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Courts of Law and Styles of Self in Eighteenth-Century Madras: From Hybrid to Colonial Self

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My concern is public representations of individuals and how these were affected by British East India Company courts, judicial proceedings, and the law in Madras city during the eighteenth and early nineteenth centuries. Company records reveal that this was a period of dramatic transformation in self-representation, just as it also was in Company rule. My purpose is to trace the transformation of the manner in which individuals represented themselves and others and what this process reveals about the constitution of Madras society and Company rule before and after the establishment of an independent judiciary at the end of the eighteenth century. Most particularly, in this paper I seek to demonstrate how the transformation of East India Company courts of judicature from interested courts, strictly controlled by the Company, to independent courts is associated with changes that greatly affected the manner in which individuals—both British and Indian—thought of themselves and others in Madras city public life. This transformation was of a piece with the establishment of independent judiciaries in England and North America at the time and indicates how Madras too was influenced by these political developments.

But why this interest in courts of judicature and in a history of representations of self and other? First, of late there has been considerable interest in the self and in the formation of identities during the colonial and post-Independence period (e.g., Nandy 1983; Mines 1994; Kakar 1996:150; Reetz 1997; Rudolph 1997; Sethi 1997; Robb 1997). And yet, we know little about Indian self-portrayal during pre-colonial East India Company rule in Madras Presidency.

This paper is based on field and archival research conducted in Chennai (Madras city) and in the Tamil Nadu State Archives in 1993–94 with the support of a J. William Fulbright Senior Research Fellowship.
and no close study has ever been made of the effects of the eighteenth-century Madras Courts on Indian self-understandings. Yet much about the make up of society and its transformations is to be revealed by such subaltern understandings. A history of the self promises an intimate window on social change because the self exposes the dialogical processes of its history, which are always expressive of how a person fits and interacts within a set of relationships that sustain his or her self awareness. Self-representation, therefore, voices an individual’s explanation of his or her social relations in a particular context and at a particular moment and presents that person’s perspective on the social rules that govern them. A self-representation, then, always expresses a point of view, a piece of argument uttered for a purpose, and so is, in a sense, a ‘still-life’ that preserves traces of co-respondents, the person or persons the individual is addressing, and of the counter interpretations that the representation is designed to address. A self-representation is, therefore, a form of reply, a component of the dialogical heteroglossia (Bakhtin 1981:259ff) that characterizes ordinary life, including arguments about the ‘rules of the game’. In the particular developments addressed in this paper one observes the changing presence of law and government as features of social relations and in awarenesses of self and other.

1 Most histories of Madras comment on the early Courts (e.g., Lockyer 1711; Salmon 1744; Wheeler 1990 [1861–62], 3 vols; Love 1913, 4 vols; Dodwell 1926: 148ff; Neild 1976; S. Muthiah 1992), but discussions are limited to short summaries of the Courts that existed, to brief comments about corruption, the lack of legal training among lawyers and judges, and to highly abridged samplers of cases, recounted for their human interest. Similarly, legal histories of the Courts and their officers with one or two exceptions (e.g., Fawcett 1934; Holdsworth 1938) concentrate on the post-1800 period after the establishment of the independent Crown Courts (e.g., Paul 1991), making only passing reference to the early courts. Those few accounts that do trace the history of these early courts are largely concerned with legal history: the chartering and implementing of the Courts, variations among the Presidencies, Court jurisdiction, types of punishment, the offices and occasional officers of the Courts, and again passing references to the fact that Company judges and lawyers were untrained in the law. But here also there is no detailed scrutiny of the impact of Courts of law on daily lives and practices nor of how social practices and sensibilities affected the working of the courts (e.g., Fawcett 1934; Holdsworth 1938). One derives, then, very little sense of how actors drew upon the courts and, within the contexts of trials, upon their knowledge of the rules of daily practice as resources in their social relations. Nor does one sense how the Courts affected self-understandings (cf., Giddens 1979:80). More recently and writing regarding much more recent times, André Béteille (1986) has argued strongly that the failure of anthropologists to assess how law and the Courts have affected the awareness of Indians has led to the perpetuation of myths about Indian notions of the person.
This article takes as its primary focus two eighteenth-century representations and one nineteenth-century autobiographical account. The selection of these three accounts is strategic because the years that join these two centuries span the period of profound change in Company rule alluded to above. Thus, until near the end of the eighteenth century, justice in Madras was administered by merchant judges who were Company servants whose principal purpose in India was trade. The Company had the deliberate policy of ‘manning its Courts of Justice almost entirely by covenanted servants, subject to strict administrative control’ (Fawcett 1938:v). In Madras, the era of the professional lawyer and of judges trained in law begins only at the very end of the century when the Recorders’ Court is established in 1798, and then is superseded by the Supreme Court in 1802 (Neild 1976:36). These Courts, combined with other institutionalizing policies noted below, including importantly a prohibition against Company servants engaging in private trade, greatly changed the Company, recasting it in the role of an administration of law and Company employees in the role of government servants. This paper’s cases, consequently, are selected to fall on both sides of this divide in Company administration.

The two eighteenth-century portrayals occur within the testimony of judicial proceedings. The first relates to a civil suit brought in January 1730, in the newly re-chartered Mayor’s Court of Madras by Chitteramah Chittee, the orphaned son of MarKistna Chittee, the latter the former dubash to the late Mr Francis Hastings during his brief rule as President and Governor in Council (1720–21). The defendant was James Macrae, who, at the initiation of the suit, was the retiring Governor in Council. The second case occurs in the spring of 1790, at the very end of merchant rule. It involves accusa-
tions of price-gouging and bribery brought against Suncoo Chinna Kistnama Chetty, the wealthy and influential headman of the Komati caste, by a rising rival, Collah Ravanapah Chetty (aliases Collah Ravana and Collah Singana). Suncoo Kistnama’s case is tried before a special ad hoc committee, consisting of three company officers, assigned to investigate the accusations and administer punishment as they saw fit. Finally, my third case is the autobiographical account of P. Somoosoonthrum Chetty (b. 1824), a prominent nineteenth-century Indian businessman and civic leader of the Beeri Chetty caste. He published his account in 1889. Like the two eighteenth century cases, Somoosoonthrum’s sense of self also is represented within the law. The individuals and events represented in these three texts are of course particular, but each of the texts is itself like others of its type and time. Similarly, the text of each case reveals crucial aspects of the Madras of its day, the social standards and relationships among influential Indians and the British of the Town. Before turning to these cases and autobiography, however, it is necessary first to lay out their historical context.

It is my argument that, until the late eighteenth century, Madraspatinam, Fort St George and its satellite Town, the ‘Petta’, constituted a kind of frontier society, where zamindari rule and a rough, merchant’s sense of common law combined, and where social

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6 One of the leading merchant castes of the right-hand section of castes in Madras city. The plaintiff of the 1730 Mayor’s Court case also appears to have been a member of the right-hand section. It is unclear what his caste was, but it is likely it was either Baliga Chetty (Naidu) or Komati Chetty.

7 The initial ‘P’ stands for Pareapolliam, the author’s ancestral home. The Beeri Chettys were the leading merchant caste belonging to the left-hand section of castes in Madras city.

8 The records of both Chitteramah’s case, which is preserved in the Mayor’s Court Records for the year 1730, and Suncoo Kistnama’s hearing, which is in Revenue Sundries, volume 10, are in the Tamil Nadu State Archives, Chennai. A xeroxed copy of Somoosoonthrum’s autobiography was given to me by a descendant.

9 Madras, hereafter. Prior to 1749, East India Company holdings included a small hinterland of villages and towns set in the close vicinity of others in the control of Indian and other European powers (see Neild 1976). Poonamallee, to the west of Madras, consisting of the town and its surrounding villages, was granted to the Company in 1749 by Muhammad Ali, a contender to the Arcot throne. Then in 1769, the whole of the Jagir or district of which Poonamallee was a part was granted to the Company by Muhammad Ali on his accession to the Nawab crown, which he obtained with British armed support (Irschick 1994:19). Following the 1780 Anglo-Mysore war, ‘British possessions in the Carnatic . . . consisted of the villages around the town of Madras, the town itself, the northern circars or territories on the Telugu coast to the north of Madras, and the agrarian area known as the Jagir’ (Irschick 1994:18).
contracts allowed for a significant degree of individualization, as suited the needs of trade and manufacture. Weakly administered, society was highly personalized, antagonisms were rife, and relationships constantly in flux, a product of personal competition and opportunistic alliances between individuals rather than of Company hegemony or even of local social hierarchy, although elements of these were also part of the administrative potpourri. Reflecting this social plasticity, especially in the first half of the eighteenth century, there was no clear and consistent social divide that set British against Indian as increasingly characterized the period after 1790 (see Dodwell 1926:126). Pre-1790, the British traded, regulated the peace, and administered through the mechanisms of alliances and partnerships with Indians (see, for ex. Brimnes 1993; Bayly 1988). Consequently allies and enemies were where individuals and groups made them, with both British and Indian needing the other, and expressions of personal eminence and respect were likely to conform to Indian custom, as context and relationships required.10

Among the prominent, it was customary for an Indian to act as the counterpart/broker or dubash of an East India Company officer and for the two men to invest trust, regard, and what they called friendship, as well as money in what amounted to a partnership. Partnerships of this kind were a part of what was a very small elite society of Indians and Europeans 'of the better sort'—no more than a few hundred even as late as 1800—around which Madras society was organized (Dodwell 1926:125). Outwardly, this partnership was not a relationship between equals, the dubash ostensibly being the servant of his British master, but because a dubash could act in his

10 Take as an example of this cultural mixing in British self-depiction, the eyewitness observations of Thomas Salmon concerning the public representation of the Governor in Council of Madras. Salmon lived in Madras from 1699 to 1704, and later in print commented favorably on how the British Governor of Madraspatinam adopted local customs to express grandeur. Thus, he writes: 'female choristers, or singing women [attached to temples] make up a part of the equipage of a great man when he goes abroad; for every man of figure in the country I observed, had a number of these singing women run before him, even the Governor of fort St George was attended by fifty of them, as well as by the country musick, when he went out . . . ' (Salmon vol. 1, 1744:232). Continued Salmon: '[the Governor] has as much respect paid him at his going abroad as a sovereign Prince. The guards are drawn out, the drums beat as he passes by; and fifty or sixty armed blacks run before him, and some of the likeliest young fellows he can pick out of the European soldiers run by the side of the palanquin he is carried in armed with blunderbusses. A numerous train of servants also, and the country musick attend him, and with their harsh untuneable trumpets give notice of his march . . .' (Salmon vol. 1, 1744:233).
own interest, his autonomy and the officer’s dependence on him gave the dubash considerable influence in the relationship. Nowhere is this partnership between dubash and Company officer clearer than in the fact that the fate of one was interwoven with the other. Success for one meant success for the other; so, too, when one failed, the ruination of the other often followed. There was, then, mutuality in such a relationship, and it was built on a special and shared ethical sense of social order, which was preserved in understandings of self and other. A sense of self is sustained in social relations, and both an Indian sense of self and a British sense would have incorporated the other in such an intertwined relationship. Madras society was organized around such relationships, and the locus of much social control was located in them. Thus, what institutional power there was—vested in the Company, in castes and their headmen, and even in the Company Courts—was in some large part founded on such alliances, not in bureaucratic procedures and structures, nor in formal law.

This situation, however, was not to last for reasons both internal and external to city society. By century’s end, the Company itself had begun to develop the institutional and bureaucratic means to regulate more directly city life, and, as it did, it increasingly withdrew from its pragmatic alliances with local leaders who had controlled caste affairs and daily life in earlier years. Thus, in the 1770s and slightly later at the urging of Stephen Popham, the Company’s Solicitor, Madras had begun to develop and implement a municipal structure, including a small police force, whose early duty it was to control the prices of basic necessities such as food stuffs, tobacco, and betel (cf., Love vol. 3, 1913:310). A mark of the success of bureaucratic efforts such as this was that to some extent they competed with and undercut the personal authority and discretion of headmen. Indeed, the second of this paper’s cases involves a headman who finds himself accused and eventually undone for circumventing price controls.

A second cause of separation of British and Indian was acts of Parliament. The first of these was the Regulating Act of 1773, which established Calcutta as the Company capital and Warren Hastings as India’s first Governor General. Second and more important was the Pitt Act of 1784, which settled the system of Company government as it largely was to remain to its end in 1858 (Holdsworth 1938:162ff; Fawcett 1934:xix). These acts sought to end abuses by Company servants by curtailing the opportunities for corruption that
self-interested trade and British–Indian alliances were thought to engender. Central to this effort was the establishment of an independent judiciary whose design it was that no Company servant be above the law nor able arbitrarily to control its administration. The Pitt Act and the charter [of implementation] made it clear that the Legislature intended to guard against the oppression, of which the servants of the company had been guilty, by giving to those aggrieved thereby the benefit of the rule of law; and that it intended to make the rule of law effective by entrusting its administration to a strong and independent court (Holdsworth 1938:167).

In the spirit of this new legislative attitude, Warren Hastings, the first Governor General, was himself impeached for his illegal confiscation of Indian wealth, although he protested that he did so in the Company interest. Parallel to this, in 1790 Cornwallis excluded Indians from henceforth serving in the army’s officer corps, while simultaneously, Indian civil servants were excluded from offices in government with salaries above £500 a year (Wolpert 1993:198). Finally, in 1800, the Madras government prohibited all covenanted servants except Commercial Residents from engaging in trade (MDR 986, 19 March 1800, p. 319).

The combined result of these policies was that what had been until about 1790 hybrid British and Indian lives and interests were now increasingly disentangled, setting each on its distinct track as government servant or as colonial subject. By the early nineteenth century, the transition from mercantile engagement to colonial segregation was completed, so that society was integrated by an administration regulated by the fabric of law, and senses of the self were sustained within relationships that were in part defined in the law rather than largely within social relationships expressed as attributes of reputation, friendship and enmity, trust and distrust and the strong emotions attendant on these, as in earlier years. This change had a dramatic effect on self-consciousness because it meant that the criteria by which social relations were estimated and regulated were no longer internal to its constituting relationships and their concomitant emotions. They were external to them, institutionalized within the law. Interestingly, one expression of this transition from the personal to the impersonal is that the use of strong emotion and affect such as disgust, indignation, and outrage, is a defining feature of seventeenth and eighteenth-century representations of self—British and Indian alike—but is a feature missing from nine-
teenth-century depictions. What we see, then, is a society moving from one regulated within personal ties to a much less personal one regulated in the law and through bureaucratic procedures.

Necessarily, the cultural and social content of this new, nineteenth-century colonial relationship between Indian subject and British agent had to be invented. The eminent Indian subject now for the first time collaborated in the creation of a new hybrid Indian subject, one that might be labeled culturally, but not racially, Anglo-Indian. This new ‘culture of subjectivity’ specified segregation to create a clear distinction between Indians as loyal subjects and the British as the agents of Company Raj. Ironically, much of what scholars today regard as Orientalist and racist about British colonial administration has its origins here in policies and law designed to end Company abuses and the individual corruption that private trade, Company Courts, and British/Indian alliances were believed to have engendered, a law designed to be impartial, to protect individual rights, but also to regulate in part by means of racial distinction.

In the Presence of Weak Government, a Society of Opportunistic Alliances Regulated by Reputation and Emotion

Before proceeding with my first case, it is necessary briefly to detail the state of affairs in Madraspatinam in its early years leading up to 1730, the year of this case. As suggested, during these early times Madraspatinam was a society regulated more in custom, in practice, and in self-regulating social relationships than in formal law or in the Courts, which touched only very limited aspects of city life. It is well established that in early Madras, as elsewhere in India, British administration was always a collaboration with local people and states. This suited Company interests, which were to trade and to make fortunes, not to spend money on administration, defense, or conquest. In 1711, a little more than seventy years after the Company’s lease of Madras, the Governor in Council at Madras in a letter to a local prince could still explain:

We are but a small handful of people, and our business is trade; and, therefore, all quarrels with the [‘native’] Government is extremely prejudicial to us, and distroys the end for which we settle in these parts. . . . we desire
nothing more than to live in tranquility and peace in our small Factories (quoted in Wheeler 1990 [1861–62], vol. 2:120).\(^{11}\)

But, of course, the Company was of necessity also a suzerain power under the rights of its lease of Madras and its Company charter. Since the British were small in number and poor in government resources, the Company sought to encourage what it hoped would be the self-interested involvement among the local population, Armenians, Portuguese, Jews, Hindus, Muslims, and others, reasoning that a well governed Town facilitated trade and so would be attractive to all. In pursuit of this shared government, the Company incorporated the Town in 1688 with a Mayor, Mayor’s Court, and Corporation, ‘with aldermen, burgesses, maces, silk gowns and all the other paraphernalia of an English municipality in the seventeenth century’ (Fawcett 1934:203). The Company found, however, that Town residents, English and others alike, were disinclined to serve and even Company servants grumbled that the time and money spent interfered with their personal pursuit of trade. Consequently, without the will or money, during the eighteenth century Madras remained at best only weakly integrated by institutions of government. Thus, Susan Neild (1976:131) argues that the Indian Town of Madras, Black Town,\(^{12}\) ‘lacked strong centralizing institutions . . .’ that might have integrated it.

until the eighteenth century, there existed in the Indian town [of Madras] only the most rudimentary administrative institutions: the courts, which were barred from deciding civil cases\(^{15}\) among Indians; tax collectors, 

\(^{11}\) Compared to the Indian armies that from time to time passed near and sometimes raised anxieties in Madras, the Company maintained a meager force. During Salmon’s stay, he reports that the garrison defending Madras was ‘no more than three companies of fourscore or a hundred each, and one third of those Topazes or Portuguese Indians’, plus two to three hundred Indians (Salmon vol. 1, 1744:232). These soldiers, Salmon relates, were sorely used: ‘scarce a day passes but one or other of them are tied to a post and whipped unmercifully, though their number is so small. This makes them mortal enemies of the government they should defend [the East India Company] . . .’ (Salmon vol. 1, 1744:233).

\(^{12}\) The two moieties of the Indian Town were Peddanaikpetta, sometimes called the Petta or Black Town, and Muthialpetta, also known as the ‘Mahratta’ Town (see Love, 1913, vol. 3:309n).

\(^{15}\) This is actually incorrect, as the Mayor’s Court did adjudicate civil cases between Indians and between Indians and English. See Dodwell (1926:152, 155ff), Fawcett (1934:224–5), and below. The confusion probably has its origins in Company policy, circa 1730, which stipulated that disputes among ‘natives’ be decided among themselves according to custom. But this policy also allowed parties to choose the English Courts, which in fact was the common choice (see also Dodwell 1926:157). Similarly, it was Company policy to settle caste disputes (and those
who lacked authority from England to gather assessment taxes and thus were unable to enforce collections; conservancy officials, who could not even attempt to keep the town clean on the officially allocated budget. The police system answered more to the needs of a village than to a growing city... The Pedda Naik and his men, who were deemed liable for the value of stolen goods, became notorious for their collusion with thieves. Merchants and other men of property had not only to pay the Pedda Naik for his protection, but to hire their own guards as well (Neild 1976:134–5).

Under these organizational circumstances, personal relationships and reputation were essential to success, and recognizing this, the Company was ever vigilant to maintain trust in dealings and agreements under its seal. Similarly, in interpersonal relationships a reputation for reliability in contracts was equally necessary. A man who broke his trust with a powerful other might find himself sued in the Mayor's Court, but more importantly find his name forevermore degraded and his opportunities for contracts denied (see Mines 1992). This is not to say that all manner of extortion and crime didn't occur, for they did, of course. Rather, it is to say that a reputation for fulfilling one's contracts and meeting expectations was essential within a relationship for that relationship to continue. Thus, among English and Indians there were merchants who went to great lengths, including illegal ones, to gain advantage or to ruin a rival; yet within a merchant's own relations, whether British or other, it was essential to maintain the trust of one's partners or be wrecked. With partners, then, merchants were trustworthy—if sometimes at

concerning religion) according to custom (mamool). According to Fawcett (1934:226), 'In 1770 the council decided to establish a Court for determining disputes dependent on the customs of the natives; but nothing appears to have been done to carry out this resolution until 1795, when... the Governor and Council established a special "Cutcherry Court" for this purpose. Its life, however, was a short one...'. In 1784, as the end of century neared, Company opinion was divided in Madras about how to adjudicate civil cases among Indians. Stephan Popham, a former Mayor and Mayor's Court judge, argued for the jurisdiction of the Mayor's Court while C. B. Dent advocated such cases be settled by heads of caste (PC 133A, 14 June 1784). But by this time heads of caste no longer commanded the respect necessary to settle such cases (ibid.).

14 A case in point illustrating this juxtaposing of trust within alliances linking British and Indian and the factional competition and distrust that divided members of the Governing Council is the famous animosity and conflict between Governor Thomas Pitt and William Fraser, his successor, during the great caste disputes of 1707. During this long-running dispute, Pitt saw Fraser and the latter's Indian allies as enemies, working against Pitt's own efforts to resolve the conflict. Indeed, each man was engaged in private trade and allied with his own Indian partners against the other.
a price—\textsuperscript{15} with rivals, antagonistic if not ruthless. Success, thus, required personal knowledge of others and of the state of their relationships. If by death or other means, a crucial relationship with a preeminent figure ended, then the success and influence of those close to him and dependent on him were likely to come under attack and to end as well. Company records are replete with charges of law-breaking brought by merchants who seized the opportunity of a rival’s death or separation from Company office to attempt to bring the man or his allies down. The experience of Elihu Yale, President and Governor 1687–92, is a famous late seventeenth-century example among many examples that followed. Charged with everything from murder\textsuperscript{16} to extortion when he was superseded, he was forced to remain in Madras for seven years while charges against him were investigated.\textsuperscript{17}

Although mention of friendship is a recurring description of personal relationships in the eighteenth-century records and, as is seen below, was a feature of daily life, Company records reveal that rivalry, enmity, and fear, including fear of murder, just of the sort surrounding Yale, were the norm among higher-level covenanted servants (e.g., Wheeler 1990 [1861–62], vol. 2:146–57). If anything, bitter rivalry among members of Council appears to have been seen by London as a safeguard against officers cheating the Company unchecked. Further, rancor seems not to have impeded personal

\textsuperscript{15} It was customary for a man of influence to expect ‘presents’ from those who sought to trade with or through him. This custom was outlawed during the rule of William Hastings.

\textsuperscript{16} ‘I [Yale] am advised that Mr. Tho. Gray wrote to his Father per shipp Orange that Mr. Wavell and Mr. Cheney were strangely rub’d out of the world, and that he was sicke and feared he lay under the same fatal Machivillian policy [i.e., that Yale was the murderer of the first two men and now Gray was intimating that he was poisoning him]’ (Fac. Rec. F. St. G., vol. viii, 19th Jan, 1694/5, quoted by Love 1913, vol. 1:550).

\textsuperscript{17} William Fraser, then Mayor, was his chief opponent on the Council. Later he also proved a nemesis to Thomas Pitt’s Governorship. See below.

\textsuperscript{18} This passage, extracted from the Governor in Council’s Public Consultations, describes the rebellion in 1713 of Mr Raworth, the Deputy Governor and commander of Fort St David, 100 miles to the south of Madras. Second only to the Governor and a member of Council, Raworth feared that the Governor was plotting his assassination: ‘Father Thomas advises that one of the principal reasons why Mr. Raworth refused to come hither [to Madras] and settle his account with us [the Council], was that he had seen a letter from a member of this Board to a person at Fort St. David, mentioning that it was resolved to have him assassinated’ (Wheeler 1990 [1861–62], vol. 2:156). Needless to say the Governor and Council denied ‘any thing tending that way’ (ibid.).
ambition and success within the Company. Thus, in the early years of the eighteenth century William Fraser was a hated rival of three Governors, yet was subsequently appointed Governor himself. The key to personal success, therefore, was not solidarity among Company servants, but a British Company servant’s personal ties with London, and locally with his Indian partners and allies, his dubash, local traders, and members of the local aristocracy who invested money in his ventures.

Even the Company’s most powerful, then, relied upon personally nurtured relationships and their wits to establish and preserve their reputation for trustworthiness and their ability to trade, while their rivals sought to impugn their integrity and dislodge them from positions of advantage. This was a big-man society par excellence (cf., Mines 1992), and reflecting the weakness and undeveloped nature of bureaucratically regulated institutionalized power, personalities loom large. Without many institutional resources, the prominent maintained their status and influence by a time-intensive nurturing of personal relationships (see Bourdieu 1994 [1977]:188).

That said, within the context of Madras and the Company, the Indian dubash of a Governor was a man of eminence, ambiguous notoriety, and great influence, at least so long as his master was Governor. In large part this was because the Governor was the Company suzerain, the only Company servant whose contracts were always backed because not to do so would have undermined the reputation of the Company among local suzerains and men of importance. But suzerains, too, had to preserve their honor and prestige by their relationships and behavior. In 1721, the Directors in London removed Francis Hastings from his Governorship in part because his mistreatment of ‘native merchants’ ‘hath made the English Government [Madras] to stink in the Nostrils of the neighbouring Countrey’

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20 Characterizing the authority of the great in pre-capitalist societies, Bourdieu writes, ‘the basis of personal authority remains diffuse and is neither officially declared nor institutionally guaranteed, it can only be lastingly maintained through actions whose conformity to the values recognized by the group is a practical reaffirmation of that authority’ (Bourdieu 1994 [1997]:188). Such a characterization appears to fit fairly well the authority of the big-man, whether British or Indian, in 18th century Madras. The partial exception was the Governor whose office symbolized to the greater society the totality of the Company. However, in Council the governor was only primus inter parsi, and typically was opposed by his competitors in Council.
In the eighteenth century, therefore, the sources of Company authority in Madras were three. First was its English charter, which, of course, evolved and transformed over time as British political philosophy, politics, and policy developed. Second was its authority over Indians, which it derived from the local suzerains from whom the Company had been granted its holdings (Fawcett 1934:208). In the seventeenth century the Company established several courts on this local authority. And third was the honorable name of the Company founded on its reputation for trustworthiness and reliability in its contracts built upon its servants’ personal nurturing of relationships. Within the frame of these three sources of authority, daily life in Madras under Company rule was a practical sociality of personal knowledge, honor and prestige, position, relationships, which linked men in hierarchical alliances, ‘nationalities,’ including what today one would label religious communities, and caste organizations and institutions, which, after 1707, included the division of the Town into right and left-hand moieties (cf., Mines 1992). Reflecting the personalized nature of society and the importance of what Bourdieu (1994 [1977]) has labeled symbolic capital—the social and economic value derived from the publicly known character and quality of a relationship—the Records of the East India Company in Madras prior to 1800 are filled with individuals and with passionate estimations of personal reputations. Clearly institutions were part of the mix that created the daily social order, but personalities and relationships appear to have been at least as, if not more, important sources of the tenor and feel of the daily governance of the place.

In 1730, the year of this paper’s first case, Madras had several courts with authority derived from different sources. The main judicial business of the city was conducted in the Choultry (Town-hall) Court, which derived its authority from the local suzerains from

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21 The functions of the Zamindari Court were subsequently divided into two courts, one criminal, the Fouzdary Court, and one civil, the Court of Cutcherry, both with appeals to the Court of the Governor and Council (Fawcett 1934).

22 Thus, in 1690, in the Company’s Mayor’s Court, judges included an Armenian merchant ‘to enquire into causes that happen from his own Nation and all other foreigners, he being well Verst in their languages and Customs’ and a Hindu merchant ‘to appear for the Natives, as well Jentues, Moores and Mallabars’ (quoted in Love 1913, vol. 1:495).
whom the Company had acquired its territorial holdings. It was pres- 
ized over by Company merchants who were members of Council and 
dealt with small matters both civil and criminal. 'The ordinary pun-
ishments they inflicted were whipping, fines, imprisonment, and the 
pillory' (Fawcett 1934:208). The Court of the Governor and Council 
served as the highest court and was the final court of appeal in 
Madras. 'In fact the Company never authorized any regular Court 
of Judicature other than that of the Governor and Council up to 
1728...' (Fawcett 1934:208). Next in jurisdiction to the Court of 
the Governor and Council was the Admiralty Court, which heard 
Admiralty cases, 'but also acted as a general Court of Judicature . . .
of the settlement' (Fawcett 1934:202). And fourth was the Mayor's 
Court, rechartered in 1728 under Crown seal, with broad 
jurisdiction, 
being empowered to determine all causes, civil or criminal, subject to a 
right of appeal to the Admiralty Court in civil cases when the value of the 
award exceeded three pagodas [@ Rs 3], and in criminal cases if the 
offender was sentenced to lose life or limb (Fawcett 1934:206).

It was in the Mayor's court that Chitteramah Chittee brought his 
complaint.

**Case 1: Chitteramah Chittee vs. James Macrae, Jan'ry 15th 
1730: Representing Self and Other in the Mayor's Court**

A perusal of the Mayor's Court records demonstrates that the major-
ity of cases are civil disputes concerning unpaid debts and unfulfilled 
contracts, and that the Court was frequently used by both Indians 
and British alike. Chitteramah's case fits the pattern, but with cer-
tain unusual elements. Chitteramah was the orphaned son of Mar-
Kistna, the dubash of that notorious former Governor in Council, 
Francis Hastings (Governor, 1720–21), and his complaint is against 
James Macrae Esqr., then the retiring Governor (1725–30). These 
latter two men, therefore, were men of prominence and influence in 
their day, as indeed had been MarKistna. Chitteramah, however,

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23 According to Fawcett (1934:202), the Court of Admiralty briefly superseded 
the Court of the Governor and Council in 1686. However, as my first two cases 
reveal, the Governor in Council continued to act as a Court of Appeal for the later 
Mayor's Court and to exercise the power to empanel a committee of covenanted 
servants to investigate, try, and punish persons on an ad hoc basis.
was not a man of influence, but merely the impoverished orphan of MarKistna. This lawsuit has, therefore, the outward appearance of a case of David against Goliath. Undoubtedly what made it less so was that Macrae had himself just been superseded as Governor in Council and so, stepping down from his position of power, was vulnerable to attacks from rivals, including those serving the Mayor’s Court. The Court is known to have acted at times with a degree of fractious independence when it came to the wishes of Governors and Councils, and rivalry and jealousy between the Court and Governor and Council appear to have been common (see, for example, Dodwell 1926:155–8; Fawcett 1934:222–3). Certainly, Chitteramah would have considered carefully whether or not to sue, given any power of the Governor to influence the Court. The Mayor’s Court was an interested court, 24 notorious at the time for corruption, and conflict of interest was a natural feature of its organization. The Mayor and Aldermen, who served as its judges, were themselves free merchants who from time to time used the Court to further their own factional and business interests to the disadvantage of the Company, the Governor, and the men of the Council. So it is possible that Chitteramah may have had a sympathetic ear on the Court.

Since Chitteramah’s sense of self and other is embodied in the Court record, one must consider the nature of the documents that represent this sense. The key documents for this purpose are Chitteramah’s complaint, in which he is represented as the ‘Orator’ (MCR, 15 January 1730), and Macrae’s response as ‘Defendant’ (MCR 19 January 1730). Both documents are presented in writing and in English by British lawyers, who were themselves untrained in the law. 25 Did Chitteramah know English and the ways of the British in Madras? Almost certainly he did. It is very likely that Chitteramah himself spoke English as his father did, and, trained by his father, it is even possible that he could have presented his complaint using

24 A court with a vested interest in Company affairs and those of its officers. Wheeler (1861–62, vol. 2:296) comments on the reputed corruption of the court during Macrae’s Governorship as follows: ‘Many of the cases were reversed by Governor Macrae, whilst others were sent home to be adjudicated on by the Directors, and even to be tried in Westminster Hall; from which we may infer that the old stories of corruption in the Mayor’s Court, so frequent in the narratives of old travellers, were not without some foundation in truth.’

25 As a contemporary observed, Mayor’s court lawyers were not sophisticated students of the law, but only ‘as knowing as can be expected from broken linen drapers and other crack’d tradesmen who seek their fortunes here [in Madras] by their wits’ (Lockyer 1711:321).
quasi-legal phrasing. We may surmise Chitteramah’s familiarity with British individuals and practices in part also because of his father’s prominent status as a dubash to a former Governor and because in Chitteramah’s complaint he stated his residence as Fort St George, then the location of about 120 tightly packed houses (see Salmon 1744, vol. 1:231) occupied by covenanted Company servants and prominent Indians and others. Living among the British, undoubtedly his own self-awareness, like his father’s, drew from a mix of British and Indian social relations.

Nonetheless, one wonders to what extent Chitteramah’s narrative of complaint was the construction of his lawyer and to what extent it was one of his own understanding. One may assume that the rhetorical form of the complaint was the lawyer’s, there being no reason to presume that Chitteramah would have written the complaint himself. However, the characterizations of his father, of Macrae, of the relationship between the two men, of the events leading to the complaint, and of the sense of outrage contained in the complaint are undoubtedly Chitteramah’s own. Compared to Macrae’s calm and concise response, Chitteramah’s complaint is laced with emotion; something of the two personalities is visible in these lawyer’s accounts. Further, at this point in history, it was a lawyer’s responsibility to present complaint and defense as his client represented it. Only much later were lawyers allowed the power to pursue a case in a manner of their own choosing (cf., Paul 1991:3). Thus, it seems quite likely that both the complaint and defense are representative of the clients’ respective viewpoints, but framed within the British English rhetoric of the time and place. Therefore, much of Chitteramah’s sense of self-awareness is represented in his complaint and, given his circumstances, this would have included certain British understandings mixed with ‘native’ perspectives, as I discuss in the analysis following the transcript of the case.

The facts of the case are simple enough: When Hastings died shortly before he was to leave Madras for London, MarKistna, his dubash, owed him a debt of Pag 2,500. The executor of Hastings’ estate, called the loan, a huge sum. However, lacking funds, MarKistna was arrested. For help he turned to his friend James Macrae, asking him if he would free him from prison by paying the debt. To repay Macrae, MarKistna offered him a promissory note, which he,

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26 For comparison see Lockyer (1711) for a description of the ‘European’ Town and Madras.
MarKistna, held from another merchant with a face value of Pag. 4,500. Macrae accepted the note, collected the debt, and repaid himself the Pag. 2,500. Unfortunately, MarKistna died shortly after his release from jail, leaving unclear the ownership of the remaining Pag. 2,000 collected by Macrae. Chitteramah claimed that his father had bequeathed it to him on his deathbed. Macrae claimed that for all the things he, Macrae, had done for MarKistna, MarKistna had wanted him to keep it. I italicize the words and phrases below that carry the sentiments of self and other that are invested in the relationships joining the Orator, his father, MarKistna, Macrae, and others.

The Mayor's Court Transcript

To the Hon'ble the Mayors court of Madrasspatnam Humbly complaining sheweth unto this hon'ble Court your Orator Chitteramah of Fort St George orphan That your Orators Father being an Inhabitant of this Town of Madrasspatnam and of good Repute was sometime in the Service of Mr Hastings During his Government of Fort St George as his Dubash and at the Decease of the said Mr. Hastings your Orators said Father whose name was MarKistna being indebted to the said Mr. Hastings in a sum of Two thousand five hundred Pagodas or thereabouts the same was Demanded of your Orators said Father by the Executors of his Said Deceased Master Mr. Hastings whereupon your Orators said Father being at that Conjuncture unimproved of money to satisfy the said Debt and James Macrae Esq'r having always professed an Extream good will and Friendship towards your Orators said Father upon account of the good name and Reputation he had always born in the world and given your Orators said Father Repeated assurances that he would on all occasions serve and assist him the aforesaid Cases Being Represented to the said James Macrae Esq'r an Expedient was found in this manner Vizt. That James Macrae Esq'r then Governor of Fort St George should advance and Send unto your Orators said Father MarKistna the aforesaid Sum of Two thousand five hundred Pagodas to Discharge the said Debt and that your Orators Said Father Should for the Security of the Said James Macrae Esq'r Convey and assign to the Said James Macrae Esq'r a Certain Debt then owing to your Orators said Father MarKistna by one Chinwah Chitty of Fort St George Merchant for the sum of Four thousand five hundred pagodas which being agreed and consented to by your Orators said Father accordingly on or about the 11th day of March which was in the year 1724/5 the Said James Macrae Esq'r then did advance and Send unto your Orators said Father MarKistna the sum of Two thousand five hundred Pagodas and the Said Chinwah Chitty being on or about the 18th of the said month Produced in the Presence of the Said James Macrae Esq. For the sum of Four thousand five hundred pagodas by order of your orators said Father MarKistna which Said bond Did bear Date on or about the 18th March
1724/5 with Condition to pay the same within Four months From the Date and that the Said James Macrae Esqr Should pay and satisfy himself the aforeaid sum of Two thousand five hundred Pagodas with the interest that might be Due thereon to the Day of his Reimbursement out of the money to be paid by Chinwah Chitty and the surplus to be paid and Accounted For by the said James Macrae Esqr unto your Orators Said Father MarKisna.... (MCR, 15 Jan. 1730)

The transcript next describes that, having been released from prison, MarKisna died the following 28th of June 1724/5, and James Macrae collected the full Pagodas 4,500 from Chinwah Chitty. The Orator, Chitteramah, says that on his father’s death bed his father ‘recommended that his worldly Interests and concerns’ go to his children and particularly that the surplus of the recovery of the ‘Debt of Chinwah Chittee’ should go to his children that they ‘Might Serve as a Provision for his Children and Family.’ Chitteramah and his mother went to Macrae several times, asking Macrae to pay some Proportion thereof for the Present Subsistance of a numerous Family consisting of a widow and five Children/ Orphans Desolate and helpless which the Said MarKisna has Left behind him But now so it is that the said James Macrae Esqr by Delays and empty Promises of satisfying your Orator has Put him off from time to time and led him on with fruitless hopes and expectations by many repeated assurances of Doing him Right to this length of time and his near approach of his intended Departure from this Place Shutting his ears to the Cry of the Fatherless and widow he the Said James Macrae Esqr. Does refuse to Satisfy his said engagements to your Orators Deceased Father or pay unto your Orator the Surplus Due to him ....

Accordingly, Chitteramah asked the Court to verify the complaint and force the payment.

In reply on January 19th, 1730, Macrae confirmed the details of the debt owed to Hastings, MarKisna’s request for help, and his own consent to the request ‘in Regard to the Good will and Esteem this Defendant [Macrae] had towards him the said Markisna ...’ (MCR, 19 Jan. 1730) However, contrary to Chitteramah’s claim, Macrae testified that MarKisna wanted him to keep what ever extra he was able to collect on Chinwah Chitty’s debt ‘as a Gratuity and acknowledgment of the Services Done to him the said Markisna by this Defendant [Macrae] ...’ Macrae, therefore, asked that the complaint against him be dismissed.

The Court record then reports the interrogation of several witnesses—Chinwah Chitty included—to the transaction between MarKisna and Macrae who together confirm Chitteramah’s account. There appear to have been several witnesses present to the agree-
ment between Macrae and MarKistna and the two exchanged signatures on the agreement. As a consequence of the testimonies, the Court finds in favor of Chitteramah and orders an account taken of the transaction—Macrae actually received Pagodas 4027.28—and subsequently orders him to pay Pags. 2191.3516, which is the sum with interest owed Chitteramah as heir (MCR, 22 Feb. 1731).

A little over a year later, Macrae appealed the judgment against him to the President and Council sitting as the Court of Appeals. The Court's decree is brief, noting 'that no Evidence was brought to invalidate what the said appellant had sworn in his Answer that the Surplus money by him received was voluntarily given him by the father of the Respondent. . . . This Court did think it reasonable to allow the said plea of the appellant . . .' (MCR, 10 April 1732). No point of law was mentioned in the decree, but the Appeals Court set aside the Mayor's Court order, dismissed Chitteramah Chitty's complaint, and ordered him to pay 'the Costs of both Courts.'

*Depicting Self and Other*

The narrative of the above Court case reflects well the organization of public life in Madras in the first half of the eighteenth century. It records a fragment of dialogical heteroglossia in which Chitteramah, the subaltern Orator, draws on the resource of the Mayor's Court and on his knowledge of the rules of British daily practice in Madras to condemn the actions and so also the *honor* and *integrity* of the East India Company's highest officer. Chitteramah's complaint contains a skillful, economical argument in which he laid out in a seemingly natural manner the measure by which his father's relationship with Macrae was to be judged. For Chitteramah this standard was friendship, a relationship that carried with it the common expectations of the day about what constituted moral behavior between friends. Chitteramah's complaint demonstrates that when a serious breech of these expectations occurred, it evoked a strong sense of indignation and condemnation. This evoking of common understandings of relational expectations, I argue, would have been in keeping with the attitude of the times, when social control was located more within the rules of practice governing social relations than within legal behavior and law. In fact, the Court record makes no mention of legal technicalities or of any statute. Instead, common sense was the
standard of the Court. The Orator's complaint, therefore, although it was designed to convict in part on the basis of what happened, more importantly was designed to persuade by demonstrating that Macrae was an immoral man because he had broken the fundamental rule of daily practice governing friendship. Indeed the transcript reveals there could have been no independent confirmation of Markistna’s final wishes, because only family members attended him at his deathbed.

Consider the Orator's representation of the relationship between Markistna and Macrae and the underlying 'rules of the game' that these representations reveal governing estimations of self and other. References to these measures of daily practice are embedded in both the Orator's and Macrae's representations. Chitteramah described his father, Markistna, as a man of 'good Repute', of 'good name and Reputation'. These are attributes that would have been essential to his success as a dubash, the role and relationship he had had with the former Governor in Council, Francis Hastings. The Orator also portrayed Macrae's estimation of Markistna, noting that he held him in 'Extream good will and Friendship'. In fact, the Orator's argument that the Markistna/Macrae relationship was a friendship is the clincher in his argument. There is nothing inherently contractual in estimations of 'good will and esteem', these being measures of regard for a person, but not of obligation. Friendship, however, was considered at this time a very important feature of a man's reputation and honor and something that a person should be able to count on in the face of adversity. It was, then, a form of contractual relationship that obligated a person to his friend, that held out the expectation of complete loyalty in times of adversity and of good and of the expectation that a friend would always assist and defend the interests of his friend. To be a friend was no small matter; it was social bedrock. If, therefore, Chitteramah could claim the relation-

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27 This is not to say that decisions were completely arbitrary. Thus, Fawcett (1934:225), himself a retired Bombay Presidency High Court Judge, argued: 'the view that justice suffered because “the Mayor's Court knew nothing and could know nothing of jurisprudence” [Bombay Quarterly Review 1857, p. 180] is misleading. Most of the litigation was of a simple character, such as claims for debts, and was dealt with in a prompt and satisfactory manner. Any reader of the Registers with legal knowledge or judicial experience will realize that, though the Benches had no professional lawyer among them, they judged the causes before them with apparent fairness and in a sensible manner that was not the worse for its avoidance of legal technicalities.’ In this statement one must draw attention to the understated qualification, that Fawcett considered his judgment true for ‘most’ but not all litigation.
ship was a friendship, then Macrae clearly had been disloyal to his friend by the mere fact that he had denied his friend’s heirs. In the British view of the time, betrayal of a friend was a monstrous act, as it was also in Indo-British Madras. Macrae’s response, however, confirmed only the first part of this assessment, that he had ‘Good will and Esteem’ for Markistna. Macrae is pointedly silent about friendship. What, then, was Markistna’s attitude toward Macrae? The Orator tells us that he made ‘Repeated assurances that he would on all occasions serve and assist him’. Balancing these two assessments of the relationship, one can see that if friendship is removed, then the relationship is one of respect on Macrae’s part and of respect and of a promise to serve on Markistna’s part.

Declaring Macrae’s relationship with Markistna a friendship, the Orator’s complaint then proceeded by describing Macrae’s betrayal of this friendship. This the Orator did by first noting the impoverished state of himself, his siblings, and his mother, Markistna’s survivors and heirs, followed by an accounting of Macrae’s duplicitous behaviour when by ‘Delays and empty Promises of Satisfying your Orator [Macrae] has Put him [your Orator] off from time to time and led him on with fruitless hopes and expectations by many repeated assurances of Doing him Right’. By such language Chitteramah implies Macrae knew he owed the surplus money to Markistna’s heirs but, planning to keep it for himself nonetheless, led them on with lies to the moment of his departure from Madras.

Since my concern is representations of self and other, one may ask how British and Indian elements are mixed in Chitteramah’s narrative construction. In short, by whose rules was he playing? In the context of the Mayor’s Court, clearly what mattered were British sentiments. Thus, simply from the point of view of law, the Court was under Crown charter and so linked through the Company to English Courts and Parliament. However, this Madras Court, in

28 Thus, caught up in the same tangle of persons and events, in 1725, the Secretary to Markistna’s master, the former Governor in Council, Francis Hastings, published in London ‘a small volume entitled “An Essay upon friendship, Deliver’d with a view to an Unhappy Gentleman deceas’d and a Monster just strip’d of Power which he has abus’d and is lately return’d to England”’ that makes clear the outrage and anger associated with the betrayal of friendship as it was understood at the time among the British’ (Love 1913, vol. 2:217ff). The ‘unhappy gentleman’ was Francis Hastings and the ‘monster’ was his immediate successor as Governor, Nathaniel Elwick (governor, 1721–25). Macrae was second in Council to Elwick. This small volume also makes it clear that friendship included relationships between a benefactor and beneficiary, a relation today that might be classified a mentor relationship.
which no one had legal training, was very different from any British Court, and in its knowledge and practice it reflected the mixed Indo-British society of which it was a part. For the elite of Fort St George, Madras was a very small society with, as said, Indian dubash and Company officer linked in mutually dependent relationships, although with the Indian ostensibly in the subordinate position. There were racial overtones here as well. Fort St George was called ‘White Town’; ‘Black’ Town was the ‘native’ quarter, although both sections of the city were racially mixed at this time. Chitteramah, then, was a part of this small White Town society, and it is no surprise, therefore, that his sense of self incorporated British relationships and ideas about social rules, including friendship. However, Chitteramah also narrated an Indian subaltern’s view of the Mar-Kistna–Macrae relationship, when he described it as a tie between client and patron—Mar-Kistna’s pledge of loyalty in return for Macrae’s help. From an Indian perspective, this embodies an ethic almost as compelling as that of friendship. Thus, while Chitteramah’s understanding of self and other incorporated a strong British sense of society, it also included elements of an Indian view, reflecting a hierarchical notion of relationships and the obligations attendant upon these. For him, Macrae’s betrayal is a double, double-cross.

Notions of respect and honor also reflect such a mixing of Indian and British understandings and were important to both British and Indian senses of self and other. The fact that the British often expressed honor in an Indian fashion, indicates their awareness of Indian displays. Chitteramah narrated the reverse, his awareness of British understandings of honor. The evidence suggests, therefore, that the elite expressed honor according to situation in the manner appropriate to the public context in which they found themselves. In sum, Chitteramah’s complaint reveals a sense of self and other that graded from an awareness set in British understandings of friendship to a hierarchical Indian one, an awareness that was sometimes mixed, and an awareness that could change situationally, sometimes being governed by British rules and relationships, sometimes by Indian, sometimes by a mix of both.

It took Macrae more than two years to crush Chitteramah, but crush him he did when a little over a year after the original judgment the President and Council reversed the Mayor’s Court without consideration of a point of law or a question of new evidence. What happened during the intervening months is unknown, but the appearance certainly is that the merchant judges of the Mayor’s
Court were reversed because they were engaged in a factional dispute with the President and Council. Indeed, as noted, the relationship between the men of the two courts during much of the 1730s is characterized by factional disputes. This case, therefore, exposes a society in which there was no security beyond hierarchical relationships of mutual benefit, and, because networks of relationships revolved around big-men, society was highly factionalized. It was a society of alliances of mutual self-interest and regard set in opposition to competing interests, antagonisms, and enmity. Success in this highly personalized society depended on one's reputation, on the quality of one's relationships, on the social strength and influence of one's allies, and on one's own abilities and savvy. From the perspective of later times, it was a society in which great injustices occurred.

**Case 2: The Company vs. Suncoo Chinna Kistnama Chetty,**

*April 14, 1790–September 30, 1790*

In 1790, at the time of the trial of Suncoo Chinna Kistnama Chetty (hereafter Suncoo Kistnama) and sixty years after the Chitteramah–Macrae Mayor’s Court case, much had changed in the Presidency. The French had captured and occupied Madras during 1746–49; ‘Captain’ Clive’s military victories had won for the Company in Madras the role of Nawab-maker; Madras Presidency was placed under the administration of Bengal and the first governor-general, Warren Hastings; and in London the India Act of 1784, which removed ultimate authority from the Company’s Court of Directors and transferred it to the Crown’s new Board of Control, had begun the process of turning Company merchants into government servants. This was also a time of territorial acquisition in the south, of the Maratha and Carnatic Wars, and of the separation of British and Indian socialities under policies of British supremacy. As noted earlier, after 1790, Indians were prohibited from the commissioned officer corps and the higher ranks of Company servants.

The Company government in Madras, therefore, was a much bigger enterprise than it had been sixty years earlier and was poised at the lead edge of a dramatic shift from mercantile hybridity of interests and relations to colonial separation. But still, in 1790,

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29 Dodwell (1926:126) observes that at the end of the 18th century ‘the free merchants ceased to be a group of mingled English and Portuguese colonists, settled
Madras was a city of personalities, alliances, and reputation; and the dominant style of leadership was still the hybrid form of the Indian big-man, seemingly little different from sixty or even one hundred years before. Thus, Lionel Place, one of the three Company officers who formed the committee to investigate and try the case against Suncoo Kistnama, is reported to have adopted the role of an indigenous king, when, a few years later, he was appointed the collector of the jagir, the district surrounding Madras city (see Irschick 1986:12 and Mines 1992:147–8). Acting as he did, Place conjoined British Company officer and kingly Indian big-man in his self-representation, indicating that he understood his role as the administrator of the Jagir as a dual one, playing the part of a local ruler as well as that of a Company officer. Not surprisingly, British regulations and bureaucratic procedures in Madras provided little control over the pragmatics of personal loyalties and enmities, which this opportunistic society based on personal alliances engendered.

This, then, was the setting of Suncoo Kistnama’s trial. On May 8th, 1790, the Company appointed a committee of three of its officers to investigate complaints of breach of contract, extortion, price gouging, and misrepresentation against Suncoo Chinna Kistnama Chetty, these charges having been brought to the attention of the Governor in Council by a petition (14 April 1790) signed ostensibly by the betel and tobacco shopkeepers of the Town. Suncoo Kistnama was at the time one of the leading Indian businessmen of the city, and, under an agreement (cowle) with the Company (dated August 1787), the renter of the tobacco and betel farm, which supplied Madras with these commodities at a fixed price, ‘Articles of general use and so essential to the ease and Comfort of the Native Inhabitents’ (RS, vol. 10, 14 April 1790). He was also the headman of the Komati caste, a caste of the right-hand section of castes and itself one of the leading business communities of Madras. As head of caste, Suncoo Kistnama held in his name a charitable garden, Komati Tottam, the site today of Kotwal Chavadi, the great wholesale vegetable market of Madras, and the Sri Kanyaka Paramesvari at Madras and not seriously looking forward to any change of domicile, and became a group of temporary inhabitants almost entirely English in stock and character, and looking forward to an ultimate return to their native country.

The gradual extinction of the old [European] families is one of the outstanding features [marking the end of the 18th century] . . .

Henry Chichely Michell, William Jones, and Lionel Place were appointed to hear the case, Jones later withdrawing to attend to other duties.
Devastanam, the Komati denominational temple, which was subsequently built in 1803 by the elder brother of Suncoo Kistnama's arch rival Collah Ravanapah Chetty.

As noted, the charges were multiple: Under the cowle, Suncoo Kistnama had contracted to grow betel and tobacco on Company land, paying rent to the Company, and to supply these products, graded by quality, at fixed prices to the betel and tobacco wholesalers and retailers of the City. Further, he was to keep open and supplied a certain number of godowns (warehouses) according to a specified time schedule for the purpose of easy distribution. His accusers claimed that he met none of these obligations, that he sold inferior qualities labeled as superior, that he charged twice the specified fixed prices; that he sold directly through his own shops—in effect taking advantage of his own monopoly over supply—and that he failed to open his godowns or properly supply them when he did. Further, the petitioners charged, four or five days after their initial petition, Suncoo Kistnama sent for Governor John Holland's dubash, Paupiah Braminey, and asked him to come 'to his house and gave or presented him a Ear Jewels set with Emeralds worth of about 700 Pagodas which the whole People of Madras knew well' (RS, vol. 10, 1790:12). The petitioners also indicated that Suncoo Kistnama had bribed 'some of the Gentlemen of the Board of Revenue' (RS, vol. 10, 1790:11). In this manner, the petitioners claimed, Suncoo Kistnama had prevented any investigation and redress.

It is worth here emphasizing that these 'humble' petitioners were accusing covenanted British Company servants of accepting bribes, an indication that Company offices were being reshuffled at the time and that such charges could not be suppressed. In the spring of 1790, when the Committee probe began, Major General William Medows had just been appointed President and Governor in Council and in February, barely two weeks before Medows' arrival, John Holland, the Provisional Governor in Council for the previous year, had resigned his office. It was Holland's dubash that Suncoo Kistnama was supposed to have bribed. John Holland was briefly superseded by his brother, but this brother stepped down upon Medows' landing. Medows himself ruled only through a substitute, spending nearly the whole of his two and one half year tenure as Governor away from Madras acting as commander of the Company army, and so he would not have known about the case. Without a strong, knowledgeable Governor in charge at Madras, opportunities must have been opened for settling scores and for factional maneuvering among the Com-
pany servants. Later in the year, after Suncoo Kistnama’s trial, John Holland and his brother too were to be investigated along with Paupiah, John Holland’s dubash. Once again, therefore, at this point of succession in Company administration we see the fate of British Company officer and Indian dubash linked in partnership, crime, and punishment. We also see Indians of seemingly modest status, bringing complaints against British officers of high standing, but doing so at moments when changes occur in the offices Company servants hold, revealing that Company rule mixes the personalized and factionalized with the routine and bureaucratic.

In reply to these charges, Suncoo Kistnama noted that while it was true that he had operated some of his own shops, he had done so according to conditions specified in his cowle, which allowed him this avenue as a means of recouping losses incurred as a result of a ‘gale of wind’ three months after he took over the betel gardens, which had destroyed much of his crop. The rest of the charges he asserted were trumped up. He attested, he never injured and defrauded the shopkeepers on the Contrary they were always Instigated by Collah Ravanapah [alias Collah Singana] well known to the world to be of open Enemy to my Family I can prove that the Petition of complaints have been drawn at his own house and signed by them by his Encouragement his irreconcilable Enmity towards me has increased to such an Evil as to ascertain himself to reduce me to the displeasure of your honor in Council and thereby to blacken my Character with such an Injurious disposition he has Caused the same set of people to deliver a Petition to Sir Archibald Campbell [Governor preceding John Holland to whom the first petition was addressed] (RS Vol. 10, 1790:17).

Suncoo Kistnama continued that as proof of his fair practices, he was willing to provide a certificate ‘signed by the Creditable and Principal Inhabitants in the Settlement as well as from the Shopkeepers’ (RS vol. 10, 1790:18). And he asked the Council to check out the Company receipts as well. He also denied giving emerald jewels to Paupiah, saying that his custom was to deal in diamonds only for which he gave an accounting. But most particularly, he argued, the complaint was instigated by ‘Colla Ravanapah’ who he claims had ‘instigated the shopkeepers to petition saying he would assist them in case of any Chastisement to the Contrary . . .’ and that Colla Ravanah’s purpose and that of the ‘Bazar People who are parties against him . . . [was] to Monopolize the whole retail Trade to their own Emolument’ (RS vol. 10, 1790:23–4, letter signed by S. C. Kistnamah, 13 April 1790).
In seeming support of Suncoo Kistnama’s claims, when the Committee subsequently interviewed the petty shopkeepers who had signed the petitions, they learned that ‘Colavah Chitty [i.e., Collah Singana, alias Collah Ravana(pah)] and Ihah Moodely’ were considered the head Shop keepers of Chintadry Pettah [a ward of Madras originally developed by the Company for weavers] who bring daily from the Renter’s Godown in the Black Town a quantity of Beetle and Tobacco which is distributed among the rest (RS vol. 10, 15 June 1790)

and that these two men controlled the shops and had instructed the shopkeepers that they were no longer to go to the Renter’s [Suncoo Kistnama’s] godowns because they now had an exclusive agreement to pick-up and distribute betel and tobacco to the 56 shops of Chintadry Pettah. In other words, Collah Ravanapah and his partner did indeed appear bent on controlling the trade. This surmise was further confirmed when the Committee examined petitioners individually and found that most of the signers lacked knowledge of what the petitions said, and, when one was asked, ‘What Party in your Cast are you?’ he responded that he was of Collah Singanah’s (alias, Colla Ravanapah’s) party ‘on account of the dispute concerning the Banyan’s Garden [i.e., the Komati Tottam]’ (RS vol. 10, 31 May 1790). In short, Suncoo Kistnama’s claim that the petitions were the instigation of his caste rival and enemy seems to have been true. A piece of this personal rivalry concerned the charity garden, held by Suncoo Kistnama in his name on behalf of the Komati caste. Suncoo Kistnama, it seems, was participant to a big-man rivalry and under attack from Collah Singana (Ravanapah) who apparently was attacking him on all fronts, including attempting to wrest control of this important charitable caste institution (see Mines 1994:137). A characterizing feature of big-man politics then and now is just this sort of personal attack on the integrity of one’s rival. The Committee investigating Suncoo Kistnama therefore dismissed the petitions but not the charges (RS vol. 10, 31 May 1790).

The Committee then recalled Suncoo Kistnama. He responded, but only after enormously irritating the members of the Committee by asking for more time and then appearing unprepared. Although the Revenue Report does not mention it, Suncoo Kistnama, as Head of caste, was preoccupied from the start of trial to its end with the major right-hand/left-hand caste disputes that had erupted in the streets of Madras and the surrounding towns coincidental to his trial
Finally, in his defense he spoke:

I humbly trust it will appear to you that the Petitions now before you are unsupported and without any kind of foundation, that they have originated in malice private pique and resentment, of my Enemies, who afraid of an open attack upon my Character themselves, have instigated those who were under their influence and Subservient to their purposes; but what else Could I, a humble individual as I am, Expect from People who have been bold enough to Charge the Gentlemen of the Board of Revenue with bribery and Corruption (RS vol. 10, 13 June 1790).

He offers no other defense, believing, I would argue, that he was a man well known and of proven reputation to the Committee and the Governing Council and that the charges against him had been exposed for what they were, the unscrupulous machinations of Collah Ravanapah. Suncoo Kistnama believed public knowledge of relationships, in this instance his own reputation and the enmity of his principal accuser, were all that was needed to dismiss the charges. After all, how else did an enemy behave? Note also Suncoo Kistnama's anger about the charges. For him, social order and control was still vested in personal relationships, and one dismissed unsubstantiated charges known to be suspect because they were brought out of malice. He did not attempt to disprove the allegations against him. Such an approach would have indicated his understanding that his actions were to be judged by legal standards that were independent of constituting relationships and motivations.

How wrong his supposition turned out to be. On 30 September 1790 the Committee, now consisting of two, Henry Chichely Michell and Lionel Place, found Suncoo Kistnama guilty of defrauding the shopkeepers. Exasperated by his weak defense and lack of cooperation with the Committee, they fined him Pags. 54,033–25, an enormous sum (nearly equal to a year's rent of the betel and tobacco farm). This, the Committee affirmed, was the amount of excess profits Suncoo Kistnama had pocketed, although no solid evidence supporting this conclusion is contained in the report. Unable to pay this huge fine, Suncoo Kistnama was imprisoned, and lan-

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31 These riots broke out in conjunction with the Krishnaswamy temple spring festival. This temple is located on Coral Merchant Street, which marked the border between left-hand and right-hand sections of Black Town. The dispute was ostensibly about the inappropriate use of caste flags, this being the complaint of the left-hand castes, and the left-hand castes' innovation of a brass-plate temple car associated with the Kaligambal temple, this being the right-hand complaint. See Mines (1994) for a brief analysis of this dispute.
guished in jail for nine years, until his death on 14 September 1800. During this period, the Company confiscated his houses and lands, including briefly the Komati caste charitable garden, the Komati Tottam, which it mistook for his personal property. All this was done illegally according to the Company’s own assessment made some thirty years later (‘an injustice having been done to the whole [Sunca-var] family’ [MDR, vol. 992, 5 June 1821:224]; see especially, MDR, vol. 993, 28 April 1821:132ff). Indeed, before his death Suncoo Kistnama presented exculpatory papers, and the fine was reduced and paid (MDR, vol. 993, 28 April 1821:134)! Nonetheless, the punishment and confiscation of property continued to his ruination, to his death, and for decades beyond. By contrast, his enemy, Collah Ravanapah, prospered, establishing himself as one of the Town’s leading men.

The arrest and bankrupting of Suncoo Kistnama were acts of major social consequence. At the time he was one of the pre-eminent Indians of the Town, a figure of enormous influence, and with him in his fall went two former Governors in Council, the Holland brothers, and perhaps also members of the Board of Revenue. My guess is that this case marks London’s new policy designed to quash what the new Board of Control saw as the corrupting influence of Company servants engaged in trade and the personalized ties these entanglements generated. Whereas once the Governor was the principal merchant of Madras and his Council members all traders, now none of these men engaged directly in trade.

The magnitude of Suncoo Kistnama’s trial and punishment can also be measured by the fact that for the next thirty-one years the Company records return to problems arising from the confiscation of his real property. Finally, recognizing the injustice that had been done, and that the case against Suncoo Kistnama had not originated in either ‘embezzlement or misappropriation of any Government money, but was in the nature of a fine’, and that the fine had actually been paid, the Board of Revenue recommended ‘to the Hon’ble Governor in Council the abandonment of all further claims on the Suncoo family—and the delivery to them of the whole of the ground [land confiscated and now being claimed by descendants], as well as the Bonds of the deceased renter—on the execution of a complete acquaintance and release by each party to the other, such release to

be prepared by the Honorable Company’s Law Officers’ (MDR Vol. 993, Board of Revenue, 12 March 1821 to Governor in Council; concurring MDR Vol. 993, 28 April 1821:135). But by the time of this declaration, the high colonial period of Company Raj was fully implemented and the independent court system well established. Suncoo Kistnama’s trial and imprisonment occurred too early in the process of change initiated by the Act of 1784 to protect him from an interested Company court of merchant judges. In Madras the effects of the 1784 Act become readily apparent only after 1802 when the establishment of the Supreme Court and Company records reveal that relations with Indians were now increasingly routinized by bureaucratic codes enforced by an independent court of law. As we shall see, this depersonalizing of British/Indian relations, although never total, precipitated dramatic social changes in Madras city.

The self-representations of Collah Ravanapah, Suncoo Kistnama’s rival, when compared with this latter gentleman’s depiction of self, reveal the new kind of society that was just emerging at the time of Suncoo Kistnama’s death in 1800. Indeed, Collah Ravanapah was a participant in the creation of this new society. Whereas Suncoo Kistnama’s self-representation depicted a mercantile society that placed the British Company officer and Indian dubash in the same ethical field of estimation, at least for purposes of business, Collah Ravanapah’s portrayed a double expression of self, in which society was divided into two spheres, one Indian and seemingly ‘traditional’ but connected to the British, the other a collaboration between the British as rulers, with the Indian as loyal subject. Evidence for these two representations of Collah Ravanapah are found in two extraordinary forms, the first the Sarva-Deva-Vilaasa (Raghavan 1957-58), a Sanskrit composition that eulogizes a circle of Indian patrons of Madras city at the close of the eighteenth century; the second, letters between the Board of Revenue, the Governor in Council, and Collah Singana (Ravanapah), which were written in 1816 (see Mines 1992:147) in which the parties negotiated a public acknowledgment of his role as a patron of the Hindu social good. This is a new form of Anglo-Indian depiction in which the social benefactor is publicly acknowledged and honored as an exemplary citizen by the Company Raj (see Haynes 1991). This new social sphere of estimation is to last and is elaborated throughout the colonial period, with elements surviving to this day in the artifacts of family history, legal rights
in temple and charitable institutions, temple symbolism, and ritual paraphernalia.

The first self-representation, which occurs in the \textit{Sarva-Deva-Vilaasa}, is brief—he is described as ‘the chief of the Telugu merchants of the city and an adept in negotiating with the English’ (Raghavan 1957–58:36)—but the context of this description is culturally elaborate. It depicts Collah Ravana as one among a clique of Indian aristocrats and patrons; the English are referred to largely in the context of such a patron’s influence with government. Raghavan (1957–58:21ff) has demonstrated that many of the patrons mentioned in this text were agents and dubashes to the East India Company, although their relations with the Company were on occasion conflicted. But despite this, the cultural references of the \textit{SDV} are not to the Company but to an ideal of the wealthy Hindu patron, the \textit{periyadanakaarar} (Tamil), and to a cultivated Indian courtesan society that was supported by city patrons. This cultivated society was associated with temples, the institutional centers of the arts, and with the patron’s own gardens, the settings of dinner parties and cultural performances hosted by these patrons in the soft tropical evenings.

The aristocrats who figure in this work [and who undoubtedly commissioned it] appear in the role of patrons of art and letters; along with them are described the poets, scholars, musicians and dancers patronized by them. As these arts were closely related to the temples, the primary role in which these patrons are featured is that of the \textit{Dharmakartaa} or trustee in charge of the temple, its maintenance and its festivals (Raghavan 1957–58:1–2).

The \textit{SDV} makes no mention of the Sri Kanyaka Paramesvarii temple, which Collah Ravana’s elder brother was to build a few years later, but it is easy to see by his subsequent role as dharmakartaa of this temple and by his inclusion in the \textit{Sarva-Deva-Vilaasa} that the ambitious Collah Ravanapah sought to represent himself in the role of a man of power, as a \textit{periyadanakaarar} or institutional big-man within his Indian context (see, for example, Mines 1990).

However, and more importantly for the invention of a new sense of self, Collah Singana (Ravanapah) also sought in 1816, some twenty-six years after his enmity with Suncoo Kistnama and six years before his own death in 1822, to invent a public self-representation that depicted his status as a subject of the East India Company. Collah Singana’s self-representation was a hybrid form that joined traditional patronage of religious institutions—in this case his
funding of four rest houses for travelers at important pilgrimage sites—with an expression of special trust in the East India Company, which he asked to manage his donation, amounting to Rs 40,000. He wrote to the Board of Revenue:

I cannot better evince my confidence in the Government or my desire for its prosperity than by soliciting permission to sink the principal sum in question [Rs 40,000] in their Treasury, as an irredeemable loan—on the simple condition that they will be pleased to issue orders to the collectors of Madras—Chingleput—Chittore—and Benares—to appropriate the interest thereof to the support of my public Choultries [rest houses], within their respective jurisdiction (letter, signed Singanah, Feb, 1816).

In return for this benefaction, he asked the Company to publicly acknowledge him with suitable marks of honor. The Board of Revenue and Governor in Council agreed to the deal because they saw in it an opportunity both to encourage others to make similar contributions to the public good and to publicly depict the Company Government as one in which a leading citizen of Madras put his trust (and money). Correspondence between Collah Singana (Ravanapah) and the Board of Revenue reveal a back and forth negotiation as the Council sought to determine what would be suitable to him and to the Company. In response to Collah Singana’s offer, the Governor in Council stated that he was pleased to state that he will readily confer any mark of his approbation which may be considered most appropriate and acceptable to Singanah Chitty (Letter from the Board of Revenue to the Governor in Council, 11 April 1816).

And the Board of Revenue suggested that they ‘present him in the name of the Government, with a palanqueen and two ornamental plated staffs bearing a suitable inscription to be borne before his palanqueen (ibid.’). However, the Governor in Council feared ‘that the mark of consideration proposed to be conferred on C. Singannah Chitty might be found liable to objection (Governor to the Board of Revenue, 23 April 1816).’ And he, therefore, ordered that a gold chain and medal with the Company’s arms and a suitable inscription be struck at the mint. In the end, the Company honored him with all the items: a cowle, describing his donation, a large gold medallion with the Company arms on the back, a gold chain, a palanquin, and silver maces to be carried before him when he went out. The coat of arms, palanquin, and maces now form a part of the royal paraphernalia of the goddess at the Sri Kanyaka Paramesvari temple.
In sum, this second representation distinguished the self in terms of honors awarded by the Company government, which marked Collah Singana (Ravanapah) as a loyal and publicly commemorated subject of the Madras Company Raj. This was an honor that Collah Singana himself sought and participated in creating. The result of this collaboration with the British was the invention of a new hybrid social space, one which might be labeled culturally, but not racially, Anglo-Indian. In fact, this new kind of society could not allow for racial mixing without obscuring its distinction between Indian subject and British ruler. Instead of a society in which Indian and British judged one another on the basis of the same ethical standards of reputation/disrepute, friendship/enmity, and trustworthiness/untrustworthiness, a society of personal relationships, partnerships, and antagonisms, now Indians were to be judged by the British who from their position of institutionalized superiority could reward or ruin them.

Case 3: The Law in the Self: P. Somoosoonthrum Chetty, Madras, 1889

Born in 1824, two years after the death of Collah Ravanapah Chetty, P. Somoosoonthrum Chetty published his autobiography in 1889, when he was an elderly man. His, then, was a life set well within what I label the high colonial period, spanning both the final years of the Company Raj and the first decades of Crown rule, which change, he tells us, he advocated in the hope that it would solve abuses perpetrated by the East India Company.

In his autobiography, the author describes specific Britishers as friends or compatriots in spirit. The autobiography is dedicated to one such individual, a Miss E. A. Manning, Honorary Secretary to the Indian National Association, whom Somoosoonthrum describes as having come to Madras

for the sole purpose of acquiring a knowledge of the habits, customs, and literary attainments of our Hindu girls, and who has been welcomed by my class of people with admiration, love, and esteem, in recognition of the interest she has evinced towards the advancement of the Ladies of India . . . (p. 1).

In this statement, Somoosoonthrum, a subject of colonial rule, appreciates the concern expressed by a visiting member of the ruling society. Neither in this statement nor in the autobiography itself is
there a context in which Somoosoonthrum addresses the British as if he and they shared the same ethical space and so could judge one another by the same criteria. Nor does he represent the relationship between Indian and British as that of an alliance of self-interest that intertwined British personal lives with his own, sometimes in partnership, sometimes in opposition, such as Chitteramah’s address to Macrae implies or Suncoo Kistnama’s address to the Committee—in which he defends himself by appealing to the Committee’s knowledge of his reputation and of his enemy’s malicious conspiracy—also implies. Instead, the relationships depicted between self and British are the impersonal, public ones of employee/employer and subject/ruler, devoid of the heated emotions and the personal attacks that characterized Chitteramah’s estimation of Macrae and Suncoo Kistnama’s characterization of Collah Ravanapah. While, as is evident below, strong emotions do seethe beneath Somoosoonthrum’s words, he is operating within a political and legal system in which emotions do not enforce or determine social order. This law does, and so emotions are subdued beneath the quiet, impersonal order that law imposes on the family and individual alike. This said, Somoosoonthrum is nonetheless a critic of the British colonial governors, very concerned in his account that government be just. As a Commissioner of Madras, he is adamant that revenues not be taken from the city to pay Imperial charges. In fact, Somoosoonthrum is a strong antagonist of British policies, past and present, that he judges misguided and harmful—although he is also careful to style himself a loyal subject. Nonetheless, it is clear that Somoosoonthrum is engaged in an argument with the British, knowing that the British as governors do not share his standards of estimation. I leave aside here for a later discussion the multiple dimensions of his complex sense of self in which he locates himself dialogically within several social arenas. My interest here is not so much with his positioning of self within the Raj as it is with the manner in which he represents himself with regard to the law.

Having opened his account with his appreciation of Miss Manning, he explains himself first in terms of his family genealogy, and doing so, he explains himself also within the law:

33 For example, he describes relatives employed as dubashes and in other positions by the British being awarded upon retirement with a gold watch. Clearly this is a very different kind of relationship from the moral one of friendship and mutual loyalty that bound Chitteramah’s father and Macrae, which explains the outrage that Chitteramah felt when he felt that this relationship had been betrayed.
There lived about one hundred and forty years ago (i.e., @ 1750) a person by the name of Mauree Chetty, of Pareapolliam, in the district of Chingleput, who arrived from that village and settle himself in Linghi Chetty Street, Black Town, Madras with his brother Nullamoothu Chetty. These belonged to the division of Beri Chetty caste. [Mauree Chetty married Cootiyammal and had four sons, one of whom was Somoosonthrum’s father, P. Kothundarama Chetty (d. 1854)] . . . This Mauree Chetty carried on trade in gold and silver lace. All his earnings were absorbed in defending a suit filed by one Dawaljee, a Lubbai, in the then Supreme Court in the year 1809, in respect of certain monetary transactions and certain landed properties delivered to him, which was tried on the Equity side before Sir Thomas Andrew Strange, Kt., Chief Justice. The trial of the suit extended over a period of nearly 30 years, and it did not finally terminate till about 1835, by which an enormous expense of about a lakh of rupees was incurred out of the pockets of my father and my three uncles, as alleged by them before the late Supreme Court. The said Mauree Chetty died in 1814, and he left no property of any kind.

P. Kristnappa Chetty was the eldest son of the said P. Mauree Chetty. . . . He died in 1827, leaving behind him a good fortune, a Will, and a son named Pauliem Narayanasawmy Chetty, and a daughter Kamatchiammal. It so happened that the Will was contested by his son on the ground that the father had no right to make a Will bequeathing his earnings to such as he chose to give the same. But this contention was negatived by the then Supreme Court presided over by the Honorable Sir Ralph Palmer, Kt., Chief Justice, and the Honorable Sir Robert Buckley Comyn, Kt., as the Testator’s property was self-acquired and not ancestral. Between the commencement and the termination of the suit in 1837 an extraordinary event had occurred, viz., at the citation of Rungammal, the widow of P. Kristnappa Chetty, my father P. Kothundarama Chetty was committed to the Sessions Court on charge of having hidden the Will of her husband in his capacity of Executor. But the Juries, composed mostly of European members of high position, acquitted my father of the same, by reason of the charge having been of a malicious character (P. Somoosonthrum 1889:1–2).

Somoosonthrum then goes on to describe P. Aroonachellum Chetty, Mauree Chetty’s second son, who “holding an iron measuring rod, as a token of respect to his father, and with only four fanams (equivalent to 5 annas) in his hands, amassed all his fortune by his own assiduity, integrity, and tact in business” (p. 3). At Aroonachellum’s death in 1872, again a suit was filed contesting his Will, this brought by his sole surviving son. This case was filed before the learned Judge, Mr. Justice Kernan . . . in respect to the validity of the Will made by the deceased in 1846. We were then constrained to expend a very large sum, of nearly seventy or eighty thousand rupees, with much sorrow and affliction and at a great sacrifice to the interests of the family merely because of the interpretation given by the Court to the simple phrase namudaiyakudumbham (in English ‘our family in corpus’).
The suit commenced in 1872, and after much mental agony to us and great struggle both at the Original and at the Appellate Sides, and after a difference of opinion between the two Judges who presided, which had to be decided at a Full Bench, the validity of the Will of the Testator and the construction put by the learned Justice Mr. Holloway on the Tamil phrase, was confirmed by a majority of four Judges. On appeal, the Privy Council confirmed the decision of the Lower Court, and expressed an opinion that though a Hindu member divided his interests, yet by living in the same family and giving a certain sum monthly for its support, he had the power of alienating his self-acquisition as he chose in Testamentary Disposition. This Appeal was ably defended by Mr. John Bruce Norton, my good friend, and supporter of Natives' interest (pp. 3-4).

Somoosoonthrum then continued his description of his ancestry, describing a further set of trials involving one of his cousins. I include his description here not only because it illustrates how he combined court experiences with a sense of other, but also because this particular description clearly describes the limited boundaries within which this sense of other could exist. The Supreme Court had jurisdiction only within the boundaries of Madras, and, indeed, these only had been first drawn in 1802 for the purpose of defining the jurisdiction of the Court (Neild 1976). This is an important fact because it means that prior to this Madras society was defined at least in part by the relationships that tied individuals and families to the place. Indeed, if a person cut his ties to Madras, he was beyond the control of the East India Company. Consequently, it was custom to arrest a family member if possible, when a fugitive had absconded. Madras, then, was an island of English law surrounded by 'Native' territory; but when it defined its boundaries for the purposes of law, place and residence supplanted to a degree the role relationships had played as the definer of attachment. Somoosoonthrum continues,

I believe in 1850 or 1851 there was a writ of Habeas Corpus (not then known) issued by Sir Edward Gambier for the appearance in court of the body of my cousin Paulliem Narayanasawmy Chetty, who had been ordered to be removed to Chingleput, i.e., out of the jurisdiction of the Supreme court, for refusing to give proper evidence before a Commission appointed for the trial of Mr. Crawford, then Accountant-General, in respect of some monetary transactions with the Natives; and Mr. Malcolm Lewin, Judge of the late Sudr Court, who gave the order for the removal, was fined for the same by Sir Edward Gambier. I was a witness to these proceedings in the Court (p. 5).

 Keeping in mind that Somoosoonthrum's express purpose in writing his account was to describe his family and most importantly himself, what this and his other descriptions of experiences with the
Courts express are his clear and detailed sense of lives that were framed and oriented by the law and that invested the individual with rights. When he goes on to describe his own life, he similarly was careful to detail lawsuits in which he himself was at times an astute principal. Wills, memorials (a petition to government, detailing a complaint), petitions, and lawsuits give order to both his own and to public life. His is an account of social life governed by law, which, it becomes clear, on the whole he deeply appreciates because it empowers the individual.

Much of the rest of his account is a detailing of first his education in English and then of his public life, recounting the many institutions in which he had held an important office (e.g., Honorary Secretary of the ‘Madras Native Association’, Director of the Monegar Choultry, the most important of the city’s institutions devoted to the assistance of the poor, Trustee of the Victoria Public Hall, Trustee and then President of Pachiayappa’s Charities, Commissioner in the Municipality of Madras). His account ends with a genealogical chart and an appendix of important speeches given by him. This account, then, is the public face of an influential and much respected public figure, an institutional big-man.

What is intriguing for the purposes of this paper, however, is not the fact that his is a big-man account, but the manner in which he conceives of himself, contextualizing his self within a genealogical account shaped within the law. If Chitteramah and Suncoo Kistnama thought of themselves in terms of a field of ethical estimation that regulated personal relationships by the standards of reputation, friendship, enmity, trust, distrust, then the foundational components of Somoosoonthrum’s construction of self, where the self, it will be recalled, is sustained in social relations, is first in terms of the twin principles of descent and a court interpreted standard of the law that defines the legal rights of individuals thereby empowering them with respect to the interests of others. Although the cases he describes reveal the courts to be harsh and sometimes unjust, nonetheless, Somoosoonthrum advocates them as a means of regulating and curtailing the personal abuses of pre-eminent big-men. Thus, he strongly advocates that the trustees of temples be regulated by the law to prevent them from embezzling temple funds, an interference that the Government was loath to initiate at this point in history. And he is very critical of Government for what he sees as its failure.
Conclusions

The eighteenth-century cases of Chitteramah and Suncoo Kistnama reveal a social arena ordered by personal relationships and fraught with the quixotic consequences of individual actions. Representations are, as a result, permeated with emotional judgments and outrage, for there is at this time a shared notion of what is appropriate. At the same time, there is a clear sense that society was also rent by this highly personal order, which divided relations into friendship and enmity. The impression is of a society of personalities and factions constantly in flux as alliances shift and circumstances change. By contrast, in Somoosoonthrum’s autobiography emotions are suppressed beneath a routinized order of law and public civility. He refers to the ‘sorrow’, ‘affliction’, and ‘mental anguish’ caused by lawsuits within the family that pit the interests of one against the others, but there is no outpouring of indignation, no consuming outrage expressing the sting of the intimate betrayals his court cases describe. Somoosoonthrum’s account, then, is almost completely devoid of the expression of strong personal emotions and of the personalities and personal relations through which the social order of Madras was formerly controlled, because his was a society routinized by law and bureaucratic procedures. The only major institutions controlled by personalities were the City’s Hindu temples, which were rife with abuse in his view, and he strongly advocated circumscribing such patrons through the regulation of their trusteeships under the law. In his advocacy, we see the subject-citizen’s desire to end what was left of the arbitrary and unchecked discretion of headmen and patrons. The independent Courts, Somoosoonthrum’s reader sees, gave power to those who had never had it to regulate those who previously had controlled the social situation.

One also sees that Somoosoothrum styled himself an institutional big-man in a fashion quite different from that depicted in the Sarva-Deva-Vilaasa. In that document, the Hindu patron supported a cultivated courtly life in which he was known not only as a patron of temples but also of courtesans, musicians, singers, writers, and other artists. It was a life reserved for the few, a life of cultivated tastes and aesthetics, and it was exclusive. Such men were the ejamaanar, the commanders of others and of religious festival. By contrast, Somoosoonthrum had embraced a more abstemious life devoted to charity and the public good, a life, I would argue, that was pioneered by Collah Ravanapah Chetty (alias Singana) at the end of his life.
just a generation before. Somoosoonthrum had been ‘civilized’, and his emotions were tightly under control (see Elias 1982). He was a citizen-subject devoted to the civic good, and he openly claimed his pre-eminence on that basis. He was not an egalitarian, although he strongly believed in the legal rights of individuals to control their own financial affairs against the competing interests of family.

In sum, during this period of little over a century, from Chitteramah to Somoosoonthrum, we see a grand shift in the organization of Madras society, the role of the East India Company, and in a sense of self. This sense was founded in personal relationships, in emotions, and in faction and conflict in the eighteenth century. But for all the abuses of personal power in the eighteenth century, which were many, British and Indian shared the society that together they had created. In the nineteenth century, this mutuality was substantially depersonalized, and in its place a less arbitrary, less personally unjust society was established within the law. But now, Indian and British were segregated by colonial administration, setting British and Indian in opposition to one another in their separate roles as rulers and subjects. Within this new society, Somoosoonthrum’s sense of self was of course still sustained in social relationships, but now these were publicly regulated not by personal moral obligation and emotions, but by the impersonal rule of law and bureaucratic structures—even, we see, extending to the protection of individual rights against the collective interests of family. In fact, the cases Somoosoonthrum describes establish the precedence. Somoosoonthrum embraced the law and bureaucratic regulation because he saw them as protecting the society and the individual from the venal and corrupting interests that a society based on selfish interest engendered. His, then, was a view very similar to that of Parliament and the London Board of Control when they instituted an independent judiciary precisely to combat such unruly pursuits.

Finally, the implications of this transformation of society and self for historical work is not just that the self is not a fixed understanding; that it is not a cultural concept or a state of being, but that it is a dialogical historical process, importantly configured by the rules of relationships and so by changes in public law and government administration. Furthermore, Madras history suggests that the self as subject of a uniform law is a new awareness, emerging with the establishment of independent courts of judicature. This late awareness, set in the context of colonial rule, is one in which the individual has a diminished role in construing social order. If eight-
eenth-century conflict was about relationships and the behavior of individuals—an understanding that paradoxically centered on collective caste ‘custom’ or mamool and on individual agency—in the nineteenth century Indians argued about law and so ultimately about governmental agency and control. The dialogue had shifted from the personal to the systemic, the law by which individual behavior was to be judged. Here was a clear motivation for seeking independence.

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9 February 1730
22 February 1731
10 April 1732

MADRAS DISTRICT RECORDS [MDR] TNSA
986, 19 March 1800
992, 5 June 1821
993, 12 March 1821
993, 28 April 1821

PUBLIC CONSULTATIONS [PC] TNSA
162A, 13 April 1790
164A, 20 September 1790

REVENUE SUNDRIES [RS] TNSA
10, 13 April 1790
10, 14 April 1790
10, 31 May 1790
10, 13 June 1790
10, 15 June 1790

B. Books, pamphlets


