²⁵ This was Darya Khan Adezai, a Mohmand chief who had fallen foul of the Sikh Government prior to British interference and annexation. Indeed, his *jagir* in the Peshawar Valley had been revoked, and he had been imprisoned at Gobindgarh, only to escape during the Residency. Darya Khan then reappeared on the Frontier, tendering his services to the British, and warning them that they would need to pay the Afridis (with whom he seems to have had some influence) in order to keep the Kohat Pass open. In May 1848, his home village of Adezai had been

²² Taylor, 'Memorandum', *FR*, p.100.

²³ Tucker, *Kohat*, pp.147-150.

²⁴ Napier, *Defects*, pp.118-119.

²⁵ *FR*, p.18.

torched by John Nicholson in a retaliatory raid. Although Darya Khan was not proscribed at that time, this can hardly have been conducive to warm feelings. At annexation, Darya Khan was still a free man; albeit, he had not been taken into pay by the Board.²⁶ Temple's retrospective inference was that Darya Khan had 'hoped, by disturbing the passage of the defile, to induce the British to conclude terms with him', perhaps making him their paid intermediary with the Afridis, or simply buying his peace.²⁷

Throughout the ensuing affair, Darya Khan would occasionally surface in British discussions, being represented as an arch-nemesis orchestrating the hostility of the tribes. John Coke, commander of the 1st Punjab Infantry ('Coke's Rifles'), and other officials even appear to have contemplated ordering Darya Khan's assassination, but were warned against it by Henry Lawrence, who reminded them of what had happened to William Macnaghten. Nonetheless, Darya Khan still commanded a bounty of Rs.3,000 if taken alive.²⁸ How far Darya Khan's involvement was real, or just a figment of the British imagination, is moot. Nonetheless, it illustrates the atmosphere of uncertainty and speculation within which officials operated. Indeed, they also linked Darya Khan with another spate of tribal instability involving the Mohmands near Peshawar later in 1850.²⁹

Of course, there were other ways of interpreting the series of events that led up to the attack on the sappers. A plausible alternative is to shift the emphasis away from the British, and instead consider the various interests of the tribal communities living in the pass. First, it is notable that the sappers were attacked on the southern edge of the pass, on ground

²⁶ *Political Diaries of the Agent*, pp.35, 41, 52; *Journals and Diaries of the Assistants*, pp.340-341, 443-444, 492.

²⁷ Paget, *Expeditions*, p.235; *FR*, p.18.

²⁸ H.L. to George Lawrence, 14th March 1850, MSS Eur F85 9.

²⁹ Paget, *Expeditions*, p.197.

claimed by a small subsection of the Daulatzai Orakzais, called the Bazotis.³⁰ In fact, it was perfectly possible that the Bazotis, and not the Afridis, were the main attackers. For a start, unlike the Afridis, the Bazotis had not been bought off by the British. Hence, by attacking the sappers, they may well have intended to prove that they could not be overlooked, and that the British needed to purchase their goodwill too. Perhaps this was an understandable oversight by the Board, given that the Bazotis mustered only five hundred fighting men. However, on the Frontier, numbers were a poor guide to military or political effect – a lesson the British would relearn many times over.³¹

In addition, the Bazotis had perhaps more cause than the Afridis to apprehend the construction of the road through the Kohat Pass. After all, work on it was then ongoing in their area, making it both a more immediate threat and tempting target. Likewise, they too were hurt by the new salt regulations. A couple of decades later, Kohat District's Deputy Commissioner, Henry St. George Tucker – whose understanding of the area appears to have been much more detailed than the Board's, let alone Napier's – believed that the attackers had indeed been Bazoti Orakzais and not Afridis.³² Still, contemporaries were not entirely unaware that others might have been involved, though they seem to have had little realistic idea as to precisely who.³³

Given all this, the fact that Rehmat Khan, who was an Orakzai, had so confidently professed to Napier that the Afridis were to blame for the attack assumes an altogether more sinister light. Whilst it seems doubtful that the affair was a conspiracy, or false flag

³⁰ *GR1851-53*, p.18; Paget, *Expeditions*, p.314.

³¹ Edward Balfour (ed.), *The Second Supplement, with Index, to the Cyclopaedia of India and of Eastern and Southern Asia* (Madras, 1862), p.511.

³² Tucker, *Kohat*, p.48.

³³ C.N. to Dalhousie, 16th February 1850, in 'Expedition to the Afreedee Hills', *Allen's Indian Mail*, Vol.8, No.156 (3rd September 1850), p.528.

attack, devised to draw the British into attacking the Orakzai's Afridi rivals, with Rehmat Khan playing the role of trickster in the British camp, it would have been entirely reasonable for Rehmat Khan instinctively to try and shift the blame from the Orakzais to the Afridis. In fairness, it seems likely, given the size of the initial attack, that some Afridis were involved, as the Bazotis could not muster the fighting manpower estimated as having taken part. However, even if the attackers had been Afridis, which seems partly true, the British nonetheless made an unforced error – strategically and morally – by automatically holding all the Afridis of the Kohat Pass collectively responsible for satisfaction. This was a step which made little sense given that the Afridis were, in turn, divided amongst themselves. Whatever the precise truth, it would have behoved the British to get better information before they acted.

For the authorities at Peshawar at once decided that some sort of reprisal was necessary, and sooner rather than later. Thus, Napier issued an ultimatum, it seems via Rehmat Khan (a dubious choice of envoy), to the effect that the attack's ringleaders must be surrendered; failing which, the Company would force the Kohat Pass and attack any Afridis in their way.³⁴ Of course, it was not necessarily in Rehmat Khan's interests for the British to resolve matters with the Afridis so soon. By playing the two off against each other, he might yet increase his relative standing, and the price he could command as a peace broker. Evidently, the British were not the only ones who played divide-and-rule. Whatever the case, the ultimatum elicited no positive response from the Afridis, and so the British pressed ahead.

Napier would later try and throw all the blame for this rupture onto the Board, its subordinate civil officials, and Lord Dalhousie; disingenuously declaring that had his own

³⁴ Napier, *Defects*, p.70.

preferred approach of 'conciliation' been tried, then a 'war', in which 'beautiful villages' were 'cruelly burned', might have been avoided.³⁵ And yet, for all Napier's retrospective attempts to rewrite history, at least initially, he was only too eager for a showdown. Indeed, there was no necessity for so immediate a response; there were two alternative routes between Peshawar and Kohat which were still open, while Kohat itself was secure.³⁶ Furthermore, the officials at Peshawar had not yet received any explicit orders from the Board to launch a retaliatory expedition – not that Napier was about to take orders from them anyway. What enjoined so swift a response was the question of credibility; albeit, not just that of the Company's, but Napier's as well. In Napier's aggrandizing mind, if he was to balk at the task of forcing the Kohat Pass and subordinating the Afridis, then 'such timidity would have gone throughout Central Asia as a defeat!'³⁷ Equally, he probably desired a success in the field for its own sake. After all, having puffed himself up so much, he could hardly be seen foregoing the opportunity for a hill war now that it was his for the taking.

Indeed, what then followed was a tussle between Napier and the provincial officials for the direction of the prospective retaliatory expedition. Representing the latter, Peshawar Division's Commissioner, George Lawrence, proposed that the Board's Punjab Irregulars might carry out a punitive expedition by themselves. However, Napier was adamant that he, or one of his direct subordinates, should take the lead. Ultimately, Napier prevailed. Consequently, a larger expedition was fitted out, numbering about 3,000 men, under the immediate command of Brigadier Colin Campbell (then the commanding officer at Peshawar), who, in turn, answered directly to Napier, who also accompanied the expedition.

³⁵ Ibid., p.72.

³⁶ Lawrence, 'Napier's Posthumous Work', p.256.

³⁷ Napier, *Defects*, p.83.

The Board's irregular forces were thenceforth the junior partners. These included Coke's Rifles, the 1st Punjab Cavalry ('Daly's Horse'), a detachment of Lumsden's Guides, and some 1,600 militia volunteers from around Peshawar. Presumably, the latter were attracted by the occasional prospect of pay, plunder, adventure – and vengeance. Likely, there was no love lost between the denizens of the Vale of Peshawar and the Afridi hillmen. At the same time, under Napier and Campbell, there were six companies of H.M.'s soldiers (two companies each from the 60th Rifles, 61st Foot, and the 98th Foot), and three sepoy regiments (the 23rd and 31st Native Infantry and the 15th Irregular Cavalry), as well as six guns. On February 8th, the force departed from Peshawar for the Kohat Pass with a fortnight's provisions – which was far more than they actually needed, and can only have proved a hindrance.³⁸

It might well be wondered what Napier was intending to achieve with his punitive expedition, given that in his general orders he instructed that there was to be no plundering, burning, or reprisals by the soldiery.³⁹ But again, Napier was almost certainly being somewhat disingenuous.⁴⁰ In fact, Napier's warnings imply that he suspected how things would go, and he probably desired to cover himself with a veil of plausible deniability ahead of time. Meanwhile, back at Lahore, Henry Lawrence first heard the news of the attack on the sappers on February 13th. Indicatively, like those at Peshawar, his instinctive reaction was to assume that retaliation against the tribes of the Kohat Pass was 'necessary as a simply defensive move, as well indeed as to prevent the spirit of insurrection spreading.'⁴¹

³⁸ Napier, *Defects*, pp.85-86; Paget, *Expeditions*, pp.236-237; Lumsden, *Lumsden*, p.84.

³⁹ Paget, *Expeditions*, p.236.

⁴⁰ Napier, *Defects*, pp.117-118.

⁴¹ H.L. to Dalhousie, 13th February 1850, MSS Eur F85 9.

But, by then, operations were already afoot. Days before, on February 10th, Napier's punitive force was standing at the northern mouth of the Kohat Pass, before the Hasn Khel Afridi village of Akore. There, they issued the village with an ultimatum to give up the murderers.⁴² Given that the attack had occurred at the opposite end of the pass, it is hard to see why the British should have assumed that these villagers had anything to do with it, let alone that they would be in a position to surrender the ringleaders.⁴³ Even so, George Lawrence believed that the inhabitants of Akore were somehow amongst those responsible.⁴⁴

All this is further evidence that the British were then operating on defective information and flawed assumptions. Having already decided that the Kohat Pass Afridis were responsible, they then lumped them all together as though they were a single homogeneous unit. Indicatively, Napier's despatch describing the expedition referred throughout to the 'Afridi tribe' in the singular.⁴⁵ Perhaps this simplification, or total misunderstanding, stemmed from the fact that the British were more accustomed to fighting conventional campaigns against kindred state-like enemies. Almost instinctively, they therefore resorted to this familiar paradigm. It also suited them – or so they thought – to enforce collective responsibility as a way of coercing the different tribal subsections into policing each other. Thus, they obstinately regarded all the Kohat Afridis as enemies. As such, unless proven otherwise, each Afridi village represented an enemy camp, and its men, an enemy battalion.

⁴² Paget, *Expeditions*, p.233.

⁴³ Paget, *Expeditions*, p.233; Charles Aitchison (ed.), *A Collection of Treaties, Engagements, and Sunnuds, Relating to India and Neighbouring Countries*, Vol.II (Calcutta, 1863), p.391.

⁴⁴ Paget, *Expeditions*, pp.236-237.

⁴⁵ *Ibid.*, p.240.

Napier recorded that Akore's chief, having received the impossible ultimatum, 'endeavoured to exculpate his people, and, as these people always do, cast the blame on others.' The unfortunate chief was then given one hour to 'bring in the chiefs and cause the people to lay down their arms'. The time passed and nothing happened, and so Napier's force advanced. What their specific orders were is unclear – but surely, they were not about to let the Hasn Khel Afridis of Akore continue with their day as though nothing had happened. It seems fair to assume that, at the very least, the force had been instructed to search the houses, or destroy a few as a demonstration – if not the entire village. Nonetheless, the troops allegedly 'had orders not to fire unless fired upon', and, according to Napier, it was the Afridis who fired first. But the Company forces had the advantage of numbers and firepower, and they opened-up on the village with a twelve-pound howitzer. Having wrested control of the village, George Lawrence gave orders to burn it entire (which may well have been the intention all along). This was duly carried out by the Punjab Irregulars and the local levies commanded by the provincial officials.⁴⁶

As for Napier's role in this, he seems to have been relatively accepting of the harsh measure at the time. The following day he wrote in his journal that 'these villagers indeed deserve punishment.... It is the old story: civilization and barbarism cannot run together.'⁴⁷ These were hardly the words of someone who either strenuously opposed the burning of the village, or was particularly repentant. It also reflected how the language of 'civilization', 'barbarism', and 'savagery' was readily used as *ex post* justification, whilst being notably absent as a source of prior motivation. Nevertheless, in due course, Napier would publicly

⁴⁶ C.N. in William Napier, *The Life and Opinions of General Sir Charles James Napier, G.C.B.*, Vol.IV (London, 1857), p.228; Napier, *Defects*, p.91.

⁴⁷ C.N. in Napier, *Life*, Vol.IV, p.228.

represent himself as largely innocent of any involvement in the burning of the village, and as having remonstrated against it. 'Entirely deprived of command over these troops,' he later wrote, 'I was compelled to witness, and in some degree aid their abominable proceeding'.⁴⁸ Napier would try to pin the entire responsibility for the burning of the Afridi villages on the Board and its subordinates, which was something Henry Lawrence denied.⁴⁹ In a literal sense Henry Lawrence was right: the Board did not even know of the expedition until it had already set out from Peshawar, so could not possibly have given the orders. Returning Napier's accusations in kind, Henry Lawrence subsequently pointed out that Napier had previously been in favour of burning villages. Indeed, as Governor of Sindh, Napier had sworn to visit those tribes who defied him '*with fire and sword*', and this he had done.⁵⁰

Despite the blame game, burning villages was clearly an integral part of the British repertoire. But in this, they were far from alone; previously, the Sikh State had done much the same, as had the tribes themselves. Part of the reason for such indiscriminate destruction by the British was that it seemed to them as though there were few other viable targets. If the tribes refused battle, how else were the British meant to punish and deter? Certainly, they were quite confounded by the tribes' irregular methods. As Henry Lawrence complained, 'the men of the passes do not fight, they murder. They will way-lay, shoot from behind a breast-work, or the top of a hill, and individually they are plucky enough; but they do not fight in bodies, and do not like getting killed'.⁵¹ Indeed, one of the reasons for

⁴⁸ Napier, *Defects*, p.91.

⁴⁹ H.L. to J.L., 31st December 1853, MSS Eur F85 15.

⁵⁰ Lawrence, 'Napier's Posthumous Work', pp.258-259; C.N. in William Napier, *History of General Sir Charles Napier's Administration of Scinde* (London, 1851), pp.107-108; Simpson, *The Frontier in British India*, pp.190-191.

⁵¹ Lawrence, 'Napier's Posthumous Work', p.262.

destroying villages was precisely because it promised to draw the enemy into a potentially decisive battle in defence of their homes.

The British felt that the tribes' guerrilla tactics gave them few realistic alternatives to burning villages. Frequently, it seemed as though it was that, or do nothing – which appeared unthinkable to many at the time. As Henry Lawrence explained, the thorny question was 'often privately discussed', with the general consensus among officers and officials being that 'the enemy's crops should be cut, and their towers and houses destroyed'.⁵² Likewise, James Abbott was explicit that the British burned villages for the want of better alternatives. 'If the mountaineers will fight and are defeated that punishment alone may quiet them for a while, if they will not fight, the destruction of their crops and tenements is the only possible punishment available.'⁵³ Indiscriminate destruction was not an end in itself, but a means to the end of compelling the tribes to accept British terms.

Ultimately, the British were grappling – however ineptly – with the very real conundrums posed by asymmetric conflict. Namely, how to fight an enemy that is embedded in a civilian population, and which will not meet concentrations of force in kind, but would rather disperse to fight again another day. So far as the British were concerned – although they ought to have been more discriminating, and were acting on flawed information – the Afridis had set upon and murdered their native sappers. They were therefore responding to provocation. The British believed that were they not to retaliate, they would demonstrate a willingness to tolerate such actions, or (worse) an inability to punish them; thereby effectively handing their enemies impunity. Later, in an official synopsis of relations with the

⁵² Ibid., p.258.

⁵³ Abbott, 'Expedition Against the Black Mountain', MSS Eur C210:1853.

Frontier tribes, Richard Temple justified 'destroying villages' in just these terms, albeit within a normative framing that placed the tribes outside the bounds of 'civilized warfare'. More practically, he added that since the tribes' villages and crops were 'the resources and sinews of guerrilla warfare and the basis of operations', they were legitimate targets.⁵⁴

Notwithstanding the language of 'savagery' and 'civilization', it seems that at this early stage, British conduct on the Frontier was more the product of expediency than racialised ideas. After all, 'exemplary violence, the destruction of housing and food, and even racial rhetoric, were not unknown in European war, especially when regular forces met with irregular resistance.'⁵⁵ Moreover, in this case, the actual burning of the village was largely carried-out by the Frontiersmen recruited by the Board. Indeed, Napier could not help but notice that Coke's Rifles 'were composed of Sikhs, Affghans, and even Affreedees!'⁵⁶

Arguably, such retaliatory raids were as much as the continuation of Frontier rivalries, as the unfolding of an imperial project. In fact, the Frontier communities had engaged in raids and burnt each other's villages quite independently of the British. In some respects, the British were adapting to a local way of war, and were converging with the tactics of their enemies and local allies.⁵⁷

With the smouldering village of Akore warming their backs, Napier's force headed deeper into the pass. Intermittently harried by sharpshooters, they continued along the way for some six miles, into the middle stretch of the pass; the eyrie of the Gali Khel Afridis. There, they came upon the Gali Khel Afridi village of Zargun Khel, where there was another fight, and another circle of houses went up in smoke. By this point, the Company's forces were

⁵⁴ *FR*, p.60.

⁵⁵ Bennett, Finch, Mamolea, Morgan-Owen, 'Debate: Military History. Studying Mars and Clio', p.276.

⁵⁶ Napier, *Defects*, p.92.

⁵⁷ Porter, *Military Orientalism*, pp.15-16, 19.

taking perceptible losses, though Napier was beginning (despite himself) to be impressed by Coke's Rifles. Largely Frontiersmen themselves, they did 'more than their full share of fighting, and seemed to desire a monopoly of the whole.'⁵⁸ That night, the force camped in the pass. Needless to say, the situation was less than ideal; they were 'under fire... and several of our people were killed.'⁵⁹

Resuming their march on the next day, the Company force burnt the Gali Khel Afridi village of Kui, before coming across another village, which somewhat curiously was already in ruins – clearly the British were not the only ones who burned villages. Following this, the force surmounted the Kotal or summit of the pass. They then descended through several miles of erratic twists and turns, before the path broadened and the terrain eased a few miles north of Kohat. This was Orakzai and Bangash country, and was where the sappers had been attacked less than a fortnight before. Leaving behind the main body of the force, which was deputed to hold the rear and carry-out further reprisals, George Lawrence and Napier traversed the final stage of the route with a smaller detachment.⁶⁰ Arriving at the town of Kohat, they inspected the fort and delivered some reinforcements to strengthen Pollock's position. They then turned about to pick up the rest of the force, which in the meantime had burnt Bosti Khel, a trio of Gali Khel Afridi villages.⁶¹

The next day, the way back through the pass was fiercely contested. George Lawrence – who knew the Frontier and its tribes better than any other British official in the vicinity – believed that this was a result of the British not having been severe enough in their advance through the pass. 'The Afreedies [were] by no means intimidated by the amount of

⁵⁸ Napier, *Defects*, pp.92-93; Paget, *Expeditions*, p.237.

⁵⁹ Napier, *Defects*, pp.93-94; Paget, *Expeditions*, pp.238-239.

⁶⁰ Napier, *Defects*, pp.93-94; Paget, *Expeditions*, pp.238-239.

⁶¹ Paget, *Expeditions*, pp.238-239.

punishment they had received, and which I have never regarded as sufficient, [and] hung on the rear of our troops, and attacked our flanking parties, inflicting some losses upon us.’⁶² The Company force rushed back through the pass, covering eighteen miles in a single day. Having run the gauntlet, they emerged from the pass that evening. It had been an inglorious and unsuccessful expedition. They had burned six villages and killed and injured several Afridi fighters, while nineteen of their own number had been killed and seventy-four wounded. What is more, the tribes had not submitted, and would now almost certainly keep the pass closed to the British. The fighting had been brutal, with reports of one young injured ensign being ‘literally hacked to pieces’ by the tribesmen.⁶³ Unsurprisingly, some of the Company’s forces seem to have lost their nerve, and had fired without orders.⁶⁴ It is worth noting that a disproportionate share of the casualties (twenty-seven) had been from Coke’s Rifles: a sure sign that these Frontiersmen had indeed ‘sustained the brunt of the skirmishing’, as Napier’s despatch later put it.⁶⁵ Again, there was more to Frontier warfare than the British oppressing the tribesmen – local rivalries and military opportunism were key.

It is well to note that the Afridis had enjoyed some significant advantages. Most obviously, they were fighting on their home ground, with all that implied for superior knowledge and morale. Furthermore, given the conditions, they were perhaps better armed. Certainly, there is good reason to believe that the Afridis’ *jezails*, which had an effective range of a few hundred yards, were better for sharpshooting and skirmishing than

⁶² George Lawrence, W. Edwards (ed.), *Reminiscences of Forty-Three Years in India* (London, 1874), p.274.

⁶³ ‘Summary and Review’, *Allen’s Indian Mail*, Vol.8, No.146 (2nd April 1850), p.186.

⁶⁴ ‘The Affredie Tribes’, *Allen’s Indian Mail*, Vol.8, No.147 (18th April 1850), p.221.

⁶⁵ Shadwell, *Campbell*, Vol.I, FNp.244; Paget, *Expeditions*, pp.239-241.

the muskets used by the Company forces (aside, of course, from Coke's Rifles), which were accurate over not much more than one hundred yards.⁶⁶

News of Napier's unsuccessful expedition, and that the pass was now 'impassable', soon arrived at Lahore.⁶⁷ Henry Lawrence was determined that there would have to be another expedition, not just to re-open the pass, but to restore British credibility and deterrence as well – and he was not alone.⁶⁸ Lord Dalhousie, for one, was unimpressed when he learned what had transpired. Much of his irritation turned on the fact that Napier's arguably rash personal involvement had given 'undue importance to the affair, and as only small results have been accomplished the Afghans and others will represent it as a failure.'⁶⁹ In other words, Dalhousie felt that Napier had unnecessarily raised the stakes, thereby turning what would otherwise have been a relatively insignificant matter into a major test of British credibility.

In British minds, it therefore became still more necessary that the Afridis be conspicuously humbled and British power vindicated. Thus, the conflict risked assuming a life of its own. Henry Lawrence proposed to Dalhousie that the British attack again, but this time on a larger scale. He suggested that in about six weeks' time, they might launch another retaliatory expedition, over double the size of Napier's foray, to 'destroy the villages and reap the crops of all parties whom in the interim it may be proved were involved in the murders'.⁷⁰ This last was practically an admission that the British still had little idea about who was really responsible for the attack on the sappers. Evidently, Henry

⁶⁶ Lawrence, 'Napier's Posthumous Work', p.272; Daly, 'Punjab Frontier Force', p.919; Edwardes, *Punjab Frontier*, Vol.I, Second Edition, FNp.171; Moreman, 'North-West Frontier Warfare', p.40.

⁶⁷ H.L. to Hardinge, 5th March 1850, MSS Eur F85 9.

⁶⁸ H.L. to Dalhousie, 20th February 1850, MSS Eur F85 9.

⁶⁹ Dalhousie to Couper, 16th March 1850, Baird, *Letters*, p.114.

⁷⁰ H.L. to Dalhousie, 20th February 1850, MSS Eur F85 9.

Lawrence and other officials feared doing nothing, and therefore risk being seen as weak, more than they apprehended injuring innocent parties. This was a morally culpable choice. It was also strategically flawed; not least, because it was bound to increase the Company's enemies, rather than reducing them. Thus, British belief in the primacy of prestige and their lack of accurate information meant that they were reduced to lashing out in the dark like a blinded beast.

For the moment, however, it was the hill tribes who held the initiative. If anything, Napier's expedition had merely succeeded in further unifying the tribes against a common threat. Before the end of February, the Kohat Pass Afridis had combined with the Bazotis and Utman Khel Orakzais, in order to attack an outpost of riflemen and Multani Pathans, which Coke had recently stationed (to little effect) in a tower situated near the Kotal in the pass. Allegedly led by Darya Khan, two thousand Afridis, Bazotis, and other Orakzais, besieged the tower, severing its water supply. The isolated force stood little chance. Fortunately for them, Coke came to their relief with a few hundred of his Rifles and about five hundred Bangash volunteers from the Kohat Valley. Their arrival precipitated a negotiated solution, to the effect that the tower was surrendered, in return for the safe passage of its occupants out of the pass. Needless to say, this was a further fillip to the tribes, and further underlined that Napier's expedition, rather than cowing them, had provoked them to greater exertions and had encouraged them to stand together, making them all the more formidable.⁷¹

⁷¹ H.L. to Dalhousie, 10th March 1850, MSS Eur F85 9; Paget, *Expeditions*, p.242; 'Summary and Review', *Allen's Indian Mail*, Vol.8, No.148 (4th May 1850), p.249.

Meanwhile at Peshawar, the military and civil authorities debated their next move. George Lawrence took a hard-line and insisted that ‘the only chance... of these Affreedees being brought to proper terms, is to destroy their crops, now ripening, and to blow up and level every tower and house in the defile between Akore (on the Peshawar side) and the entrance of the Pass on the Kohat side.’⁷² But Colin Campbell worried that this would be futile. ‘Supposing the houses and crops for this year to be destroyed, and these people still remain hostile and interrupt our communication with Kohat, what is next to be done with them?’⁷³ Furthermore, Campbell added that the hot weather would intervene, giving the Afridis time to regroup and recover. Moreover, once active operations were resumed, they could always find ‘shelter and protection with the families of the adjoining tribes’.⁷⁴ To Campbell, it was already evident that trying to coerce the Afridis in the expectation of achieving a final settlement was a mirage.

Indeed, despite – or perhaps because of – his military position and responsibilities, Campbell would later make a strong case that the challenge posed by the tribesmen of the Kohat Pass was not susceptible to a direct military solution. He warned that the tribes’ lifestyle was such that they could elude and adapt to the threat posed by British arms, and absorb almost any punishment the British could mete out. The tribes could continue to refuse battle, and it was supposed that they could live in the numerous caves which riddled the hills, if their villages were destroyed, sustained by hidden stockpiles of grain and their flocks.⁷⁵ At the time, Campbell’s reluctance to retaliate was supported by the Commander-in-Chief. For, in the wake of his unsuccessful expedition, Napier seems to have had a radical

⁷² Napier, *Defects*, p.123.

⁷³ *Ibid.*, pp.123-124.

⁷⁴ *Ibid.*, p.124.

⁷⁵ Campbell in Shadwell, *Campbell*, Vol.I, pp.251-252.

change of heart and concluded that continuing the hill war was futile. Napier even ordered Campbell not to involve regular soldiers (as opposed to the Punjab Irregulars, which were controlled by the Punjab administration) in any future expedition without his special sanction.⁷⁶ By now, a clear rift had opened between the Company's military chain-of-command and Punjab's administration, with the latter continuing to prefer a more belligerent and punitive approach.⁷⁷ In fact, Napier contended that the British should at once 'take the Affreedee tribes *into pay*, and purchase the right of passing safely through their territory'.⁷⁸ He even advocated 'pay[ing] the Affreedee chiefs *double* what they ask to defend the Pass. They ask 6,000 rupees a year; I would give them 12,000. It is only by generosity that such tribes can be kept in order, in *such circumstances*. These people will give trouble unless this course be taken, and the salt tax placed on its ancient footing.'⁷⁹

As for the inhabitants of the Kohat Pass, having expelled the Company forces from the bastion on the Kotal, there was relative peace in and around the pass. Indeed, it appeared as though they were content to be left alone to manage their own affairs. What is more, contrary to British expectations, it transpired that the tribes were even willing to allow passage through their pass – albeit on their terms.⁸⁰ But Henry Lawrence doubted that matters could be allowed to rest there, however. In his mind, a resounding victory was required to restore British credibility and establish deterrence once and for all. 'I am convinced that the hill people will not cease to molest us until they have felt our power,' he told Dalhousie.⁸¹ As for Napier's suggestion of *increasing* the subsidy to the Afridis, this

⁷⁶ Shadwell, *Campbell*, Vol.I, p.247.

⁷⁷ H.L. to Dalhousie, 11th March 1850, MSS Eur F85 9.

⁷⁸ Napier, *Defects*, p.125.

⁷⁹ *Ibid.*, p.427.

⁸⁰ Shadwell, *Campbell*, Vol.I, p.247; 'Summary and Review', *Allen's Indian Mail*, Vol.8, No.148 (4th May 1850), p.250.

⁸¹ H.L. to Dalhousie, 11th March 1850, MSS Eur F85 9.

would only 'show the tribes that we are not strong enough to command.'⁸² Henry Lawrence warned that it would appear as though the British were rewarding defiance in a fashion which would likely encourage imitators: 'the fact is that paying one man or one tribe sets another against us in hopes of being bribed in his or their turn.'⁸³ He added that the Orakzais, who had also taken part in the recent attack on the Kotal bastion, 'probably [did so] because they were not paid' – a remark that, in relation to the Bazotis, was probably truer than he realised. He predicted, 'let us pay them, and another tribe will be the next assailants. Besides, they are all so much divided among themselves that we can never influence all for peace.'⁸⁴ He therefore concluded that the British would have to assert themselves in one way or another.⁸⁵

In all this, Henry Lawrence received backing from John Lawrence. In fact, for all their differences, the Lawrence brothers were generally aligned when it came to the use of force, believing in the advantages of striking hard and fast. John Lawrence wrote to Dalhousie that buying off the Afridis from a position of weakness was the last thing they should do. 'We cannot exasperate the Afridis more than we have done, whereas, by punishing them well, we may make them fear us, which now they do not.' He added, 'you must thrash them soundly, first, before they will respect you. A little money judiciously expended among the heads of clans would then prove useful.'⁸⁶ Dalhousie basically agreed, and he confided to George Couper that 'we must show them we are masters first, which naturally they do not now believe.'⁸⁷

⁸² H.L. to Dalhousie, 20th March 1850, MSS Eur F85 9.

⁸³ H.L. to Dalhousie, 15th March 1850, MSS Eur F85 9.

⁸⁴ H.L. to Dalhousie, 20th March 1850, MSS Eur F85 9.

⁸⁵ Ibid.

⁸⁶ J.L. to Dalhousie, Smith, *Lawrence*, Vol.I, p.352.

⁸⁷ Dalhousie to Couper, 23rd March 1850, Baird, *Letters*, p.115.

However, by the end of March, Henry Lawrence was offering an additional plan to augment the standard punitive expeditions. This involved subjecting the Kohat Pass Afridis to economic sanctions, inspired by the native practice of *bandish* (reverse blockade).⁸⁸ In Henry Lawrence's words, 'we might turn every Afreedee out of Peshawar, prohibit them coming in to sell wood etc., and closely watch the frontier until October'. He advised that Company forces might then enter the pass in greater force and establish a lasting presence by building a series of bastions along the route. Only once this had been accomplished would he willingly try to co-opt the Kohat Pass Afridis by offering them military employment.⁸⁹ Furthermore, Henry Lawrence now conceded, however belatedly, that the new salt regulations might have had something to do with the tribes' discontent after all. On this point at least, the Board was open to making some concessions. It seems that whilst they still insisted on the preventive line along the Indus, they were willing to allow the Kohat Pass Afridis free access to the Kohat salt mines in return for their submission.⁹⁰

But, before Henry Lawrence's plans could be put to the test, peace threatened to break out. Over the course of a few weeks, emissaries from the Gali Khel Afridis and Hasn Khel Afridis visited George Lawrence for negotiations. The *détente* was then put to the test when a detachment from Kohat, including Daly's Horse, hazarded the journey through the pass, where they met with no opposition, and the village headmen even struck a conciliatory tone and escorted them. A few days later, the chiefs of these subsections met with George Lawrence and proposed a compromise. Even Henry Lawrence acknowledged that 'the Afreedees have given a good opening for renewal of terms.'⁹¹ Dalhousie agreed, and on

⁸⁸ Beattie, *Empire and Tribe*, p.15.

⁸⁹ H.L. to Dalhousie, 30th March 1850, MSS Eur F85 9.

⁹⁰ H.L. to Dalhousie, 15th March 1850, MSS Eur F85 9; H.L. to Dalhousie, 30th March 1850, MSS Eur F85 9.

⁹¹ H.L. to Dalhousie, 30th April 1850, MSS Eur F85 9.

June 6th, a deal was signed; according to which, the chiefs agreed to keep the pass open and guarantee safe passage, in return for the recontination of their old subsidy.⁹²

However, from the outset, the deal was flawed. Crucially, it only involved the chiefs of the Hasn Khel Afridis and Gali Khel Afridis, so leaving out the two Orakzai subsections in the pass – the Bazotis and Utman Khel – who had also partaken of hostilities. Of course, it might be noted that it was the Hasn Khel Afridis' and Gali Khel Afridis' settlements – Akore, Zargun Khel, Kui, and Bosti Khel – which had borne the brunt of the village-burning back in February. Having already suffered the Company's depredations, the chiefs may well have been anxious to avoid further losses. However, from what followed, it seems that there were some amongst the Hasn Khel Afridis and Gali Khel Afridis who still desired vengeance, and it appears that the chiefs had not enjoyed the full support of their own followers when making the agreement.⁹³

For, within three days of the agreement, the post passing from Kohat to Peshawar was attacked. Given that there were no fatalities, the affair was perhaps the spontaneous act of a few individuals, rather than a concerted aggression on the part of the tribes. Nevertheless, it destroyed whatever fragile confidence existed, and confirmed in British minds that they were still at war with the Kohat Pass Afridis after all.⁹⁴ Indeed, they even suspected that the peace initiative had been a ruse to lull British officials into a false sense of security and then assassinate them.⁹⁵ Being mid-summer, the British decided against active operations until the autumn.⁹⁶ In the meantime, however, as per Henry Lawrence's recent suggestion, they

⁹² H.L. to Dalhousie, 30th May 1850, MSS Eur F85 10; *FR*, pp.19-20; Paget, *Expeditions*, pp.242-243.

⁹³ Paget, *Expeditions*, p.243.

⁹⁴ *Ibid.*, p.243.

⁹⁵ 'Miscellaneous', *Allen's Indian Mail*, Vol.8, No.155 (19th August 1850), p.480.

⁹⁶ H.L. to Dalhousie, 1st July 1850, MSS Eur F85 10.

had recourse to an economic blockade. Hence, the Afridis were barred from entering either the Peshawar or Kohat Valleys, thereby excluding them from the markets on which they largely depended.⁹⁷ In Dalhousie's words, the idea was 'to starve them into humility.'⁹⁸ By now, the British belatedly realised that the Kohat Pass Afridis were especially exposed to economic sanctions. The same ruggedness and poverty of the Kohat Hills, which helped put the Afridis beyond the reach of the state, now redounded to their disadvantage. Without access to the markets of Peshawar, where they could exchange the salt and firewood they traded for food, they would soon be driven to desperate straits.⁹⁹ Furthermore, the British also seized any Afridis and Afridi property which they could get their hands on, including a number of Afridi women, much to the Afridis' outrage.¹⁰⁰

Nevertheless, the British fully acknowledged that sanctions and blockades had their limitations, which perhaps explains why they had not been used to begin with. So far as they were concerned, blockades were 'troublesome' to enforce and prone to leakages. They were also slow to take effect.¹⁰¹ Furthermore, they did nothing to stop the Afridis from going onto the offensive in the meantime – which they duly did. Indeed, notwithstanding the blockade, Henry Lawrence continued to favour a punitive expedition. This was because he was comparatively pessimistic about successfully negotiating with the tribes in the absence of incontrovertible proof of the Company's *military* dominance.¹⁰² He believed that economic coercion and negotiations would be insufficient owing to the Pashtun tribes'

⁹⁷ *FR*, pp.19-20.

⁹⁸ Dalhousie to Couper, 30th June 1850, Baird, *Letters*, p.131.

⁹⁹ *FR*, p.17.

¹⁰⁰ Paget, *Expeditions*, p.243; 'Summary and Review', *Allen's Indian Mail*, Vol.8, No.156 (3rd September 1850), p.505; 'Summary and Review', *Allen's Indian Mail*, Vol.8, No.157 (24th September 1850), p.537; 'Summary and Review', *Allen's Indian Mail*, Vol.8, No.161 (20th November 1850), p.665.

¹⁰¹ *FR*, p.17.

¹⁰² H.L. to Dalhousie, 30th August 1850, MSS Eur F85 10.

semi-democratic, acephalous, and amorphous character, all of which made them elusive political counterparties. According to Henry Lawrence, the problem was that the chiefs 'cannot influence and restrain their followers', whilst 'in such tribes there is always a war party'.¹⁰³ He therefore still maintained that force had to be the final arbiter.

However, the self-same attributes of relative decentralization and leaderlessness, which rendered the tribes such thorny opponents, also limited their ability to coordinate on a larger scale, or maintain a united front over longer time spans, so restricting what they could achieve. Indeed, over the course of the summer of 1850, there were signs that the tribal confederacy, which the British had somewhat ineptly raised against themselves with their ill-considered plunge into the pass, was beginning to fray. On the night of July 26th, the 'British' village of Jani-ki-garhi, not far from the mouth of the pass as it debouched into the Peshawar Valley, was attacked. Although ostensibly a further blow to the British, on closer inspection it was evident that the tribes' high watermark had passed. For, compared with their defence against Napier's expedition, or their attack on the Kotal, which had involved more than one subsection, this foray was the work of the Gali Khel Afridis alone.¹⁰⁴ Indeed, pressured by the blockade, other tribesmen were just then putting out peace feelers. In Dalhousie's words, 'the Afreedee vagabonds are beginning to sound us again, but I have directed the officers to give them the cold shoulder for the present.'¹⁰⁵ As he explained to Couper, 'unless they [the Afridis] lick the dust now, we must take the pass by force of arms.'¹⁰⁶

¹⁰³ Ibid.

¹⁰⁴ Paget, *Expeditions*, pp.243-244.

¹⁰⁵ Dalhousie to Couper, 4th August 1850, Baird, *Letters*, p.134.

¹⁰⁶ Ibid., p.134.

Accordingly, the tribes were left to twist in the wind. In September 1850, the tribes repeated their overtures, but this time with more success. Harry Lumsden, who had succeeded George Lawrence as Commissioner of Peshawar Division that summer, reported that they seemed sincere. His opinion was seconded by the Board, who put the question to Dalhousie, who in turn agreed to give terms.¹⁰⁷ It seems that the economic sanctions had been unusually effective.¹⁰⁸ Dalhousie boasted to Couper, ‘the Afreedees don’t like being starved, and have again come on their marrow-bones.’ But, in truth, Dalhousie himself was by then eager for a reconciliation. He admitted that ‘there is little profit in warring with people who possess nothing, inhabit almost inaccessible glens, where they retire before you, and live in great measure in caves! Any honourable expedient is better than such war’.¹⁰⁹

Certainly, the terms the British then agreed with the Kohat Pass Afridis were by no means indicative of a resounding victory. For, after half a year of strife, dozens of fatalities, much expense, and the destruction of various villages, the British virtually settled for a return to the *status quo ante*. Thus, the Afridis went back to receiving their annual Rs.5,700 subsidy in return for keeping the pass open.¹¹⁰ If anything, it was the British who were the ones accepting defeat – albeit quietly. For, although contemporary sources did not like to advertise the matter, the British now abandoned the idea of building a proper road through the pass, let alone bastions along the route. Indeed, in an official report on Punjab’s roads, written in 1854, the province’s Chief Engineer, Robert Napier, clumsily tried to gloss over the matter, leaving the road hanging, Escher-like, at the Kotal, ‘overlooking the Kohat Pass,’

¹⁰⁷ Paget, *Expeditions*, pp.243-244.

¹⁰⁸ Caroe, *Pathans*, p.350.

¹⁰⁹ Dalhousie to Couper, 7th October 1850, Baird, *Letters*, p.142.

¹¹⁰ *FR*, pp.19-20.

with no explanation, as if that was job done.¹¹¹ Henceforth, the road through the pass remained in a 'state of nature', untamed by the state. Thirty years later it was still 'a work of difficulty to drag through even the lightest dog-cart' – which was precisely how the tribesmen liked it.¹¹² Thus, had British authority run up against its limits.

Of course, this did not mean that the British could not have influence. However, it was influence on the tribesmen's terms, and would have to be purchased. But, after what had passed, the Board were now unwilling to trust entirely to the goodwill of the Afridis alone. Moreover, Rehmat Khan Orakzai had by then insinuated himself with the British with notable success. Indeed, for the moment, Rehmat Khan was the real victor of the hill war; and, having reeled the British in, he now landed his catch. For, alongside the Afridis, the British also contracted with him to keep the pass open; offering him no less than Rs.8,000 a year, of which Rs.2,000 was his 'personal allowance', whilst Rs.6,000 was supposed to be spent paying for a mounted guard. Perhaps it ought to have been obvious where the latter sum would really go, and it later transpired that Rehmat Khan had only maintained twenty men, rather than the hundred that had been stipulated.¹¹³ In fact, the engagement of Rehmat Khan – who had little real influence with the hillmen, whether his own Orakzais or the Afridis – testified to the degree to which the British were still basically operating in the dark, and dependent on intermediaries with their own agendas.

Thus, the British were now spending Rs.13,700 per annum on buying local support. Ironically, this was somewhat more than the Rs.12,000 that Charles Napier had previously proposed paying the Afridis, only to be accused of defeatism by the Board and Dalhousie.

¹¹¹ Robert Napier, *Punjab Road Report, for the Years 1853-1854* (Calcutta, 1854), p.42.

¹¹² Tucker, *Kohat*, p.11.

¹¹³ *FR*, pp.19-20.

Moreover, it was far from clear that this was money well spent. Over the ensuing couple of years there were recurrent recriminations between the Gali Khel Afridis, the Orakzais, and Rehmat Khan, as each tried to one-up the other; trading blame for occasional robberies and other difficulties, with the aim of arrogating to themselves the others' pay. Still, the pass was open – which was not nothing.¹¹⁴

However, within a couple of years, this precarious arrangement reached its logical culmination. Over the course of 1853, the tense relations between the Afridis and Rehmat Khan escalated into open violence. In October 1853, the Afridis overthrew Rehmat Khan's understrength guard on the Kotal, and closed the pass.¹¹⁵ However, in stark contrast to the events of 1850, this time the British did not rush headlong into a punitive expedition. Perhaps they had learnt their lesson. Certainly, their response was much more considered, and their first move was to search for a diplomatic solution – albeit with the threat of force lurking in the wings. At Peshawar, John Lawrence, by then Punjab's Chief Commissioner, met with the leading officials in the area (by that point, Herbert Edwardes, Captain Hugh James, and John Coke), as well as some chiefs, to discuss what line they would take.¹¹⁶ The idea was that they would propose a new compromise to the tribes of the pass, in return for the tribes' renewed submission. If this was rejected, it would trigger a more coercive response from the British. Coke devised a scheme whereby the pass would be divided into sections, each of which would be the responsibility of a separate community, who would receive a proportionate subsidy in return.¹¹⁷ He also proposed replacing Rehmat Khan with a

¹¹⁴ *FR*, pp.19-20; Paget, *Expeditions*, p.244.

¹¹⁵ *FR*, pp.21-22.

¹¹⁶ Paget, *Expeditions*, p.244.

¹¹⁷ *Ibid.*, p.244.

new intermediary. Coke had already alighted on a Bangash chief, Bahadur Sher Khan, as another more promising candidate to 'manage' the tribes of the pass.¹¹⁸

According to Coke's plan, the British would engage with the Bangashes for the southernmost reaches of the pass as far as the Kotal, wherein dwelled the Daulatzai Orakzai subsections: the Bazotis, Utman Khels, and Feroz Khels. For this, the Bangashes were to receive Rs.7,700 a year. This promotion of the Bangashes – as well as Sher Khan's preferment – perhaps reflected Coke's increasing reliance on the Bangashes as allies and intermediaries. As for the main part of the pass, from the Kotal to the village of Akore, this would remain the responsibility of the Gali Khel Afridis and the Hasn Khel Afridis. However, their allowance was now to be reduced to Rs.5,400 per annum. Meanwhile, the northern mouth of the pass, as well as the road to Peshawar, was tendered to the Bazi Khel Afridis for Rs.600.¹¹⁹

Perhaps unsurprisingly, when John Lawrence put this to the Hasn Khel Afridis and the Gali Khel Afridis at a conference on November 5th, they rejected the terms which would have so diminished them.¹²⁰ Thus, the two Afridi subsections were subjected to another blockade, whilst the other communities in the pass, having aligned themselves with the British, applied further pressure. This was successful, and the Hasn Khel Afridis and the Gali Khel Afridis submitted before the end of 1853.¹²¹ With the Hasn Khel Afridis and the Gali Khel Afridis now willing to cooperate, Coke's arrangements were duly revised and refined to accommodate them and the other communities in the pass. Accordingly, the British continued to pay out Rs.13,700, but henceforth it was divided between the six communities

¹¹⁸ Tucker, *Kohat*, pp.49, 131.

¹¹⁹ Paget, *Expeditions*, p.245.

¹²⁰ *Ibid.*, pp.245-246.

¹²¹ *FR*, pp.21-22; Paget, *Expeditions*, pp.247-248.

that were now (belatedly) recognized as the key stakeholders in the pass. The Hasn Khel Afridis and the Gali Khel Afridis received the plurality, albeit their share was reduced from the old Rs.5,700 to Rs.5,400. Meanwhile, alongside the Bangashes, the Jewaki Afridis, Bazotis, Bazi Khel Afridis, and Sipah Afridis, now received shares ranging from Rs.500 to Rs.3,200. On top of this, there was also a one-off payment of Rs.6,000 to those adjacent tribes who had recently proved cooperative, as well as an annual salary of Rs.1,200 for Bahadur Sher Khan, who had the dubious honour of managing the arrangement.¹²²

By distributing responsibility and rewards between various tribes and subsections, the British hoped to co-opt and satiate all likely troublemakers. At the same time, each group might provide armed insurance against the remission of the others. Indeed, by a process of trial-and-error, however unwittingly, the British had at long last purchased the peace of the Bazotis, who had probably been amongst the sappers' real assailants back in February 1850, and perhaps the chief instigators of this original attack. Thus, a new *modus vivendi* was reached, which, aside from a four-week break, held for the next two years.¹²³ In fact, the Kohat Pass Afridis would even side with the British during the Mutiny. The irony of this was not lost on a grateful Herbert Edwardes, who reported that it was 'as great a revolution as the Mutiny of the Hindoostanee Army' itself.¹²⁴

¹²² *FR*, pp.21-22; Aitchison, *Treaties*, Vol.II, p.393.

¹²³ *FR*, pp.21-22.

¹²⁴ Edwardes, 'Report of Events in the Peshawar Division during the Mutiny', MSS Eur 211 5.

Conclusion: The End of the Board and Its Legacy

After three and a half years, the tensions between John Lawrence's levelling agenda and Henry Lawrence's strategy of elite co-optation reached a head. As Henry Lawrence later explained to Lord Hardinge, 'in short without any decided intention of bringing all men and all things to one dead level, which to me appeared as impolitic as cruel, the tendency of things seemed to me to be that way.'¹ His discomfiture at this was compounded by the fact that 'parties and individuals came to me and appealed in questions [regarding their *jagirs*] in which I *had* given my vote for them and I could not even tell them that I *had* voted for them. All this was double vexation, for knowing what power I at one time had, they could not understand and often did not believe my present helplessness.'²

It was the question of some of the oldest *jagirs* in the province that caused the final rupture. These were located in the Trans-Sutlej Division, and had been conceded by Ranjit Singh to certain families whose claims to portions of the Jullundur Doab derived from prior 'conquest'. After the Jullundur Doab was annexed by the British in 1846, John Lawrence had been minded to uphold these *jagirs* 'merely for life', whereas Henry Lawrence had wanted 'to maintain them for ever, subject to a certain payment'.³ At the time, Hardinge had been Governor-General, and he had sided with Henry Lawrence; instructing that these 'conquest *jagirs*' were to be recognized as hereditary. However, since then, John Lawrence had taken matters into his own hands, and had determined that the conquest *jagirs* were only to be upheld for the lifetime of the incumbents after all.⁴

¹ H.L. to Hardinge, 6th March 1853, MSS Eur F85 14.

² *Ibid.*

³ J.L. to Currie, 17th October 1846, Smith, *Lawrence*, Vol.I, pp.231-232.

⁴ H.L. to J.L., 20th January 1853, MSS Eur F85 14; Major, 'Return to Empire', pp.231-232.

During the course of 1852, some of these *jagirdars* had died, with the result that under John Lawrence's new rules they lapsed. Naturally, the *jagirdars'* families appealed against this, and petitioned Henry Lawrence. Sympathizing with their predicament, Henry Lawrence decided that they stood a better chance of winning John Lawrence's assent for a return to the old rules if someone other than himself advocated for them. Hence, he turned to the Trans-Sutlej Division's Commissioner, Donald Macleod, referring the plaintiffs to him, and asking him to make a report on their cases and others like them.⁵

However, when the subject was broached with John Lawrence, he would not be moved. Macleod attempted to find a compromise; proposing that whilst the conquest *jagirs* might continue to be resumed, the families could be compensated with pensions. But John Lawrence seems to have rejected even this. Part of the issue was that there were many analogous cases. In 1846, there had been about five hundred villages, worth about five lakhs per annum, held as 'conquest' *jagirs* in the Trans-Sutlej Division.⁶ Thus, if John Lawrence yielded on a few cases, a far-reaching and expensive precedent would have been set. Meanwhile, Henry Lawrence's attempt to stay out of the argument unravelled, and his somewhat underhanded role in lobbying Macleod was revealed, further poisoning his relations with John Lawrence. Henry Lawrence then threw-off all pretence and openly insisted that by denying the claims of these *jagirdars* and their families, John Lawrence was being exceptionally harsh. At this point, the two brothers concluded that their working relationship was at an end.⁷

⁵ H.L. to J.L., 20th January 1853, MSS Eur F85 14.

⁶ Smith, *Lawrence*, Vol.I, pp.231-232.

⁷ H.L. to J.L., 20th January 1853, MSS Eur F85 14; Major, 'Return to Empire', pp.231-232.

Thus, when Henry Lawrence learned that the Hyderabad Residency had become vacant, he saw a way of ending the stalemate. He suggested to John Lawrence that they might both write to Lord Dalhousie, each offering to make way for the other in Punjab by assuming the job at Hyderabad instead.⁸ This they duly did that December. Of course, it was no secret that Dalhousie preferred John Lawrence, and he seized the opportunity to lever Henry Lawrence out of the province. Moreover, it transpired that the Hyderabad Residency was not vacant after all; for Dalhousie had already reserved it for the incumbent Agent for Rajputana, Colonel John Low. Thus, Henry Lawrence was obliged to leave Punjab for the lesser position of the Rajputana Agency. He accepted this with profound disappointment. At the time, he wrote a revealing vindictory epistle to Dalhousie, in which he declared that though he might have 'earned the character of a spendthrift of public moneys', it was only in pursuit of 'those measures which have tended to preserve peace, and to render a foreign yoke tolerable, if not popular.'⁹ Therefore, in January 1853, the Board was abolished, and John Lawrence assumed the new post of Chief Commissioner for Punjab.

Many received news of the change with apprehension. Syed Muhammad Azim's *The Lahore Chronicle* asked what would become of the 'powerless Sirdars, Jagirless Jagirdars, disbanded soldiers, and other fragments of Ranjit's broken Court and army', now that Henry Lawrence, their 'natural representative', was gone.¹⁰ Meanwhile, within the administration, one of Henry Lawrence's closest followers, John Nicholson, wrote to his mentor with gloomy predictions that John Lawrence would impose the Regulations, and that military men such as himself would henceforth have to 'sacrifice common sense and justice... [and] the

⁸ H.L. to Hardinge, 6th March 1853, MSS Eur F85 14.

⁹ H.L. to Dalhousie, 1st January 1853, MSS Eur F85 14.

¹⁰ *The Lahore Chronicle*, 5th January 1853, Khilnani, *Punjab under the Lawrences*, pp.122-123.

interests of... [the] people... to red tape'.¹¹ Of course, Nicholson probably could have done with precisely the restraints the Regulations imposed. In the event, however, Nicholson's fears remained largely unrealised. After all, John Lawrence was no zealot for the Regulations, and continued Punjab's non-regulation system much as it was. Furthermore, in an ironic twist, the 'Jagirless Jagirdars' would soon find in John Lawrence a friend, of sorts. For, during the Rebellion, the Chief Commissioner was forced to recognise the advantages of his brother's preferred strategy of elite collaboration, and acted accordingly. In the years that followed, many of the dispossessed would recover their fortunes now that it had (apparently) been conclusively demonstrated that the British could not hold onto India without elite collaborators. Meanwhile, the part played by the province's administration – and many Punjabis – in defeating the Rebellion, retroactively burnished the Board's reputation as a model for paternalistic and effective colonial governance. However, as this thesis has shown, the Board's work was far less successful than its propagandists alleged.

Perhaps most strikingly, the Board's reputation for pro-peasant paternalism was largely underserved. For whilst its officials appear to have been quite sincere in their professions about wanting to improve the lot of the peasantry, the fact was that their administration temporarily made the lives of most rural Punjabis worse. This fits into a wider pattern characteristic of the extension of British rule in India during the first half of the nineteenth century. Indeed, the changes the British wrought in Punjab during the 1840s and 1850s – the introduction of the Village System and a fixed land tax, the monetary reform, the bypassing of *ijaradars* and various administrator-entrepreneurs, the expropriation of numerous *jagirdars*, and the disbanding of the Sikh Army – should be seen as another phase

¹¹ Nicholson in Trotter, *Nicholson*, p.182.

in the interlinked social, economic, and political crises that rippled through North India (the North-Western Provinces and adjoining princely states) during the 1820s and 1830s, identified by Christopher Bayly in *Rulers, Townsmen and Bazaars*. Arguably, this process culminated in the immediate post-annexation administration of Oude. There and elsewhere, it contributed to the acute crisis of 1857.

In fact, the parallels between Punjab under the Board and North India a generation before are worth underscoring. In both cases, an economic depression occurred as a direct result of the disruptive effects of highhanded British policies designed to 'reform' and standardise local conditions for the sake of consolidating the power of the Company-State. And, in both instances, British officials imposed various fiscal and administrative measures that expropriated elites or undermined their ability to play a constructive role in the economy.¹² In both cases, depressions were deepened by a combination of overly restrictive monetary reforms, and the disbanding of military retinues that left thousands unemployed.¹³ All this, as well as the new inflexibility of the land tax, told heavily on the peasantry, who were supposed to be the main beneficiaries of the new dispensation.¹⁴ Thus many landowners were forced to take on additional debts as a result of their strained economic circumstances.¹⁵ All this appears to validate *some* of the arguments put forward by the distorted development school; particularly Mridula Mukherjee, who has linked the problems with the land tax to rural indebtedness. However, whereas Mukherjee implies

¹² Bayly, *Rulers, Townsmen and Bazaars*, pp.321-322.

¹³ *Ibid.*, pp.322, 332.

¹⁴ *Ibid.*, p.333.

¹⁵ *Ibid.*, pp.330-331.

that this was part of a deliberately exploitative system, this thesis finds that much of the suffering was a result of unintended consequences and poor information.¹⁶

Such parallels with other parts of northern India necessarily beg the question of why Punjab did not follow suit and rebel in 1857. Although this has been touched on by Andrew Major, this is still an area where more research is required.¹⁷ But perhaps part of the answer lies in some of the crucial differences between Punjab's administration and that of the rest of northern India. For, unlike in the North-Western Provinces or Oude, the levelling agenda had not been so total in Punjab. Especially in the peripheral parts of the province, the British had co-opted elites, particularly by offering them and their followers military employment, with the result that Punjab's administration had more collaborators with local influence than were available to officials in the North-Western Provinces and Oude. During 1857, the Tiwanas, the Hayats of Wah, the Multani Pathans, and those Pashtun communities associated with the Irregulars and Guides, repaid the favour previously shown them by Punjab's administration. Moreover, the example of their profitable collaboration might well have convinced other influential local leaders in Punjab, including even those dispossessed for 'rebellious' in 1848-1849, of the merits of joining the British cause when they had to pick a side in 1857. Although the strategy of elite co-optation had been the exception under the Board, being largely confined to Punjab's periphery, its evident political and military advantages meant that subsequent administrations turned it into the rule throughout much of the province.

¹⁶ Mukherjee, *Colonializing Agriculture*, pp.1-4.

¹⁷ Major, 'Return to Empire', pp.255-286.

In fact, for all its failings, the Board's administration of the countryside was not a total disaster – again, this may partly account for the *relative* peace of the province in 1857. Tellingly, the British met with most success (sometimes despite themselves) in those instances where they eschewed trying to impose the Village System in full and instead relied on elite collaborators, who continued pre-existing arrangements that were more flexible and consonant with conditions on the ground. For example, those landowners who continued to pay revenue in kind to *jagirdars* fared much better than their counterparts paying a fixed cash sum direct to the administration.¹⁸ Similarly, British patronage of Punjab's elites in the periphery had the advantage of utilizing local knowledge and expertise, and sometimes resulted in entrepreneurialism. The Khakwanis' retention of fluctuating payments and their investment in Multan District's Mailsi Tehsil was perhaps the clearest instance of this.¹⁹ In subsequent decades, similar happened elsewhere in the province; for example, the Shahpur Tiwanas' management of the Kalra estate. Indeed, by 1900, Shahpur District had several private canals that had been built by elite families, like the Tiwanas and Noons, which transformed the economic potential of the area.²⁰ Such examples of economically constructive British-Punjabi collaboration somewhat contradict the general thrust of the distorted development school, particularly as espoused by Imran Ali, which tends to argue that Punjab's elite collaborators underinvested and engaged in purely extractive landlordism. On this matter, this thesis leans closer to Ian Talbot's position that British partnership with Punjab's elite provided a framework for adept investment that was often well-suited to local conditions.²¹

¹⁸ Saunders, *Lahore*, pp.23-24.

¹⁹ Maclagan, *Multan District*, p.296; Roseberry, *Imperial Rule*, pp.211-213; Gilmartin, *Blood and Water*, pp.131-133.

²⁰ Talbot, *Khizr Tiwana*, p.36.

²¹ *Ibid.*, pp.2, 37-38.

Meanwhile, there can be little doubt that the Board was remarkably violent compared with other British provincial administrations in India, and that this inaugurated a tradition of violence which was integral to the Punjab School. In this regard, the coercive interpretation put forward by Mark Condos and Kim Wagner is largely vindicated – albeit some qualifications are necessary. Crucially, violence was not the whole story, and British rule cannot be reduced to a one-dimensional exercise in coercion. This thesis demonstrates that one of the more salient aspects of the Board’s use of violence was the fact that systems of coercion and collaboration were imbricated to such a degree that it makes little sense to think of collaboration and coercion in binary terms, and thus to conclude that British rule was based on one more than the other. In fact, oppression and exploitation did not just coexist with patronage and rewards: to some degree these pillars of colonial authority were mutually constitutive of one another. British officials consciously used military employment as a means to co-opt and reward individuals and communities – just as they needed the military muscle of these communities in order to be able to coerce and deter. Coercion depended on collaboration, whilst coercion provided collaborators with rewards. This accounts for the strange paradox that generally those officials who were most trigger-happy under the Board – Henry Lawrence and his followers – were also the same ones who argued for greater collaboration and cooperation with Punjabis. This was epitomized by those officials serving in the Frontier Districts. Indeed, by the mid-1850s, levies raised from the local population provided most of the policing manpower in all these districts besides Peshawar.²²

²² Simpson, *The Frontier in British India*, p.212.

As for the violence itself, this thesis departs somewhat from the general impression given in the work of Mark Condos, Kim Wagner, and Elizabeth Kolsky, which tends to highlight the importance of racist ideas – though admittedly they are often discussing later periods.²³ Fundamentally, the Board’s violence was primarily the violence of a weak state trying to assert itself in a colonial context. Above all, British officials were deeply conscious of the apparent gulf – not so much racial (in the biological sense), but social, cultural, linguistic, and perhaps above all religious – that separated them from those they governed. And it was here that ideas about ‘difference’ linked up with the violence inflicted by the colonial regime. For what made this violence most peculiarly ‘colonial’ was the way in which it was so often motivated by considerations to do with upholding the prestige or credibility of the regime. The reason why the British worried so much about their credibility – the perception of their indomitable power – was because they took for granted their inherent unpopularity and illegitimacy; in other words, the affinitive gulf dividing them from their subjects. They believed that they were unlike native rulers, who could lose a battle and still be a *raja* or *nizam*: they were a foreign Company, obvious usurpers of traditional rulers, with little command over Indians’ loyalties and sympathies beyond the respect engendered by their prestige, which, in turn, they believed was mostly derived from their military might. As such, the British thought that they were only ever a few defeats away from losing everything. Thus, the British attached such importance to military prestige and credibility as a means of offsetting their own supposed illegitimacy and unpopularity.

In turn, this sense of fragility informed the implicit doctrine of pre-emptive force so characteristic of the Punjab School. In the minds of British officials, given the apparent

²³ Condos, *Insecurity State*, pp.14-16; Wagner, *Amritsar 1919*, p.256; Kolsky, ‘The Colonial Rule of Law and the Legal Regime of Exception’, pp.1222-1230; Kolsky, ‘No ‘Signs of Weakness’’, pp.908-922.

importance of maintaining their credibility, it seemed logical to resort to overwhelming force at once, rather than to risk allowing matters to spiral out of control. The real weaknesses of the colonial state (for they *really* were overstretched) combined with poor information to create an atmosphere of uncertainty in which it appeared still more necessary to meet incipient challenges head-on before they had time to gain momentum. During the Rebellion, these impulses would be given a more overtly racist dimension that had not necessarily been so prevalent at the outset.

This is not to say that the Board entirely abandoned the possibility of winning some sort of legitimacy, however; and they sought to appropriate aspects of local custom to this end. In practice, it was often easier to govern with the grain of local society, and Punjab seemed less amenable to the textually-based Hindu and Muslim laws enforced in the regulation provinces. Of course, the Board and its subordinates had a highly imperfect knowledge of local custom, and this may have had distortive repercussions, as Neeladri Bhattacharya and David Gilmartin have argued, and as subsequent British officials (including Charles Tupper, author of *Punjab Customary Law*) openly admitted.²⁴ Equally, the idea of respecting local custom and simplifying the law – supposedly to make it intelligible to the people and fitted to Punjab’s ‘stage of civilization’ – served as a useful justification for resisting the imposition of more legalistic procedures and forms that would have limited officials’ power.²⁵

Yet, it must also be acknowledged that the British sometimes deferred to local customs despite their personal inclinations, and often accommodated custom for the sake of co-opting segments of Punjabi society, particularly in instances where the colonial state was

²⁴ Bhattacharya, *Agrarian Conquest*, pp.183-220; Gilmartin, *Blood and Water*, p.78; Tupper, *Punjab Customary Law*, Vol.I, pp.206-208.

²⁵ GR1851-53, p.91; GR1854-56, p.5.

too weak to assert itself without help from local allies. It was often the case that those the British chose to invest with the authority to define custom, such as village elders and 'tribal' chiefs, were the self-same individuals and groups with whom the British looked to partner as local collaborators. Hence, enshrining local custom became a further means of winning-over, rewarding, and empowering the colonial state's supporters. Significantly, by appealing to local custom, the Board (seemingly unconsciously) laid the basis for future administrations, which, as Ian Talbot has written, promoted 'tribal' customs and identities as a politically expedient alternative to divisive religious identities.²⁶

In sum, by its dissolution in 1853, the Board had indeed laid the foundations for the ensuing ninety-four years of British rule in Punjab. Most significantly, the Board had conciliated certain selected elites and communities in some more peripheral parts of the province, primarily on the basis of military service. Whilst this collaboration-in-coercion originated as a relatively small-scale endeavour, in time, it would be extended and elaborated into the framework on which virtually every other aspect of the province's administration turned. Furthermore, the Board's ethos, particularly its emphasis on empowered executive officials wielding wide-ranging discretionary authority, as well as its tacit doctrine of pre-emptive force, would long outlive the Board and defied even the introduction of a more legalistic system in the 1860s.

It is surely revealing that these more durable of the Board's policies and attributes – an empowered executive, the peremptory use of force, and co-opting elites and semi-dominant groups through military employment – arguably represented the path of least resistance for a weak colonial state attempting to impose and maintain its authority. Though

²⁶ Talbot, *Punjab and the Raj*, pp.18, 21.

the British in Punjab ultimately ran with these expedients further than colonial administrations elsewhere, much of this was relatively unexceptional – many states throughout history have done similar – and, in its own terms, it was a relatively successful strategy. However, because it was so heavily dependent on the personal discretion of officials and empowered local collaborators, the type of state that resulted was arguably relatively ephemeral and institutionally weak. This was not really an existential problem for the colonial state for as long as the British could maintain their side of the symbiotic relationship with their Punjabi collaborators – and deter or crush challenges to their authority through peremptory overwhelming force. However, in the 1940s, when the British were compelled to ‘desert’ their collaborators for the sake of meeting demands arising from the Second World War, and were militarily overstretched like never before, the limitations of this strategy of state formation were laid bare.²⁷ For, when its collaborators chose new allegiances, the entire edifice of imperial authority evaporated more rapidly, and perhaps more completely, in Punjab than anywhere else in the Raj.²⁸

²⁷ Talbot, ‘Deserted Collaborators’, pp.73-93; Talbot, *Punjab and the Raj*, pp.132, 143-149, 224-225.

²⁸ Yasmin Khan, *The Great Partition: The Making of India and Pakistan* (New Haven, 2017), pp.81-86, 106-107.

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