



RESEARCH ARTICLE

Agents of capital: Matriarchs, law, and agrarian transactions in the Eastern Gangetic plains of eighteenth-century India

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Abstract

This article contributes to historiographical examinations of gender and capitalism in eighteenth-century India. Focusing on the fragile nature of revenue farming ventures in this period, the article illustrates how propertied women in the Eastern Gangetic plains used matriarchal authority and affect to lead their agrarian and mercantile family firms into commercial transactions. The article shows that the household was the locus of these commercial relationships and that of the competing and layered sovereignties of distinct state and non-state actors. At the same time, matriarchs exercised their authority beyond it. Travelling in palanquins, or having their kin conduct transactions on their behalf, they asserted their maternal authority and social status in different publics to protect their firms' interests. In a second key argument, the article suggests that Mughal law, fostered by native officials in the early colonial courts in Banaras, facilitated propertied women's participation in this economy. Matriarchs demonstrated a keen understanding of this fractured jurisdictional landscape and used it to their advantage as they manoeuvred from one legal forum to another. The third argument of this article illustrates that colonial regulations redefined, and could even compromise, propertied women's engagements in land revenue transactions. These shifts were made possible through the mobilization of gender and specific understandings of womanhood and the household. In this article, I show that these attempts to disenfranchise propertied women in Banaras were intimately connected to the Company's vision of a colonial public in which it could monopolize sovereignty.

Keywords: Law; eighteenth-century India; capital; agrarian transactions; propertied women

Introduction

Between 1787 and 1794, in the northern Indian city of Banaras, an elderly widow named Jasso and her son, Sheetal Prasad, were engaged in a protracted dispute with Girija, another widowed matriarch, and her son, Jaikaran. Jasso and her family owed large

sums of money to Girija and Jaikaran who were merchant bankers.¹ Jasso was a wealthy revenue farmer, someone who contracted temporary rights to revenue collection by bidding to pay the highest rent in advance to the state. She headed a household which was composed of her son Sheetal Prasad, her daughter, son-in-law, and granddaughter. The family benefitted immensely from the economic growth in the Banaras region. It came to own several immovable properties, including houses, land, and bazaars, and was among the elite revenue farmers in Banaras. However, Jasso's family eventually fell on hard times. Its delicate credit arrangements with merchant-banking houses collapsed thereby threatening its revenue commitments to the ruler of the Banaras principality. The dispute between Jasso and Girija emerged in the context of these disruptions.

The events unfolding from the feud between the two firms were part of a wider history of the commercial relationships that powered the formation of regional states in this fertile region. During the eighteenth century, *ijaradari* (revenue farming) became a salient feature of the rural economy in the Gangetic plains. Scholarship on early modern India has shown that Mughal reforms in agricultural expansion and monetization of tax payments were accompanied by an increase in economic transactions and the auctioning of offices and rights to revenue collections.² These histories of the commercialization of royal authority draw attention to the role of local politics in the Mughal state.³ An expanding Mughal empire intensified *zamindari* or agrarian lordships, drawing power away from the imperial centre to the provinces and local districts.⁴ Furthermore, economic growth facilitated the regionalization of imperial officials, a process that contributed to a crisis in an already decentralized Mughal empire.⁵ Mughal officials and emergent local potentates, who grew in power through the 'royalization' of commercial power, contracted the services of merchants and revenue farmers, many of whom were militarized landlords, to deepen their shares in agricultural produce.⁶

The commercialization of the agrarian economy created opportunities for the rise of big and small-scale tax farmers who deployed local networks of power and patronage to withhold a larger portion of the revenue from the state than the amount they were contracted to collect for it.⁷ After the conquest of Bengal in 1757, the East India Company was able to claim legitimacy amid ambitious Mughal successor states by

¹Extract of Jonathan Duncan's report to Governor-General John Shore, date unavailable, Uttar Pradesh Regional Archives Allahabad (hereafter UPRAA), Resident's Proceedings, Basta (Bundle) 15, vol. 82, pp. 1–128.

²Muzaffar Alam, *The crisis of empire in Mughal North India: Awadh and the Punjab, 1707–48* (Delhi: Oxford University Press, 1986), pp. 39–42, p. 133; Christopher Bayly, *Rulers, townsmen and bazaars: North Indian society in the age of British expansion 1770–1870* (Cambridge: Cambridge University Press, 1998; 3rd edn), pp. 198–205.

³Farhat Hasan, *State and locality in Mughal India: Power relations in western India, c.1572–1730* (Cambridge: Cambridge University Press, 2004), pp. 37–38; David Washbrook, 'Progress and problems: South Asian economic and social history c. 1720–1860', *Modern Asian Studies*, vol. 22, no. 1, 1988, p. 70.

⁴Jos Gommans, *Mughal warfare: Indian frontiers and highroads to empire* (New York: Routledge, 2002), pp. 68–69, 78–80. See Alam, *Crisis of empire*, pp. 75–76 and 95–133.

⁵Alam, *Crisis of empire*, p. 133.

⁶Washbrook, 'Progress and problems', p. 70; John McLane, *Land and local kingship in eighteenth-century Bengal* (Cambridge: Cambridge University Press, 1993), p. 110.

⁷Richard Barnett, *North India between empires: Awadh, the Mughals and the British, 1720–1801* (Berkeley: University of California Press, 1980), p. 188.

presenting itself as the upholder of Mughal precedent.⁸ Sovereignty was deeply intertwined with control over revenue as Robert Travers has shown in his seminal study on early colonial Bengal.⁹ The Company's expansion intensified revenue farming, and firms like Jasso's attempted to make the most of this moment.

Early modern firms were family firms.¹⁰ Scholarship on mercantile family firms has shown that kinship, caste, and community ascriptions keenly informed their ability to raise capital and to enter into and enforce contracts.¹¹ In her recent work, Samira Sheikh has extended historiographical focus beyond mercantile family firms to eighteenth-century households that ventured into revenue farming and 'assessed, realized and invested' land revenues.¹² She has argued that these, too, should be understood as family firms.¹³ Revenue farming households navigated a fragile economy in which contracts hinged upon credit availability, mortgages, loan repayments, and revenue extraction.

Sheikh's work is part of a growing scholarship that shows how studies on eighteenth-century entrepreneurs must extend beyond male subjects who have been credited for pivoting towards new political and economic opportunities in the eighteenth century.¹⁴ A contextual approach to such entrepreneurship has been productive in foregrounding economic agents as specifically constituted subjects of gender, status, and community.¹⁵ When combined with Marxist-feminist critiques of a presumed universal male agent of capital, these insights are useful in bringing other gendered actors into histories of capital.¹⁶ Processes of state-formation, agricultural expansion, and

⁸Robert Travers, *Ideology and empire in eighteenth-century India: The British in Bengal* (Cambridge: Cambridge University Press, 2007), pp. 43–55.

⁹*Ibid.*

¹⁰Bayly, *Rulers, townsmen and bazaars*.

¹¹Ritu Birla, *Stages of capital: Law, culture, and market governance in late colonial India* (Durham: Duke University Press, 2009); Bayly, *Rulers, townsmen and bazaars*; Kumkum Chatterjee, *Merchants, politics and society in early modern India Bihar: 1733–1820* (Leiden: E. J. Brill, 1996), pp. 178–204; Karen Leonard, 'Family firms in Hyderabad: Gujarati, Goswami, and Marwari patterns of adoption, marriage, and inheritance', *Comparative Studies in Society and History*, vol. 53, no. 4, 2011, pp. 827–854.

¹²Samira Sheikh, 'Jibhabhu's rights to ghee: Land control and vernacular capitalism in Gujarat, circa 1803–10', *Modern Asian Studies* vol. 51, no. 2, 2017, pp. 350–374.

¹³*Ibid.*

¹⁴Bayly, *Rulers, townsmen and bazaars*, p. 381; and Bernard Cohn, *An anthropologist among the historians and other essays* (New Delhi: Oxford University Press, 1987), p. 373. For new approaches to these questions aside from Sheikh, see Indrani Chatterjee, *Forgotten friends: Monks, marriages, and memories of northeast India* (Delhi: Oxford University Press, 2013); I. Chatterjee, 'Women, monastic commerce and coverture in eastern India circa 1600–1800 CE', *Modern Asian Studies*, vol. 50, no. 1, 2016, pp. 175–2016; Danna Agmon, 'The currency of kinship: Trading families and trading on family in colonial French India', *Eighteenth-Century Studies*, vol. 47, no. 2, 2014, pp. 37–155; D. Agmon, *A colonial affair: Commerce, conversion, and scandal in French India* (Ithaca: Cornell University Press, 2017); Rochisha Narayan, 'Widows, family, community and the formation of Anglo-Hindu law in eighteenth-century India', *Modern Asian Studies*, vol. 50 no. 3, 2016, pp. 866–897; Nicholas Abbott, "'It all comes from me": Bahu Begam and the making of the Awadh nawabi, circa 1765–1815', *Modern Asian Studies*, vol. 17, no. 2, 2022, pp. 458–486.

¹⁵Birla, *Stages of capital*, pp. 16, 53–59; Rachel Sturman, *The government of social life in colonial India: Liberalism, religious law and women's rights* (New York: Cambridge University Press, 2012); Mytheli Sreenivas, *Wives, widows, concubines: The conjugal family ideal in colonial India* (Bloomington: Indiana University Press, 2008), pp. 45–66.

¹⁶Linda Nicholson, 'Feminism and Marxism: Integrating kinship with the economic', in *The Second Wave: A reader in feminist theory*, (ed.) Linda Nicholson (New York: Routledge, 1997), pp. 131–146.

commercialization were imbricated in early modern histories of complex and varied households.¹⁷ The gendered and generational labour of matriarchs, widows, concubines, princesses, wet nurses, female soldiers, dancing girls, *khwajasaras* (enslaved eunuchs), *hijras*, *gosain* (ascetic *gurus*), and *chelas*, which constituted stratified and varied households through relationships of intimacy, affect, dependency, service, and discipleship, definitively shaped the political and socioeconomic histories of the period.¹⁸

During the late eighteenth century, a period of transition to colonial rule, ruling women used their economic clout to claim political power.¹⁹ In northern India, the begums of Awadh wielded control over landed estates and markets, deriving wealth from revenues in land, customs, and excise duties.²⁰ Women from ruling families contributed towards Banaras's urban growth.²¹ As I will show here, Jasso and Girija, the two matriarchs from Banaras, too, were deeply involved in its agrarian economy. In its first inquiry, this article contributes to historiographical examinations on gender and capital in eighteenth-century India by reconstructing the ways in which Jasso and Girija, two propertied women from landed and mercantile families, used their patriarchal authority and affect to lead their households into investing in the agrarian economy of Banaras.

In a second argument, I contend that Mughal law facilitated Jasso and Girija's commercial transactions. Nandini Chatterjee's pathbreaking study has shown how

¹⁷For the imbricated relationship between family, state, and commerce, see Indrani Chatterjee, *Gender, slavery and law in colonial India* (New Delhi: Oxford University Press, 1999), p. 58; Sumit Guha, 'The family feud as a political resource in eighteenth-century India', in *Unfamiliar relations: Family and history in South Asia*, (ed.) Indrani Chatterjee (New Brunswick: Rutgers University Press, 2004), pp. 73–94; Ruby Lal, *Domesticity and power in the early Mughal world* (Cambridge: Cambridge University Press, 2005); Durba Ghosh, *Sex and family in colonial India: The making of empire* (Cambridge: Cambridge University Press, 2006); Siobhan Lambert-Hurley, *Muslim women, reform and princely patronage: Nawab Sultan Jahan Begam of Bhopal* (London: Routledge, 2007); Angma Jhala, *Courtly Indian women in late imperial India* (London: Pickering and Chatto, 2008).

¹⁸Elison Banks Findly, 'The capture of Maryam-uz-Zamani's ship: Mughal women and European traders', *Journal of American Oriental Society*, vol. 108, no. 2, 1988, pp. 227–238; Gregory C. Kozlowski, 'Private lives and public piety: Women and the practice of Islam in Mughal India', in *Women in the medieval Islamic world: Power, patronage and piety*, (ed.) Gavin Hambly (New York: St Martin's Press, 1998), pp. 469–488; Gavin Hambly, 'Armed women retainers in the Zenanas of Indo-Muslim rulers: The case of Bibi Fatima', in *Women in the medieval Islamic world*, Hambly (ed.), pp. 429–467; Ramya Sreenivasan, 'Honoring the family', in *Unfamiliar relations*, Chatterjee (ed.), pp. 46–72; William Pinch, *Warrior ascetics and Indian empires* (Cambridge: Cambridge University Press, 2006); Jessica Hinchy, *Governing gender and sexuality in colonial India: The hijra, c.1850–1900* (Cambridge: Cambridge University Press, 2019); Nicholas Abbott, "'In that one the Ālif is missing": Eunuchs and the politics of masculinity in early colonial North India', *Journal of the Economic and Social History of the Orient*, vol. 63, no. 1–2, 2019, pp. 73–116.

¹⁹Indrani Chatterjee, *Gender, slavery and law* (Delhi: Oxford University Press, 1999); Richard Barnett, 'Embattled begams: Women as power brokers in early modern India', in *Women in the medieval Islamic world*, Hambly (ed.), pp. 521–536; Rochisha Narayan, 'A Mughal matriarch and the politics of motherhood in early colonial India', *Journal of Women's History*, vol. 32, no. 2, 2020, pp. 12–36; Abbott, "'It all comes from me"'.

²⁰Barnett, 'Embattled begams'.

²¹For the Maratha ruler, Ahilya Bai's contributions towards trade and piety in Banaras, see James Prinsep, *Banaras illustrated in a series of drawings: Third series* (Calcutta: Baptist Mission Press, 1833), pp. 14–15; and M. S. Desai, *Banaras reconstructed: Architecture and sacred space in a Hindu holy city* (Seattle: University of Washington Press, 2017), p. 152.

indigenous subjects experienced Mughal law as ‘rules derived from a number of sources—royal and sub-royal orders, administrative conventions and rules, Islamic jurisprudence and local custom—“Islam” providing a general sense of order, together with royal grace’.²² When the Company introduced its own law courts, women were among the local subjects who wove these institutions into this plural judicial landscape with their litigiousness.²³ This is consistent with Durba Ghosh’s findings which illuminate how native women navigated the growing influence of the East India Company by compelling the early colonial state to recognize them as subjects who had claims upon it.²⁴

The Company’s courts, in turn, relied upon Mughal law to entrench themselves in indigenous society. Law emerged as a solution to the Company’s competing—and pressing—objectives of asserting its monopolistic sovereignty over agrarian society and its wealth, on the one hand, and performing its role as a protector of private property, on the other. In her seminal study on colonial law, Radhika Singha has shown that colonial judicial reforms combined British ambitions to monopolize the dispensation of justice and their realistic desires to accommodate pre-colonial practices.²⁵ These tensions were manifested in Governor-General Warren Hastings’ judicial plan of 1772.²⁶ Colonial law was necessarily embedded in Mughal forms of dispute resolution as Travers has shown in his recent book.²⁷

Mughal law afforded propertied women like Jasso and Girija the opportunity to participate in the commercialized agrarian economy where fortunes were fragile and could be unmade just as easily as they were made. Embedded in local structures of power, Mughal law enabled them to enter and manage transactions by drawing upon Islamic jurisprudence, customary practices, royal authority, and administrative bureaucracy and its rules. The establishment of company courts in Banaras in 1781 (alongside the office of the British Resident, the Banaras rulers’ courts, and the offices of the *qazi* [Islamic judge], tax officials, and community members) reconstituted the dispensation of justice. Jasso and Girija are two examples of eighteenth-century matriarchs who expertly guided their legal claims before these different authorities. In examining their legal transactions, I reconstruct the ways in which the matriarchs navigated a capacious late Mughal law and the contingencies that shaped it. I argue that their businesses hinged upon their understanding of a complex and shifting legal terrain.

²²Nandini Chatterjee, *Negotiating Mughal law: A family of landlords across three Indian empires* (Cambridge: Cambridge University Press, 2020), pp. 39–40. See also Julia Stephens, *Governing Islam: Law, empire and secularism in South Asia* (Cambridge: Cambridge University Press, 2018), p. 26.

²³For indigenous subjects in colonial courts, see N. Brimnes, ‘Beyond colonial law: Indigenous litigation and the contestation of property in the mayor’s court in late eighteenth-century Madras’, *Modern Asian Studies*, vol. 37, no. 3, 2003, pp. 513–550; Lakshmi Subramanian, ‘A trial in transition: Courts, merchants and identities in western India, circa 1800’, *Indian Economic and Social History Review*, vol. 41, no. 3, July 2004, pp. 269–292.

²⁴Ghosh, *Sex and the family*.

²⁵Radhika Singha, *A despotism of law: Crime and justice in early colonial India* (Delhi: Oxford University Press, 1998).

²⁶Travers, *Ideology and empire*, pp. 116–117.

²⁷R. Travers, *Empire of complaints: Mughal law and the making of British India, 1765–1793* (Cambridge: Cambridge University Press, 2022), pp. 71–112.

Jasso and Girija were not exceptional in this sense. In a broader project, I demonstrate how a range of elite and non-elite widows displayed a keen knowledge of the eighteenth-century legal landscape. Using tactics such as coercive *dharnas*, soliciting support from community members, petitioning indigenous rulers and officials in the colonial courts, and procuring legal documents from the *qazi*'s office, these women claimed entitlements and defended the right to alienate property through very public means.²⁸ Here, I use records on Jasso's dispute with Girija, which were documented and preserved to reproduce colonial narratives on corruption in native courts and agrarian society, to write a microhistory of a local politics in swiftly changing times.²⁹ This leads me to the third argument in this article which illustrates that attention to a contextualized gender history of agrarian elites can allow us to see how maternal authority intersected with elite status to create a specific gendered subject with clout and influence in this period of opportunity. The same microhistory illuminates how British officials mobilized gender through specific constructions of womanhood, which were abstract to this milieu, to rearrange constellations of power and hierarchies in land revenue administration.

In the first decades of its rule in Bengal, the Company fostered the practice of *ijara* or revenue farming to reduce the power of *zamindars* who it portrayed as usurpers, based upon an absolutist vision of Mughal sovereignty which placed ownership of land in the state.³⁰ However, protests by landlords and discontent stemming from agrarian decline coincided with the growing influence of physiocrats in the Company who argued for land improvement through long-term arrangements of fixed revenue demands from landlords and peasants.³¹ These ideological shifts informed the Company's reform efforts in its territories, including in Banaras.³²

In 1789, the British Resident Jonathan Duncan executed the Decennial Settlement with landlords which was declared permanent in Banaras in 1795 after the Settlement of 1793.³³ The Permanent Settlement barred most women from entering revenue engagements with the Company; with few exceptions, 'females', along with 'minors, idiots, lunatics, or others rendered incapable of managing their lands by natural defects or infirmities of whatever nature' were to be excluded.³⁴ This blanket usage of 'females' was even more far reaching, in principle at least, than restrictions imposed under coverture, an English common law concept according to which a married

²⁸*Dharna*, as Radhika Singha has shown, was 'fasting before the threshold of an adversary to demand redress for some injury or the satisfaction of some claim'. See Singha, *A despotism of law*, pp. 75, 88.

²⁹Bhavani Raman, *Document Raj: Writing and scribes in early colonial South India* (Chicago: University of Chicago Press, 2012), p. 56.

³⁰Travers, *Ideology and empire*, pp. 76–77, 91–92, 110–114, 127–132.

³¹Ratnalekha Ray, *Change in Bengal agrarian society c1760-1850* (New Delhi: Manohar Publications, 1979), pp. 6–8; Ranajit Guha, *Rule of property for Bengal: An essay on the idea of permanent settlement* (Durham: Duke University Press, 1996), pp. 44–57.

³²Cohn, *An anthropologist among the historians*, pp. 469–472; Guha, *A rule of property for Bengal*, p. 99; Anand Yang, *The limited Raj: Agrarian relations in colonial India, Saran District, 1793-1920* (Berkeley: University of California Press, 1990).

³³For a discussion on the Decennial Settlement as a form of preparation for the permanent settlement, see Guha, *A rule of property for Bengal*, pp. 180–181.

³⁴Regulation VIII of 1793, Clause XX, in C. D. Field, *Regulations of the Bengal Code* (Calcutta: Thacker, Spink and Co., 1903), p. 206.

woman's legal identity was covered by that of her husband's.³⁵ It became one of the ways in which the Company reduced the power of influential households and asserted its sovereignty over a reordered land revenue administration.

In writing a microhistory of the local politics that came to the surface around Jasso's and Girija's dispute, this article argues that diffuse power was being brought under the control of the Company through the production of a—to borrow from Veena Talwar Oldenburg and Indrani Chatterjee's work on the gendered effects of colonial agrarian regulations—'masculinized' colonial public where sovereignty was concentrated in the British Resident's court.³⁶ As multiple sovereign jurisdictions were being vacated from the households of powerful local actors, where they were enacted and negotiated, gendered subjects like the matriarchs and other propertied women were asked to retreat into the reimagined spaces. The article offers insights into how these women may have continued to subvert emergent geographies by assuming newer kinds of risks.

Ijaradari, state formation, and law in eighteenth-century Banaras

Revenue farming was intricately woven into processes of regional state formation. It played a definitive role in shaping the political landscape of northern India during the eighteenth century.³⁷ The governor, Saadat Khan, held the Mughal successor state of Awadh as a revenue farm before claiming sovereignty from the imperial centre.³⁸ Awadh's nawabs shored up their position by cultivating the rise of prominent revenue farmers and relying upon their wealth and military might.³⁹ In the latter half of the eighteenth century, members of the ruling household would come to depend on the revenue farmers to navigate the growing influence of the East India Company in the Gangetic plains. As Barnett has argued, revenue farming enabled these ruling elites to obfuscate Awadh's land revenue collections, which an increasingly interventionist Company scrutinized in its zest to extract maximum agrarian wealth from the region.⁴⁰ More recently, Nicholas Abbott has argued that the influence of revenue farmers, in addition to other power players, contributed to a political landscape of contested sovereignties which confounded Company officials.⁴¹

The emergence of the principality of Banaras can be attributed to such investments in *ijaradari* contracts. Lying in the fertile eastern Gangetic plains, the Banaras region drew its wealth from agriculture and trade.⁴² By the eighteenth century, enriched

³⁵ For a useful introduction to the complex histories of coverture in law and practice, see Tim Stretton and Krista J. Kesselring (eds), *Married women and the law: Coverture in England and the common law* (Ithaca: McGill-Queen's University Press, 2013).

³⁶ Veena Talwar Oldenburg, *Dowry murder: The imperial origins of a cultural crime* (New York: Oxford University Press, 2002), pp. 99–102; I. Chatterjee, 'Monastic governmentality, colonial misogyny, and postcolonial amnesia in South Asia', *History of the Present*, vol. 3, no. 1, 2013, pp. 57–98.

³⁷ Alam, *Crisis of empire*, pp. 39–42; Richard Barnett, *North India between empires: Awadh, the Mughals and the British, 1720–1801* (Berkeley: University of California Press, 1980), pp. 166–172. See also Sudev Sheth, 'Revenue farming reconsidered', *JESHO*, vol. 61, no. 5/6, 2018, pp. 909–910.

³⁸ Alam, *Crisis of empire*, pp. 218–219.

³⁹ Barnett, *North India between empires*, pp. 182–184; and Sheth, 'Revenue farming reconsidered', p. 915.

⁴⁰ *Ibid.*, pp. 189–190.

⁴¹ Abbott, "'It all comes from me'".

⁴² Alam, *Crisis of empire*, pp. 250–252.

zamindars, who were primarily from Bhumihaar brahman and Rajput subcastes, used their wealth to militarize and deny revenues to the Mughal revenue farmer Mir Rustam Ali Khan. Their recalcitrance posed an opportunity for the Awadh governor to exert control over Banaras and its surrounding areas.⁴³ Simultaneously, members of a *zamin-dar* household of Bhumihaar brahmans outbid Mir Rustam Ali Khan, who was their patron, to claim the revenue farm for this region.⁴⁴ The principality of Banaras, and the dynasty which came to rule it, were forged from this contract.

Lineage and state formation were interwoven in this process. But sovereignty was tenuously dependent upon the ruling family's ability to leverage the principality's vast revenues to garner the continued patronage of the rulers of Awadh. Eighteenth-century sources document the wide-ranging efforts of the lineage head Mansaram and Balwant Singh, his son, to subordinate the region's militarized landlords, on the one hand, and to gain the Mughal title of Raja Bahadur, which usually connoted the status of a little king, on the other.⁴⁵ By asserting control over local patrilineages, the upstart rulers were able to promise greater revenue payments to the rulers of Awadh thereby securing the *ijaradari* contract for the eastern Gangetic plains.

They were also able to use the same political and economic clout to buck Awadh's authority.⁴⁶ As Balwant Singh consolidated his power in the eastern Gangetic region, he became bold enough to stop payments of revenue due to the Awadh ruler, Nawab Safdar Jang, and oust his appointed officials from the area.⁴⁷ Balwant Singh was a mercurial figure who had allied with Awadh's rivals on more than one occasion.⁴⁸ In 1752, he managed to redeem himself by making gifts of substantial sums of money to Safdar Jang but the Awadh ruler sought opportunities to uninstall him from the seat of Banaras.⁴⁹ The ascendance of the East India Company, its intervention in Awadh's political economy, and efforts to maintain a buffer state in Banaras between its rivals and its territories in the Bengal province ensured that this family of revenue farmers was able to carve out a contested but heritable sovereignty for themselves.⁵⁰

After the Company defeated the Nawab of Awadh in the battle of Buxar in 1764, the nawab was made to pay a massive war indemnity to the Company.⁵¹ The Company also gained special trading privileges in the territories of Awadh, including Banaras.⁵² It secured access to Banaras's thriving trading networks by supporting Balwant Singh in his power struggle with Safdar Jang's successor, Shuja ud-daulah.⁵³ Furthermore, upon

⁴³Ibid., pp. 260–262.

⁴⁴Ibid., p. 261.

⁴⁵Khair-ud-din Khan, *Tuhfa-i-Taza* (The Fresh Gift) or *The Bulwuntnamah*, (trans.) Frederick Curwen (Allahabad: Northwestern Provinces Government Press, 1875), pp. 8–12.

⁴⁶Ibid., pp. 25–29; A. L. Srivastava, *The first two nawabs of Oudh* (Lucknow: The Upper India Publishing House, 1933), pp. 155–174.

⁴⁷Suprakash Sanyal, *Banaras and the English East India Company, 1764–1795* (Calcutta: Word Press, 1979), p. 3.

⁴⁸Khan, *The Bulwuntnamah*, pp. 25–29; Srivastava, *The first two nawabs of Oudh*, pp. 155–174.

⁴⁹Khan, *The Bulwuntnamah*, p. 30; Srivastava, *The first two nawabs of Oudh*, pp. 180–195.

⁵⁰C. C. Davis, *Warren Hastings and Oudh* (London: Oxford University Press, 1939), pp. 6–7; Barnett, *North India between empires*, p. 72.

⁵¹Barnett, *North India between empires*, p. 73.

⁵²Ibid., pp. 72–73.

⁵³Ibid., p. 73.

Balwant Singh's death in 1770, the Company shored up the succession of his son Chait Singh to the principality against the wishes of the Awadh ruler.⁵⁴ By 1775, the British had wrested the territories of the principality of Banaras from Awadh.⁵⁵

From this point onward, Banaras's ruling family was beholden to the British who maintained Chait Singh on the seat of Banaras provided he made annual revenue payments to them.⁵⁶ The ruling family's sovereignty was negotiated and entertained to the degree that it acknowledged the Company's hegemony. A British Resident was meant to keep Chait Singh accountable to the Company.⁵⁷ This tenuous relationship did not last. Chait Singh resented interventions in his household and state.⁵⁸ He complained of belligerent Company officials who intervened in Banaras affairs to unduly extract resources.⁵⁹ Additionally, Chait Singh was expected to cough up further sums of money to support the Company's expansionist wars in the subcontinent.⁶⁰ In 1781, Chait Singh rebelled against the Company, leading to his expulsion from Banaras.⁶¹ The rebellion spilled into politics at the Awadh court; the begams of the ruling family used the unrest to wage their own struggle against the Company.⁶² It was widely supported by peasants and agrarian elites in the Gangetic plains whose fortunes were tied to the Banaras ruler.

The revenue farm of Banaras created opportunities for the region's rural society. Several landholding and mercantile households cleaved to the Banaras dynasty, whose own contract for the revenue farm of the principality depended upon subcontracting to these client families. Following Chait Singh's rebellion, the Company nearly doubled its revenue demands from his successor, and Balwant Singh's grandson, Mahipnarain, to approximately 40 lakh rupees.⁶³ The vast increase in revenue demand conflicted

⁵⁴ *Calendar of Persian correspondence*, Vol. III (Delhi: Imperial Records Department, National Archives of India, 1919), Letter no. 350 dated 4 September 1770.

⁵⁵ *Calendar of Persian correspondence*, Vol. IV, Letter no. 1701, p. 296. Also see C. U. Aitchinson, *A Collection of treaties, engagements and sunnuds relating to India and its neighboring countries* (London: Longmans, Green, Reader and Dyer, 1929), vol. 2, pp. 74–77.

⁵⁶ National Archives of India (hereafter NAI), Foreign and Political Department, Secret Branch, 12 June 1775, no. 2, Consultation: S 12 Jun. 75 (2).

⁵⁷ Board of Governors at Fort William to Thomas Graham, 9 January 1777, UPRAA, Basta 1, vol. 2, pp. 2–3.

⁵⁸ Letter from Resident Francis Fowkes to Warren Hastings, NAI, Foreign Department, Secret Branch, 3 April 1776, Consultation: S 3 Apr. 76 (1).

⁵⁹ See letter from Board of Governors to Lt. Col. Muir, NAI, Foreign and Political Department, Secret Branch, Year 1775, Consultation: S 22 May 75 (14).

⁶⁰ Fort William Council to the Commander-in-Chief, 9 July 1778, NAI, Foreign Department, Secret Branch, 9 July 1778, Consultation: S 9 July 78 (3); and George W. Forrest (ed.), *Selections from the letters, dispatches and other state papers, 1772–1785* (Calcutta: Government Printing, 1890), vol. II, pp. 656–657 and 684–688. Hastings to Fort William Council, NAI, Foreign Department, Secret Branch, 19 July 1779, Consultation: S 19 July 79 (1); Fort William Council to Thomas Graham, 19 July 1779, NAI, Foreign Department, Secret Branch, 19 July 1779, Consultation: S 19 July (2); Hastings to Francis Fowke, Resident at Banaras, 22 June 1780, NAI, Foreign Department, Secret Branch, 22 June 1780, Consultation: S 22 June 80 (6).

⁶¹ Hastings to Edward Wheler and Fort William Council, 5 November 1781, NAI, Foreign and Political Department, Secret Branch, 19 November 1781, Consultation: S 19 Nov. 81 (5).

⁶² Abbott, "It all comes from me", p. 477.

⁶³ Report of Resident at Banaras to Governor-General in Council, 19 November 1788, UPRAA Resident's Proceedings, 1782–1788, Basta 1, vol. 4, pp. 178–180.

with anxieties over provoking another upheaval.⁶⁴ To this end, Hastings placed the responsibility for revenue collections on the office of the *naib* or deputy. As British officials bore down upon the Banaras state to meet the new revenue demands, they blamed the deficits on the *naib* instead of the ruler.⁶⁵

Hastings' reforms intensified efforts to bring the agrarian economy, the great revenue farming family, and the influential families that aggregated around it under the Company's control. In his letter to the Council of Governors in 1781, Hastings wrote that Mahipnarain had been informed of the colonial government's intentions to disallow him from exercising 'any privilege or authority, on which an opinion of independence could be founded'.⁶⁶ In the same year, he introduced the office of the chief magistrate who would head a newly founded civil court in the principality. Hastings chose a native named Ali Ibrahim Khan for this position. Khan was a legal scholar and administrator from the Mughal service literati who had served in Bihar and Bengal and attached himself to the Company.⁶⁷ As chief magistrate, Khan was to have oversight of the *kotwali* (the police), the *Faujdarī Adalat* (criminal court), the *darogha* (police official), and three *maulvis* (Islamic scholars) attached to the court, as well as the *Diwani Adalat* (civil court) and its subordinate judges.⁶⁸ He would be independent of the Banaras ruler and British Resident.⁶⁹ By 1784, Ali Ibrahim Khan would gain further authority as adviser to the *naib* (Mahipnarain's grand-uncle) with the power to weigh in on revenue settlements, the appointments of tax officials, and other related revenue matters.⁷⁰

It could be argued that tensions stemming from within the Company informed Hastings' decision to appoint a native official to the office of the chief magistrate. In the short period since the Company gained the right to the Banaras principality, the Resident's office in Banaras became a site of contention within the Company bureaucracy in the metropole and in India, particularly between Hastings and his supporters and their opponents between 1775 and 1783.⁷¹ Influential Company officials whose private business interests lay in Banaras, and who vied for the position of

⁶⁴There was a growing critique in Britain of Hastings' treatment of Chait Singh as part of a wider argument concerning the despotism of Company officials. Nicholas Dirks, *The scandal of empire: India and the creation of imperial Britain* (Cambridge: Harvard University Press, 2006), p. 99.

⁶⁵Within three years of the new potentate's reign, the Company imprisoned and deposed two *naibs*, Mahipnarain's father and one Jagdeo Singh who was related to the ruling family, on charges of corruption. Hastings' letter to the Banaras Resident Thomas Markham, NAI, Foreign Department, Secret Proceedings, 11 November to 31 December 1782, Vol. 53-A, p. 3559. For Mahipnarain's *naibs*, see, for example, NAI, Foreign and Political Department, Secret Branch, 4 Dec. 82 (2); NAI, Foreign and Secret Department, Secret Branch, Consultation: S 24 Mar 83 (2); NAI, Foreign Department, Secret Branch Proceedings, 28 June 1785, see pp. 2205–2210.

⁶⁶NAI, Foreign and Political Department, Secret Branch, 3 December 1781, Consultation: S 3 Dec. 81 (1).

⁶⁷C. A. Bayly, *Empire and information: Intelligence gathering and social communication in India, 1780–1870* (Cambridge: Cambridge University Press, 1996), pp. 81–83. On Ali Ibrahim Khan's legal thought and practice as a judge, see Nandini Chatterjee, 'Hindu city and just empire: Banaras and India in Ali Ibrahim Khan's imagination', *Journal of Colonialism and Colonial History*, vol. 15, no. 1, Spring 2014.

⁶⁸NAI, Foreign and Political Department, Secret Department, S 12 Nov. 81 (7).

⁶⁹NAI, Foreign and Political Department, Secret Branch, S 3 Dec. 81 (2).

⁷⁰NAI, Foreign Department, Secret Branch Proceedings, 20 June–30 August 1785, pp. 2205–2210.

⁷¹See, for instance, the case of Francis Fowke, who was appointed to the office of the Resident of Banaras for three separate tenures and whose father, Joseph Fowke, was charged with conspiracy against Hastings. 'The Trial of Joseph Fowke, Francis Fowke, Maha Rajah Nundocomar, and Roy Rada Churn, for a Conspiracy Against Warren Hastings, Esq', in Thomas Bayly Howell, *A Complete Collection of State Trials*

Resident, exploited factions in the Company.⁷² Furthermore, British Residents who had served thus far contributed to the Company's alienation of the local elites of Banaras with their racialized disdain, which is apparent not only in their engagements with indigenous society but also in their private correspondence.⁷³

The introduction of the office of the chief magistrate, and the appointment of a native official to that position, was designed to create a seat of power in Banaras that was independent of the ruler of Banaras and the British Resident. And the candidature of Ali Ibrahim Khan signalled continuity with Mughal structures and principles of law through which the Company sought legitimacy for its tenuous hold over this region.⁷⁴ His appointment drew criticism from members of the Governor-General's Council who claimed that the choice of a Muslim official would upset the region's Hindu community.⁷⁵

This argument illustrates an ignorance of pre-colonial Mughal jurisprudence, which was diffuse in state and society. Recalling scholarly arguments on Mughal law and legal pluralism in eighteenth and early nineteenth-century states is useful here.⁷⁶ A dispute over property could stretch across decades and could be pleaded in the raja and his mother's courts, in front of Mughal tax officials, *qazis*, and community arbitrary assemblies. In each instance, litigants displayed a keen knowledge of the plural, and often interconnected, legal forums where their claims could be argued, and they pursued them doggedly.⁷⁷ Their legal agency energized ties between local communities and state agencies, and, as Sumit Guha has shown in the context of western India, facilitated the flow of capital to the latter.⁷⁸

Political and economic benefits accrued to pre-colonial states from the endorsement of legal pluralism. The Banaras rulers contracted out the dispensation of justice

and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to the Year 1783 (London: Longman, 1816), vol. XX, pp. 1078–1226; *Consultations on Francis Fowkes in A Calendar of Indian State Papers, Secret Series, Fort William 1774–1775* (Calcutta: Baptist Mission Press, 1864), pp. 159–161; 'Extract of the Company's General Letter to Bengal, 28 August 1782', India Office Record (hereafter IOR), Home/Misc/219, pp. 149–151.

⁷²Resident Francis Fowke and his father, Joseph Fowke, had a thriving private business in diamonds and were vested in remaining at Banaras. Letter from Court of Directors to Governor-General's Council, 30 January 1778, IOR, E/4/624, p. 17.

⁷³For instance, the Resident Thomas Graham referred to Chait Singh as 'dirty little rascal' and other elites as 'rascals' in his personal letters to another Company official, David Anderson. See letters from 25 June 1779 and 13 July 1779, British Library, Anderson Papers Vol. VII, Additional Manuscripts (Add MS) 45423, p. 56, p. 58, and Anderson Papers Vol. VI, Add MS 454522, pp. 163–164.

⁷⁴See Travers, *Ideology and empire*, pp. 43–55; Chatterjee, 'Hindu city and just empire'.

⁷⁵Letter from Edward Wheler and the Council at Fort William to Warren Hastings, 3 December 1781, NAI, Foreign and Political Department, Secret Branch, S 3 Dec. 81 (2).

⁷⁶S. Guha, 'Wrongs and rights in the Maratha country: Antiquity, custom and power in eighteenth-century India', in *Changing concepts of rights and justice in South Asia*, (eds) Michael R. Anderson and Sumit Guha (Delhi: Oxford University Press, 1998), pp. 14–29; Sanjog Rupakheti, 'Beyond *dharmashastras* and Weberian modernity: Law and state making in nineteenth century Nepal', in *Law addressing diversity: Pre-modern India and Europe in comparison*, (eds) Thomas Ertl and Gijs Kruijtzter (Berlin: De Gruyter Academic Press, 2017), pp. 169–196; Chatterjee, *Negotiating Mughal law*; Abhishek Kaicker, 'Petitions and local politics in the late Mughal empire: The view from Kol, 1741', *Modern Asian Studies*, vol. 53, no. 1, 2019, pp. 21–51.

⁷⁷Mitra Sharafi, 'The marital patchwork of colonial South Asia: Forum shopping from Britain to Baroda', *Law and History Review*, vol. 28 no. 4, November 2010, pp. 986–987.

⁷⁸Guha, 'The family feud as a political resource', pp. 88–90.

to revenue farmers but they also convened their own courts. In 1787, the British official Barlow noted disparagingly that the Banaras ruler farmed out the responsibility of administering justice in Mirzapur—a prominent commercial centre which was able to take advantage of agricultural wealth and a thriving river trade—to a person who did not keep a record of his proceedings.⁷⁹ The Banaras rulers also brought in revenue through dispute resolution. They convened their courts alternately in Ramnagar, the palace-complex, and the city of Banaras.⁸⁰ When Warren Hastings assumed responsibility for the administration of justice in Banaras and placed Ali Ibrahim Khan in charge of the civil and criminal courts in the city of Banaras, he attenuated the legal jurisdiction of the ruler of Banaras.⁸¹ The latter claimed Rs 25,000 annually due to losses suffered on account of the introduction of the Company courts under Hastings' reforms.⁸²

Despite these shifts, Ali Ibrahim Khan fostered pre-colonial practices of legal pluralism in the colonial courts. Khan, who had served in the indigenous administration in colonial Bengal, was knowledgeable in Islamic law and upper caste Hindu scriptural traditions which came to shape Anglo-Hindu law in a significant way. But it was his attention to locality and customary practice that defined jurisprudence in Banaras.⁸³ Ali Ibrahim Khan consolidated his position in Banaras by appointing members of his family to various offices.⁸⁴ His network of family/officials came to exert authority over Mughal-era offices of the *qazis* (Islamic judges) and *muftis* (scholar in Islamic law) as well as Banaras's old and new elites. Yet, Ali Ibrahim Khan, and the officials who were part of his network, were sensitive to relationships of power in Banaras society, of landed elites and entrepreneurs. Gift-giving, bribes, and coercive practices all defined relationships which kept revenue, wealth, and property circulating in the economy. The next section focuses on the specific ways in which gender roles, status, and kinship ties shaped these transactions.

Sourcing capital: Kinship ties, familial management, and Mughal law

The ruling family of Banaras relied upon subordinate households of revenue farmers to raise the sums promised in its own contract with the rulers of Awadh, and later, with the Company. Landed households eagerly claimed opportunities to farm revenues. Many of them succeeded on account of their ties to the rulers of Banaras. What is worth noting is that women from these families had the potential to launch new agrarian family firms by investing their social and economic capital in independent ventures. Therefore, we stand to lose a richer history of agrarian capital by not paying attention to familial ties and the gender roles that underlay revenue farming.

⁷⁹Mr Barlow's report on the trade and coinage of the province of Banaras, 24 August 1787, UPRAA, Commissioner's Office, Duncan Records, Basta 2, vol. 7, pp. 160–161. Although Barlow argued it was antithetical to economic activity, the Banaras rulers' policies had played a key role in the rise of Mirzapur, and they benefitted immensely from it. See Bayly, *Rulers, townsmen and bazaars*, p. 125.

⁸⁰Jonathan Duncan to Cornwallis, Governor-General in Council, 16 February 1788, UPRAA, Resident's Proceedings, Basta 2, vol. 8, pp. 2–4.

⁸¹Ibid.

⁸²Ibid.

⁸³Chatterjee, 'Hindu city and just empire'.

⁸⁴Bayly, *Empire and information*, p. 81.

Scholarship on the eighteenth century has drawn attention to the agency of ambitious indigenous actors who sought opportunity in the transition to colonial rule.⁸⁵ For Banaras, studies have tended to focus on male agents who were characterized as ‘new men’ and as ‘enterprisers’ (entrepreneurs who started risk prone ventures in revenue farming with the support of merchant capital).⁸⁶ Widening our focus to the familial relationships that these men were bound up in provides a more complex picture of the agrarian family firm. Consider, for instance, the example of Devakinandan. Historians regarded his meteoric rise as a powerful revenue farmer in the eastern Gangetic plains as being exemplary of eighteenth-century agrarian entrepreneurship.⁸⁷ However, they did not consider that Devakinandan, who hailed from the region of Allahabad, which lay to the west of the Banaras principality, may have owed his success in Banaras to his older sister who was the widow of Jagdeo Singh, the erstwhile *naib* and collateral relative of the rulers of Banaras.

Although her name is not mentioned in the records scribed into the colonial archive, Jagdeo Singh’s widow⁸⁸ petitioned British officials for claims on her brother, and we know of her through these *arzis* or petitions. How then do we explain such an erasure? Methodologically, as revisionist historians have argued, the reasons may lie in the ways in which questions on gender and family in early modern India did not receive adequate attention.⁸⁹ The problem is also embedded in the nature of the archive which glossed over the legal consciousness of women by firmly placing their grievances under a depoliticized and non-economic notion of ‘family’. I will return to Devakinandan’s sister towards the end of the article. Here, I turn to records on Jasso to show how an analysis of senior women’s roles and the familial relationships they managed is illustrative of the ways in which the workings of the agrarian family firm defy such erasures.

Jasso was the matriarch of a prominent family of revenue farmers with close ties to the royal household of Banaras.⁹⁰ Jasso’s family owned houses and gardens, as well as a bazaar in the city of Banaras. Like other wealthy households of the city, they represented a social group that had risen in wealth and power in the Gangetic plains during the eighteenth century. Jasso helmed her family, which comprised, as far as records show, her son Sheetal Prasad and his wife, Jasso’s daughter and son-in-law, and their daughter Udin Bibi. The family owed its rise as a revenue farming firm to her.⁹¹ Jasso

⁸⁵ Bayly, *Rulers, townsmen and bazaars*; Cohn, *An anthropologist among the historians*, pp. 373–379; Lakshmi Subramanian, *Indigenous capital: Bombay, Surat and the west coast* (Delhi: Oxford University Press, 1996); Tirthankar Roy, *An economic history of early modern India* (New York: Routledge, 2013), pp. 110–125.

⁸⁶ Bayly, *Rulers, townsmen and bazaars*; Cohn, *An anthropologist among the historians*, pp. 373–379

⁸⁷ See, for instance, Bayly, *Rulers, townsmen and bazaars*, p. 381.

⁸⁸ It is possible that she addressed herself only in this way to assert the social status she derived from her husband.

⁸⁹ For insightful historiographical discussions on these questions, see the introductions of Lal, *Domesticity and power*, pp. 1–23; and Chatterjee, *Unfamiliar relations*, pp. 3–45.

⁹⁰ Jasso’s family had ties to Ausan Singh who was the adoptive son of Raja Balwant Singh, the first ruler of the Banaras dynasty. As we will see later, Ausan Singh supported Jasso and her son when the odds were stacked against them during the dispute. For Ausan Singh’s relationship to Raja Balwant Singh, see Khan, *The Bulwuntnamah*, p. 13.

⁹¹ Summary of the case in which Devi Das was the defendant in the City Court as procured from the Mulki Adalat [the Banaras Raja’s court], December 1793–September 1794, UPRAA, Resident’s Proceedings, Basta 15, vol. 82, pp. 217–218.

was one of two sisters who had inherited the considerable wealth of a deceased half-brother who had died childless and whose brother, too, died without any offspring.⁹² Aside from this inheritance, Jasso's son benefitted from her social capital. Her brother had been a revenue farmer and Jasso used her ties to him to form her own agrarian family firm and brought her son into the contracts. She had a dominant role in managing the family's concerns and her son, and other members of her household, followed her lead.

As the matriarch of her household, and a propertied woman, Jasso led her family into revenue farming investments. These endeavours were fragile and risk laden. Accumulated wealth was liable to mortgages and auctions with defaults in revenue or loan repayments. The Company's revenue demands increased the likelihood of those risks. It appears that Jasso's firm was facing difficult times by 1786 when it farmed two *parganas* from the ruler of Banaras.⁹³ It was struggling to raise credit from a merchant-banking firm, which was necessary to pay taxes to the Banaras potentate in advance of the incoming revenues.⁹⁴

Household dynamics played a key role in the family firm's ability to negotiate transactions with merchant-banking firms and manage this crisis. Jasso's actions can be analysed to illustrate this. It was Jasso who secured the services of Girija's family firm, albeit under challenging circumstances. As the matriarch of the household and an heiress in her own right, she fostered the rise of her son as a revenue farmer. But there is no indication that she bestowed a similar position on her daughter, son-in-law, and granddaughter Udin. They were nonetheless attached to Jasso and had responsibilities towards the firm. The youngest member of her household, Udin was the most vulnerable and marginal member of the firm on account of her descent, gender, and age. Thus, Jasso prevailed upon her to agree to giving a *teep* or bond of Rs 3,000 to Girija's firm so that the family could secure a loan for revenue payments in the form of promissory notes to the ruler of Banaras. The bond was given under strict conditions. Not only did it have to be made good within 11 days, but Udin was immediately placed under a kind of house arrest by Girija's firm, without access to food and drink.⁹⁵ Girija's family intensified pressure through customary forms of coercion, which merchant-banking communities claimed as their right. Simultaneously, it insisted that Udin submit an *iqarnama*, a legally binding declaration, which acknowledged the terms of the bond.⁹⁶ We do not get more information on the *iqarnama* but Chatterjee's argument on the *iqars* she studies reminds us to consider how Indo-Persian revenue administrative practices, alongside Islamic jurisprudence, would have shaped these documentary forms.⁹⁷

In the wake of these events, Jasso's son-in-law played his part as a concerned father in managing the crisis by bringing in a complaint against the merchant-banking firm in

⁹²Ibid.

⁹³A territorial administrative unit comprising several villages.

⁹⁴As Bayly has shown in his seminal work, revenue farmers like Jasso solicited the services of mercantile firms which in turn extended *dakhillas* or promissory notes to the ruler of Banaras. See Bayly, *Rulers, townsmen and bazaars*, p. 204.

⁹⁵Extract Jonathan Duncan's report, p. 11.

⁹⁶Ibid., p. 10.

⁹⁷Chatterjee, *Negotiating Mughal law*, pp. 153–155.

the colonial courts. The multiplicity of judicial sources created a field of possibilities—and bought time—for negotiation, which Jasso and her family firm exploited. Their legal manoeuvring pulled the colonial court into their transactions and the agrarian economy. However, as we will see in the next section, their efforts could only go so far as the Company, insistent upon extracting the annual tax, bore down upon the Banaras ruler, Ali Ibrahim Khan, and indigenous revenue administrators to make good on the annual collections.

Gendered coercion, competition for capital, and contested jurisdictions

Physical threats loomed over the business of sourcing capital and that of the advancement and recovery of loans. Creditors reserved the ‘right to private force’ to recover sums owed to them.⁹⁸ Their ability to do so is an example of the multiplicity of legal authorities and ‘customary sources of right’ accommodated under Mughal law.⁹⁹ Merchant bankers claimed and protected their capital from the borrower as well as from competing creditors who, too, sought their dues from the same clients. During the late eighteenth century, merchant-bankers, who were the first to seize the debtor or their effects or to complain against unpaid debts, asserted their right to recover their loan in its entirety.¹⁰⁰ Such coercive practices were not limited to creditors. In a fractured landscape of multiple and layered sovereignties, this form of coercion was one of the many ways to seek recourse. Importantly, the same plurality of legal sources and venues available to merchant-banking communities also afforded their borrowers opportunities to contest creditors. Revenue farmers like Jasso banked on it, as I show later.

Loan recovery was a gendered and caste-based process. To understand how, we must look to the households and familial relationships that constituted the firms. It took the whole family to resist the challenges posed by Girija and her son. According to the terms of the bond, Udin was required to pay Rs 3,000 to Girija’s merchant-banking firm within 11 days.¹⁰¹ The household was subjected to intense pressure even though the bond was accepted. Udin was kept under house arrest by brahman women who were sent there by Girija and her son Jaikaran to maintain *dharna*, which was usually accompanied by severe fasting inside the home. As if that were not enough, those performing the *dharna* would keep members of the household, against whom they were protesting, from eating and drinking as well.¹⁰² They did not allow anyone to bring food and drink inside the household.¹⁰³

Gender, status, and age determined who would be liable for the bond. The same considerations were woven into the *dharna*. As brahman women, participants in the *dharna* could gain access to any portion of Jasso’s household. They used their brahman

⁹⁸ Guha, ‘Wrongs and rights in the Maratha country’, pp. 14–15.

⁹⁹ Ibid.

¹⁰⁰ Petition of Khushal Chand, NAI, Home Department, Public Branch, Consultation: 2 G, April 1793, no. 24, pp. 3–6.

¹⁰¹ Extract Jonathan Duncan’s report, pp. 9–11.

¹⁰² Ibid.

¹⁰³ Ibid., p. 10. It is likely that they used the self-harm of fasting to dissuade Jasso and other family members from helping Udin. They may have also physically prevented Udin from partaking in food and drink.

identity to conduct the *dharna* and drew attention to their status as sacred beings based upon caste hierarchies. Inflicting self-harm by fasting, the women alerted Jasso and her family of the sin they were accumulating each passing day on account of delays in payment. According to a witness, while the mercantile firm's peons, who were presumably also brahmans, maintained an outer *dharna*, the women carried out an inner *dharna*.¹⁰⁴ Jasso's family paid off a portion of their dues to relieve themselves first of the stranglehold of this inner *dharna*.¹⁰⁵

Brahman cultivators in the Gangetic plains frequently used bodily harm to resist revenue payments. In many instances, men perpetrated violence on their elderly or incapacitated brahman female kin to resist tax collectors.¹⁰⁶ But destitute brahman women used their caste status to find patronage at considerable harm to themselves. They planted themselves in transactions such as the one between Jasso and Girija's firms. They became camp followers of rulers, demonstrating public piety on distant pilgrimages. They even used, as I show elsewhere, *dharna* in temples to claim inheritance from affinal kin.¹⁰⁷ Their claims to public spaces for themselves in this way unsettled both patriarchal kin and the early colonial state who cited norms of sexuality and gender roles to rein them in.

In an agrarian society where land and other resources were controlled by upper castes, performative deference to these rituals by borrowers like Jasso was meant to serve as insurance for creditors. Yet, Jasso simultaneously weighed her need to source credit against the attenuation of spiritual capital. While Udin was under house arrest, other members could concentrate on arranging finances for revenue payments and rallying support against the *dharna*. Soon after the commencement of the *dharna*, Udin's father complained to Ali Ibrahim Khan in the colonial city court of Banaras. He argued that the women performing the *dharna* humiliated him, confined his daughter to the house, and barred family members from bringing in food and water.¹⁰⁸ Ali Ibrahim Khan is said to have ordered an inquiry and sent a *harkara* or court messenger along with a peon to Jasso's house to warn against any violence.¹⁰⁹ The colonial court was thus pulled into the transactions centring on Jasso's household.

Mughal law, as it accommodated local sovereignties and distinct—and often intersecting—legal authorities, facilitated the court's immersion in agrarian society. By late 1787, the physiocrat Jonathan Duncan was able to use Ali Ibrahim Khan's work and influence to undertake his extensive surveys and the Decennial Settlement. He relied upon Ali Ibrahim Khan to smooth over resulting disruptions in commercial relationships.¹¹⁰ Simultaneously, Duncan extended his influence over this intersecting

¹⁰⁴Translation of the further examination of Mujlis Roy, September 1794, UPRAA, Resident's Proceedings, Basta 15, vol. 80, p. 279. Jasso claimed that seven brahman women and 23 brahman men participated in the *dharna*, Extract Jonathan Duncan's report, p. 19. For a discussion on merchant bankers' employment of brahmans as agents and runners, see also Bayly, *Rulers, townsmen and bazaars*, p. 220.

¹⁰⁵Extract of Jonathan Duncan's report, p. 19.

¹⁰⁶'Testimony of Purgass Pandey', UPRAA, Resident's Proceedings, Basta 16, vol. 84, pp. 121–140.

¹⁰⁷R. Narayan, 'Caste, family and politics in northern India during the eighteenth and nineteenth centuries', PhD thesis, Rutgers University, 2011, pp. 198–199.

¹⁰⁸Extract Jonathan Duncan's report, p. 10.

¹⁰⁹*Ibid.*

¹¹⁰For instance, Duncan relied upon the magistrate to negotiate a deal with Kulb Ali Khan, a powerful and recalcitrant revenue farmer who had proven difficult even for the rulers of Banaras to control. Duncan

judicial and revenue complex by prevailing upon the Governor-General's Council to introduce new colonial courts.¹¹¹ Tentative plans for a separate revenue court may have been abandoned but Duncan's began using his office to the same effect.¹¹²

As Travers has shown, the Company's revenue courts or the 'Cutcherry court' were first established in Bengal. They were based upon *khalisa adalats* or revenue courts in the regional state of Bengal. Deriving from Mughal jurisdiction, these courts practised a revenue law that recognized Mughal sovereignty and the authority of the *shari'a* but 'the application of which was inflected by local custom'.¹¹³ Disputes over revenue entitlements, claims to *zamindaris*, taxation, and boundaries between estates were some of the matters that concerned revenue law. The British adopted these *khalisa adalats* to fashion their Cutcherry court which was meant to function as a centralized and more effective revenue-extractive institution.¹¹⁴

Such a court deemed the Company's right to revenue as inviolable even as it paid lip service to carrying out justice by deferring to indigenous legal forums and/or principles of equity.¹¹⁵ Developments in the dispute between Girija and Jasso's firms show precisely how this duplicity was enacted. When Jasso and her family failed to fulfil the terms of the bond, they were no longer able to avail themselves of the services of Girija's merchant-banking firm. The collapse of this relationship had a direct bearing on Jasso's revenue payments to the ruler of Banaras by December 1787. Asserting his sovereignty over the revenue farmers, he stationed his peons outside Jasso's home and demanded they fulfil their obligations.¹¹⁶ Simultaneously, he approached Duncan for his support in collecting Rs 4,000 in promissory notes from Girija and her son, which were due to him on account of the balances in revenue accruing from Jasso's farms.¹¹⁷ The Resident deputed a peon to put pressure on the merchant bankers. When Jaikaran, Girija's son, came before him and complained of his inability to recover loans extended to Jasso's firm on account of the Banaras ruler claiming the right to do so first, the Resident turned to Ali Ibrahim Khan.¹¹⁸ Observing that the issue was a 'matter of nicety' and relating to the question of revenue, he asked Ali Ibrahim Khan to resolve the contention in a way that was 'equitable' and based upon indigenous laws

to Cornwallis, 12 September 1788, UPRAA, Commissioner's Office Benares, Basta 3, vol. 17, p. 140. See also Lauren Benton's argument about the Company's dependence on indigenous legal forums for their emphasis on a return to 'sociability' in the context of colonial agrarian disruptions in L. Benton, *Law and colonial cultures: Legal regimes in world history* (Cambridge: Cambridge University Press, 2002), p. 137.

¹¹¹Duncan to Governor-General's Council, 12 September 1788, UPRAA, Commissioner's Office Benares, Basta 3, vol. 17, p. 147; Governor-General's Council to Duncan, 17 June 1789, UPRAA, Commissioner's Office Banaras, June to July, Basta 4, vol. 25, p. 396.

¹¹²Duncan to Governor-General's Council, 26 April 1789, Resident's Proceedings, Basta 4, vol. 23, p. 217.

¹¹³Robert Travers, *Empires of complaints: Mughal law and the making of British India, 1765-1793* (Cambridge: Cambridge University Press, 2022), pp. 58-59.

¹¹⁴*Ibid.*, pp. 62-63; Stephens, *Governing Islam*, pp. 26-29.

¹¹⁵For a discussion on the contexts on which principles of 'justice, equity and good conscience' were evoked, see J. D. M. Derrett, 'Justice, equity and good conscience', in *Changing law in developing countries*, (ed.) J. N. D. Anderson (London: George Allen and Unwin Ltd, 1963), pp. 114-153.

¹¹⁶Extract from the Proceedings of the Resident of Benares, 16 December 1787, UPRAA, Resident's Proceedings, Basta 15, vol. 81, p. 281.

¹¹⁷*Ibid.*

¹¹⁸*Ibid.*, p. 282.

and customary practice.¹¹⁹ Notwithstanding these instructions, one of Jasso's houses was promptly sold to raise the capital due to the Banaras ruler alone.¹²⁰ In his report to the governor-general, Duncan noted that the proceeds of the sale were duly credited towards the 'public account' of the annual taxes the raja owed the Company.¹²¹ Meanwhile, as Duncan reported to senior officials in Calcutta, Jaikaran's suit against his debtors continued in Ali Ibrahim Khan's court.¹²²

In these colonial narratives, the contract between the raja and the Company as 'government' was abstracted from myriad other commercial relationships which had made it possible in the first place. Converging on Jasso's household, the *dharna* and the coercive tactics employed by the Banaras ruler are illustrative of the ways in which the agrarian and mercantile family firm and the ruler of Banaras were tenuously bound together. The British Resident may have given the notion of standing above and beyond the local gendered, familial, and caste-based relationships through which capital wove its way into the Company's coffers. But in deputing the dispute to Ali Ibrahim Khan, he also betrayed the early colonial state's reliance upon Mughal law in sustaining these revenue networks. It is precisely why the Company tightened its control over Ali Ibrahim Khan and other native officials in its courts by 1788 and placed them under the supervision of the Resident of Banaras and his appellate court.¹²³

The litigious activity of subjects contributed towards the superimposition of the Resident's authority over indigenous officials in the colonial courts and agrarian society. In the next section, I examine the ways in which Jasso and Girija's legal manoeuvring from one forum to another yoked the Resident's office to their dispute. Their actions reveal the control the matriarchs wielded over their family firms such that even the colonial record, which had a proclivity to hide them behind the names of their sons, could not elide the role they played in the agrarian economy. Nor could they overlook their astute knowledge of the fragmented legal terrain of eighteenth-century Banaras and their will to navigate it.

Forum shopping matriarchs, Mughal officials, and anxious British officials

The year 1788 marked the official recognition in the colonial records of Girija and the leading role she played in the merchant-banking firm. Her son Jaikaran died in August of that year and the affairs of the firm were documented in her name.¹²⁴ Examples from this period show that elderly widowed matriarchs helmed these mercantile firms. Their intergenerational management ensured that the family firm functioned as an effective business that could expand in branches outside of Banaras and yet maintain its coherence. One of the most prominent merchant-bankers of Banaras Kashmiri Mal owed some of the success of his family's firm to just such a structure. The senior most

¹¹⁹*Ibid.*, pp. 281–283.

¹²⁰Extract Jonathan Duncan's report, p. 11.

¹²¹*Ibid.*, pp. 11–12.

¹²²*Ibid.*, p. 12.

¹²³*Ibid.*, pp. 5–6; Wilton Oldham, *Historical and Statistical Memoir of the Ghazee-poor District: History of Ghazee-poor and the Benares Province*, Part I (Allahabad: Government Press of North-Western Provinces, 1870), p. 5.

¹²⁴*Ibid.*, p. 12.

woman in his family was anchored in Banaras even as younger generations expanded the firm beyond the city.¹²⁵ From her seat in Banaras, she regulated the movements and expenses of household members.¹²⁶ That a similar practice of intergenerational supervision was at work in Girija and Jaikaran's family firm is evident from the way in which one of Girija's nephews worked under her, collecting some of the funds Jasso and her son owed to Girija.¹²⁷

Girija moved between different jurisdictions to protect her firm's interests. When Jaikaran first brought his suit to Ali Ibrahim Khan in the Banaras city court in 1787, the magistrate referred it to the arbitration of a council of the city's merchants and bankers which had, under the rajas of Banaras, enjoyed authority over matters concerning merchants in the city.¹²⁸ But when the merchant-bankers forming the council did not provide a speedy resolution, Jasso, her son Sheetal Prasad, and Girija agreed upon an umpire to resolve the dispute.¹²⁹ The umpire, too, did not rule conclusively but suggested that the magistrate consider whether the terms of the bonds signed by Jasso's family were proportionate to the sums owed to the mercantile firm.¹³⁰ The court weighed the possibility of the agrarian family firm being under tremendous pressure to sign the bonds but it was content to offer a decree in Girija's favour in late 1792.¹³¹

The dispute spilled over into the Resident's court as Jasso's son Sheetal Prasad appealed in protest to Mr Peregrine Treves who was standing in as Acting Resident for Duncan.¹³² Contrary to their wishes, the Acting Resident upheld the decree of the city court after Jasso and Sheetal Prasad claimed to be unable to cite property as collateral for dues owed.¹³³ The decree remained unexecuted for months, however, as Jasso and her son bought time through requests to the Acting Resident and, more significantly, by ingratiating themselves with court officials in Ali Ibrahim Khan's network. These delays prompted Girija to appeal to Treves in August 1793.¹³⁴ It will be useful to pause here and consider the strategies Jasso and her son used to delay the proceedings.

Agrarian family firms like Jasso's amassed property in houses and bazaars. In fact, Banaras's city court was held in one of the houses owned by Jasso and her family; it was auctioned off only later during the dispute when other options were exhausted.¹³⁵ However, raising capital for revenue payments also made them vulnerable to mortgages and auctions. As revenue farmers, they balanced harvest and grain market cycles with those of revenue collection and payment—all the while striving to accumulate more wealth. In this context, family firms relied upon, to borrow from Lauren Benton, 'jurisdictional jockeying' to leverage more time in loan repayments and manage crises.¹³⁶ The steep rise in revenue demands immediately after the Company

¹²⁵UPRAA, Resident's Proceedings, August 1792, Basta 35, vol. 58, p. 156.

¹²⁶Ibid., p. 158.

¹²⁷Letter from Nasiruddin Khan, September 1794, to the Resident of Banaras, UPRAA, Resident's Proceedings, Basta 15, vol. 82, pp. 291–292.

¹²⁸Extract Jonathan Duncan's report, p. 12; Bayly, *Rulers, townsmen and bazaars*, p. 218.

¹²⁹Extract Jonathan Duncan's report, pp. 12–13.

¹³⁰Ibid., p. 12.

¹³¹Ibid., p. 13.

¹³²Ibid., pp. 13–14.

¹³³Ibid.

¹³⁴Ibid., p. 14.

¹³⁵UPRAA, Resident's Proceedings, Basta 15, vol. 82, p. 112.

¹³⁶Benton, *Law and colonial cultures*.

deposed Chait Singh exacerbated extant tensions in relationships of credit and debt, and the need to secure support from legal authorities.

As a widowed propertied woman with social capital, Jasso established herself as the matriarch of her household. She used her authority and status to lead the family firm through the complex legal landscape of eighteenth-century Banaras. Jasso had ties to the ruling family of Banaras, more specifically, to Balwant Singh's adopted son Ausan Singh, who had been instrumental in shaping dynastic succession in Banaras.¹³⁷ Shifts in hierarchies within the ruling family and the concentration of power under Ali Ibrahim Khan would have informed Jasso's strategies.¹³⁸ Jasso insinuated herself in the network of officials who had grown in power under the magistrate. This included his protégé Abdul Rashid Khan who was a subordinate judge in the city court of Banaras.

Jasso used this judge's support to counter the *dharnas* waged by Girija's firm against her household. Abdul Rashid Khan's peons put a stop to the *dharna* for a certain sum of money and valuable goods that Jasso's servants delivered covertly to the judge's house.¹³⁹ This was a long-term arrangement. Jasso solicited Abdul Rashid Khan's intervention whenever the *dharnas* were imposed upon her family. With his help, she was also able to delay the enforcement of the decree from the city court of Banaras even after Treves upheld it in his appellate court.¹⁴⁰

Girija's complaint to Treves must be seen in this context. An ambitious man, Treves had vied to replace Ali Ibrahim Khan for some years as the Company distanced itself from Hastings' policies under Cornwallis and began placing more Europeans in its courts.¹⁴¹ However, the Company's position on indigenous officials was complex and far from homogenous. Treves shared Duncan's disdain for indigenous officials. But where Duncan, like Cornwallis in Calcutta, showed an awareness of the Company's dependence on them, Treves was more highhanded in his approach.¹⁴² Assuming the position of chief magistrate after Ali Ibrahim Khan's demise (while simultaneously serving as Acting Resident), Treves strove to set himself apart from his Indian predecessor by offering swift justice. Girija demonstrated a keen understanding of these shifts in hierarchies within the bureaucracy of colonial courts. Yet recourse to the Resident proved to be a double-edged sword. The Resident's office, which had already demonstrated disdain for Mughal officials in Company courts under Duncan, was eroding other jurisdictional publics and authorities, leaving matriarchs like Girija and Jasso with less room to manoeuvre.

When Girija appealed to Treves, he ordered that Jasso's family property be auctioned. Court peons were stationed at Jasso's home to keep guard, in particular over

¹³⁷Extract Jonathan Duncan's report, p. 15; Khan, *Bulwuntnamah*, pp. 13, 31, 64; Jas Alexander to John Cartier, President Select Committee, 26 August 1770, NAI Foreign Department, Select Committee Proceedings, 18 June to 29 December 1770, p. 622.

¹³⁸For tensions between the ruling family of Banaras and Ali Ibrahim Khan, see Shayesta Khan, *The holy city of Benares as administered by a Muslim noble: Social, religious, cultural and political conditions, 1781–1793* (Patna: Khuda Baksh Oriental Public Library, 1998), Letter 147, p. 47.

¹³⁹Proceedings 30 September 1793, 535–536 and Translation of an Arzi [petition] presented by the mother of Lala Sheetal Prasad, UPRAA, Resident's Proceedings, Basta 13, vol. 70, p. 541.

¹⁴⁰Extract Jonathan Duncan's report, p. 27.

¹⁴¹Cohn, *An anthropologist among the historians*, p. 432.

¹⁴²In 1790, when Treves sought to supplant Ali Ibrahim Khan, Cornwallis reminded his advocates of the Company's continued dependence on the Mughal official: Extract Jonathan Duncan's report, p. 27.

Jasso's son Sheetal Prasad.¹⁴³ Jasso delayed the sale by harnessing the support of Ausan Singh, who is discussed earlier in the article.¹⁴⁴ Adding another dimension to the ongoing dispute, Ausan Singh argued that Girija had transferred all her deceased son's property, including the money owed by Jasso's family, to him on account of a debt of Rs 20,000.¹⁴⁵ Girija denied these claims. Citing foul play, she demanded that the matter between Ausan Singh and herself be resolved through the arbitration of members of the merchant community.¹⁴⁶ However, Treves did not give ground to the arbitratative council of merchant-bankers as Girija requested and instead chose to refer the case to the Company's courts.¹⁴⁷

The Resident's efforts to monopolize sovereignty and the dispensation of justice extended to Jasso too. She found that even an influential member of the ruling family of Banaras could not hold sway in this matter. Despite Ausan Singh's efforts to intervene, one of Jasso's houses and a garden were sold and the money was settled with other creditors on account of a second decree against the revenue farmers.¹⁴⁸ At this point, as the court was swiftly auctioning the family's property and her son was placed under guard, Jasso impeded the court procedure by accusing Abdul Rashid Khan, the judge, of taking bribes from her. In doing so, she courted other influential elites, including Ausan Singh (to whom her son had defected in the meantime), and competing court officials, who vied with each other to unseat the judge and promised Jasso support in dealing with her family's financial troubles.¹⁴⁹

The influence of the network of Mughal officials nurtured by Ali Ibrahim Khan was waning.¹⁵⁰ By accusing the judge, Jasso gave Treves a pretext to assert his power over the courts as the new magistrate. Treves replaced Ali Ibrahim Khan's appointees.¹⁵¹ Among the new officials were men who aspired to the authority Ali Ibrahim Khan and his protégés had enjoyed in the local administration.¹⁵² But Treves had been hasty. The governor-general and his council did not approve of his decision to act without seeking their opinion on the matter.¹⁵³ They were also wary of the repercussions for the Company's influence in Banaras' agrarian society, and ordered Abdul Rashid Khan's release from prison.¹⁵⁴ Instead of a dismissal, they chose to suspend him temporarily from the judgeship,¹⁵⁵ and dismissed Treves' appointees. Treves himself was removed

¹⁴³Ibid., p.15.

¹⁴⁴Ibid., p.16.

¹⁴⁵Ibid., p.15.

¹⁴⁶Ibid.

¹⁴⁷Ibid., pp. 15–16.

¹⁴⁸Ibid.

¹⁴⁹Ibid., p. 40.

¹⁵⁰Her son referred to this shift in power explicitly in his testimony for Duncan in 1793: *ibid.*, p. 57.

¹⁵¹Extract of Proceedings of Acting Magistrate P. Treves and Letter to the Governor-General by P. Treves, Acting Magistrate, October 1793, UPRAA, Resident's Proceedings, Basta 13, vol. 71, pp. 26–29 and 41–42.

¹⁵²Ibid. Some, like Mehendi Ali Khan, were 'great revenue farmers' who had risen in power by 'clustering around' the successor state of Awadh. Bayly has argued that Khan and others used their retinues to settle cultivators and increase revenue capacities by extending agriculture. Bayly, *Rulers, townsmen and bazaars*, p. 55.

¹⁵³Letter from Treves to Cornwallis, 22 October 1793, Basta 13, vol. 71, pp. 301–305.

¹⁵⁴Letter from the Board of Governors to the Acting Magistrate Treves, 18 October 1793, UPRAA, Resident's Proceedings, Basta 15, vol. 80, pp.151–152.

¹⁵⁵Ibid.

from his position as chief magistrate and replaced by none other than Ali Ibrahim Khan's son.¹⁵⁶

With Treves out of the way, the older networks of power built by Ali Ibrahim Khan were revived. Jasso's house was put under the watch of court peons. Possibly to alleviate mounting pressure, Jasso and Sheetal Prasad agreed to mortgage some property to another merchant-banker named Fatehchand and pay Rs 2,000 to Roopchand, Girija's nephew, on the condition that Girija waive the court guards who she required to keep watch on Sheetal Prasad.¹⁵⁷ But given that Sheetal Prasad had absconded in the past, Girija did not accept these terms and the deal was off.¹⁵⁸

As their dispute continued, Jasso and Girija tried to take advantage of the legal pluralism emerging out of a political context of fragmented sovereignties. Political contingencies shaped relationships between jurisdictional authorities and, consequently, the matriarchs' legal efforts. Their legal activism became one of the means to redraw boundaries between state and community agencies. It was also used to revisit hierarchies within the Company's bureaucracy and beyond. As Jasso and Girija would find, their fortunes were bound up in the power struggles among indigenous service providers and the dissonance within the Company's bureaucracy on the question of its reliance upon Mughal practitioners of law.

Maternal authority, gender, and the public life of Mughal law

Jasso's dispute with Girija bookended a period of transition in the Banaras principality. The shifts were not linear, and the matriarchs navigated unpredictable times. After Treves' transfer from Banaras, Jasso and Abdul Rashid Khan entered an uneasy truce. Their interests, along with those of other influential elites, were riding on the resumption of transactions between them. We are limited by the archive in saying more about Girija as it focused on Jasso and Abdul Rashid Khan's dealings to produce knowledge on the state of land revenue administration under native officials. However, reading against, and along, this record provides insights into the ways in which matriarchs inhabited the judicial and commercial nexus fostered by native officials and the landed and mercantile elite in Banaras.¹⁵⁹ Despite their elite status, these women navigated a patriarchal society in which their ability to inherit and divest property was contested. For instance, when a brahman male accused a wealthy upper-caste widow of forging a *kabula* or deed of sale in Abdul Rashid Khan's court, the judge threatened to parade the widow about town with the document tied around her neck if she was found guilty.¹⁶⁰ The brahman would, later, cite this threat in the Resident's court to strengthen his case against her.¹⁶¹ Propertied women were thus not immune to gendered coercion and punishment, which extended beyond their households and into other sites of power.

¹⁵⁶Extract Jonathan Duncan's report, p. 20.

¹⁵⁷Letter from Nasiruddin Khan, September 1794 to the Resident of Banaras, UPRAA, Resident's Proceedings, Basta 15, vol. 82, pp. 291–292.

¹⁵⁸*Ibid.*

¹⁵⁹Kathryn Burns, *Into the archive: Writing and power in colonial Peru* (Durham, NC: Duke University Press, 2010), p. 143.

¹⁶⁰See Petition of Sheoram Bhatt, October 1792, UPRAA, Resident's Proceedings, Basta 11, vol. 64, pp. 451–454.

¹⁶¹*Ibid.*

In this milieu, recourse was possible if matriarchs wielded adequate clout to sway local agents and the networks of power in which they were embedded.

Jasso was in an embattled position, as shown by testimonies from Duncan's inquiry upon his return to Banaras in 1794. Her accusation against Abdul Rashid Khan exposed local politics to the Company's scrutiny. Negotiated in the homes of magistrates, judges, and vested elites, and in the streets, the restitution of reputation and relationships had to be equally public.¹⁶² The *qazi*, Muhammad Taqi Khan, was involved in each step of the process. Throughout the Mughal and colonial periods, the *qazi* played an important role in accommodating local norms and customs, even giving ground to local authorities.¹⁶³ Paying close attention to local politics was essential for the endurance of the *qazi's* office.

Muhammad Taqi Khan was expected to notarize the contracts forged, while other officers of the court and invested magnates bore witness to the transactions. Among these documents was a *mahzar-nama*, or legal document of testimony, which was endorsed by various people in his network.¹⁶⁴ A *mahzar-nama* asserted the truthfulness of the individual actors by drawing on the endorsements of other members of society and the attestation of the *qazi* who notarized that truth.¹⁶⁵ The *mahzar-nama* would have lent Abdul Rashid Khan the support of the *qazi's* office, thereby strengthening his position, while investigations by the Resident's court were underway. The *qazi* was also witness to Jasso's *abtalnama* or deed of retraction to take back the charge of bribery against Abdul Rashid Khan.¹⁶⁶ A third document was publicly exchanged in that gathering. It was a *mukhtarnama* or power of attorney which the *qazi* attested. The *mukhtarnama* gave Gajraj Singh, an ally of Abdul Rashid Khan, the authority to represent Jasso's firm's affairs as her *vakil* or agent.¹⁶⁷ Jasso had proven to be a formidable defendant whose resourcefulness landed Abdul Rashid Khan in an unenviable position. With Gajraj Singh as her agent, he could deny Jasso agency in her own legal matters. These transactions highlight that in the realm of local politics, state actors and elite society were imbricated in each other.

Jasso paid a heavy price for restoring a relationship with the judge she had implicated. The compromise was orchestrated by powerful elites who were looking out for

¹⁶²These elites or magnates included landlords and merchant-bankers who invested capital in revenue farming enterprises. They were equipped with administrative and military powers to further their ventures. The magnates who became involved in Jasso's contention with Abdul Rashid Khan all hailed from different backgrounds. They included Mehendi Ali Khan (see footnote 158); Jagat Singh, who belonged to the landed Bhumihar brahman patrilineage and had ties to the ruling family of Banaras; and Sheo Lal Dubey, a creditor who also became a revenue farmer. All three competed against each other. For instance, Mehendi Ali Khan exposed Sheo Lal Dubey for bribing Abdul Rashid Khan to further his concerns. Extract Jonathan Duncan's report, p. 58. For details on Sheo Lal Dubey, see Bayly, *Rulers, townsmen and bazaars*, pp. 203–204.

¹⁶³Hasan, *State and locality in Mughal India*; S. Guha, 'The *qazi*, the *dharmaadhihari* and the judge: Political authority and legal diversity in premodern India', in *Premodern Europe and India in comparison (13th–18th centuries)*, (eds) Gijs Kruijtzter and Thomas Ertl (Munich: De Gruyter Oldenbourg, 2017), pp. 97–114; Kaicker, 'Petitions and local politics'.

¹⁶⁴Muhammad Taqi Khan's testimony, 23 April 1794, UPRAA Resident's Proceedings, Basta 14, vol. 75, pp. 283–287.

¹⁶⁵N. Chatterjee, 'Mahzar-namas in the Mughal and British empires: The uses of an Indo-Islamic legal form', *Comparative Studies in Society and History*, vol. 58, no. 2, pp. 379–406.

¹⁶⁶Extract Jonathan Duncan's report, p. 23.

¹⁶⁷*Ibid.*, p. 33.

their own economic interests; one named Jagat Singh coveted a mortgaged property of Jasso's, and another needed the judge to further his revenue farming enterprise.¹⁶⁸ The testimonies of Abdul Rashid Khan's chief detractor, who vied for his position, painted Jasso as a desperate mother.¹⁶⁹ According to him, Jasso agreed to redeem the judge after witnessing her son's suffering; a milch cow and molasses were sent to tempt Sheetal Prasad who was being starved under imposed house-confinement.¹⁷⁰ But Jasso was not a passive subject in this process. For his part, Abdul Rashid Khan deferred the sale of another of Jasso's mortgaged properties and promised to terminate the family's other cases in the court.¹⁷¹ Gajraj Singh, his chosen agent for Jasso, was assigned to the task. In his later testimony to Duncan, the agent reported that in performing his duties towards the matriarch's firm, he set court peons on creditors who claimed money from her and petitioned the court to retrieve at least 22 *kabulas* or bills of sale from others.¹⁷²

As stated by Jagat Singh's agent in his testimony to Duncan, which was corroborated by others, Jasso made several trips to his patron's house in her palanquin to discuss terms before these deals were struck.¹⁷³ Even when she was not travelling in her palanquin, her son acted as a go-between through whom Jasso dealt with other powerful elites in the city and vice versa. Later, in Duncan's court, Sheetal Prasad's representations of the negotiations highlighted how they were contingent upon his mother's permission.¹⁷⁴ Property and legal matters could be conducted behind closed doors amid other household tasks; during Duncan's investigation, Gajraj Singh recalled how, during a meeting convened by Sheetal Prasad at his home, Jasso, who was baking bread, instructed him from behind the door to read out a petition he had drafted for them.¹⁷⁵ These representations show that propertied women's status defined their public authority, which they exercised from within and beyond the household. Like other elite men involved in the case, they, too, conducted business through agents.¹⁷⁶

Jasso used gendered performances of maternal authority and elite respectability to shore up her status, although these tactics did not always succeed under the tremendous pressure of judicial officers and their powerful allies. Consider the following events. During Duncan's inquiry, Sheetal Prasad testified that court peons—presumably sent by Abdul Rashid Khan—had first taken him to the *qazi's* home so that he could acknowledge Jasso's *iqrar* or obligation to sign the *abtalnama* and the *mukhtarnama* (referred to as *vakalatnama* in Sheetal Prasad's testimony).¹⁷⁷ When the

¹⁶⁸Ibid., p. 40, 58.

¹⁶⁹Ibid., p. 48.

¹⁷⁰Ibid.

¹⁷¹Ibid., pp. 26, 30.

¹⁷²Testimony of Gajraj, UPRAA, Resident's Proceedings, Basta 14, vol. 75, pp. 307–308.

¹⁷³Ibid., pp. 40–41, 45–46.

¹⁷⁴In his testimony, Sheetal Prasad noted how an understanding between Jagat Singh and himself was dependent upon his mother's agreement. Further verbal evidence by Sheetal Prasad in October 1794, UPRAA, Resident's Proceedings, Basta 15, vol. 82, p. 207.

¹⁷⁵Gajraj Singh's testimony October 1794, in *ibid.*, p. 209.

¹⁷⁶For instance, the magnate Jagat Singh's agent Ballu Kayath managed negotiations with Jasso and her son. Later when he was being investigated, the agent was deposed in favour of Jagat Singh. Extract Jonathan Duncan's report, pp. 44–45.

¹⁷⁷Translation of a representation from Sheetal Prasad as the *vakil* of his mother, 27 April 1794, in *ibid.*, pp. 291–297.

qazi demanded that Jasso come in person, she travelled to his home in her *chaupala*, a kind of palanquin. However, rather than receive her, he left for the home of another judge where all of Abdul Rashid Khan's supporters had congregated and demanded that she meet him there instead.¹⁷⁸ When Jasso followed, her *chaupala* was set down on the road outside the judge's house and several people who had gathered there surrounded her.¹⁷⁹ The palanquin was meant to draw attention to Jasso's status as an elite and respectable woman. But by setting it down on the road, the crowd of Abdul Rashid Khan's advocates sought to publicly shame Jasso and to make a spectacle of her acquiescence.

Jasso's trial was gendered. It publicly rehabilitated Abdul Rashid Khan's status in local society through a show of force. Simultaneously, it compromised Jasso's status as a respectable woman who used her palanquin to claim and draw attention to her privilege. The judge even infiltrated her firm by assigning one of his allies to serve as her agent. However, these processes, too, acknowledged Jasso as the head of her firm. Jasso may have acted through her son on various occasions, but it is apparent that she, and not her son, helmed the firm, and that she lay at the centre of the crisis in local politics. Whether the proceedings were conducted in households or on roads, court officials did not evoke any challenges to her role in the firm based on gender. Yet, the legal landscape was slowly changing under the Company to reflect its ambitions, which can be seen from the land revenue reforms Duncan had undertaken since 1788. As I have argued earlier, the plurality of legal forums under Mughal law gave elite and non-elite women an opportunity to contest for capital. The turmoil arising from Jasso's dispute with Girija enabled Duncan to exercise firmer control over the dispensation of justice thereby narrowing opportunities for litigants to 'forum shop' or to move their complaints from one jurisdiction to another in the attempt to gain an 'optimal result'.¹⁸⁰ These processes coincided with colonial regulations which used gender as a criterion to perform control over the agrarian economy. I turn to these themes in the next section.

Gendered performances, propertied women in palanquins, and an envisioned colonial public

When Duncan returned to Banaras in 1794, he summoned Jasso to the court to testify regarding the retraction of charges. As an elite woman, Jasso had been able to draw court officials to her house in the past or make deals in the houses of officials and other elites like herself. These were political spaces where state power was negotiated. But now, in an assertion of his authority, Duncan called Jasso into the court. Striving to maintain some clout in the legal proceedings, Jasso drew attention to her own political status as a respectable woman by resisting the summons. Duncan noted wryly in his report to Governor-General John Shore that she only came to the court after considerable procrastination in a covered palanquin.¹⁸¹ Jasso was reminding Duncan of her

¹⁷⁸*Ibid.*, p. 296.

¹⁷⁹*Ibid.* See also Extract Jonathan Duncan's report, p. 33.

¹⁸⁰Sharafi, 'The marital patchwork of colonial South Asia', p. 980.

¹⁸¹Extract Jonathan Duncan's report, p. 27.

privilege, stature, and gender; reproducing it even as she made her way to the court by travelling in this way.¹⁸²

If her defiance in responding to the court summons was a display of agency, so was Jasso's performance in the court where she portrayed herself as a passive subject who was merely the instrument in plans forged by others. Testifying against Abdul Rashid Khan, Jasso stated how, despite the judge's regular acceptance of bribes from her, he and his influential supporters had coerced her into signing a retraction.¹⁸³ Jasso noted that Abdul Rashid Khan and his allies threatened to sell her property and 'distress and overwhelm' her.¹⁸⁴ Pointing to the injustices that court peons deputed by Abdul Rashid Khan meted out to coerce her into retracting the charges, Jasso stated, 'seeing therefore my situation to the last degree helpless and that my life was in danger without there being anyone to render me justice, I did, being helpless, say to the message-carriers of Abdul Rashid Khan that I was ready to act in whatever manner they desire...'.¹⁸⁵ Detailing the circumstances under which she gave the *abtalnama*, Jasso noted that Abdul Rashid Khan compelled her to travel in her palanquin, a mobile prison of sorts, escorted by his peons, to the house of the *qazi* and, later, to that of the judge, Mian Ahmed Abdullah, where he and his friends were assembled.¹⁸⁶ Her son Sheetal Prasad underscored Jasso's helplessness in his own testimonies.¹⁸⁷

Jasso's representation of herself as a victim of circumstances reduced her culpability in this subterfuge.¹⁸⁸ This was not the first time in the duration of the case that Jasso had played the hapless woman. For instance, when Treves first sent court peons to Jasso's house to question her about the bribes to Abdul Rashid Khan, Jasso portrayed herself as being too frail to give her testimony stating, 'I am a poor helpless widow in the greatest alarm and distress, I have not even washed myself today I am almost worn out and distracted.' Such performances caused even the clerk to let up and report, 'she [Jasso] is an old woman apparently very ill as she was vomiting constantly'.¹⁸⁹ In playing the fragile victim of others' schemes, Jasso attempted to obfuscate her role in mobilizing state and community members in the service of her family firm.

As it happened, the narrative of the beleaguered matriarch suited the Resident for it drew attention away from Jasso and onto the native officers in the colonial court. Duncan delved deeper into the dealings of the officers and their allies during his

¹⁸²For a discussion on elite women and the complexities of power involved in their travels beyond their palaces and households, see Hambly, 'Armed women retainers', pp. 440–443. Nira Wickramasinghe and Samira Sheikh have both shown how each specific type of palanquin reproduced the particular and privileged caste status of the person riding in it. Wickramasinghe has shown how the palanquin and its usage can be analysed to shed light on the structures of caste-based slavery and resistance to it in Sri Lanka. N. Wickramasinghe, *Slave in a palanquin: Colonial servitude and resistance in Sri Lanka* (New York: Columbia University Press, 2020), pp. 89–90, 93–94; Sheikh, 'Jibhabhu's rights to ghee', p. 352.

¹⁸³Translation of a representation from the mother of Sheetal Prasad, April 1794, UPRAA, Resident's Proceedings, Basta 14, vol. 75, pp. 267–270.

¹⁸⁴*Ibid.*, p. 268.

¹⁸⁵*Ibid.*, pp. 269–270.

¹⁸⁶*Ibid.*

¹⁸⁷Translation of a representation from Sheetal Prasad as the *vakil* of his mother, 27 April 1794, in *ibid.*, pp. 291–297.

¹⁸⁸*Ibid.*

¹⁸⁹Testimony of the mother of Sheetal Prasad given to Treves' court peons at her home, October 1793, UPRAA, Resident's Proceedings, Basta 13, vol. 71, pp. 38–39.

investigation into the Banaras city court.¹⁹⁰ Meanwhile, like Girija before her, Jasso retreated into the background. Duncan asked Jasso to submit the name of her agent, and pleader, to the court. Citing her distrust of *vakils* in the city, she informed the Resident of her decision to retain her son in that capacity.¹⁹¹

Jasso had managed her affairs through an agent before. Her last agent, Gajraj Singh, was foisted upon her by judges in the city court who wanted to control her. Gajraj Singh replaced another agent who had been in her employ for several years.¹⁹² And her son frequently represented her concerns. Therefore, it is possible to view Duncan's demand—that Jasso appoint an agent—as regular practice. But to do so would be to unmoor these events from the wider context of the Company's reforms in agriculture and shifting position on law. When Jasso named her son agent, at Duncan's insistence that she appoint one, she joined other propertied women like her who the Company discouraged from exercising authority publicly in land revenue administration.

Duncan's land-revenue settlements set in motion a process in which propertied women found themselves losing their influence in the agrarian economy. As Company officials declared women incapable of managing revenue farms and landed estates, propertied women were compelled to work through proxies, taking on land revenue assignments in the name of their sons, brothers, and male managers.¹⁹³ The regulation enabled British officials to mobilize gender in their effort to reduce the power of agrarian elites. Even the ruling family became subject to these devices in 1789 when Duncan, in correspondence with the governor-general's office, expressed regret for having farmed two *parganas* with 'Balwant Singh's widow' (who was the royal matriarch, Gulab Kuar) when her revenue payments fell short by a sum, which the Resident himself acknowledged, was fairly insignificant.¹⁹⁴ The Governor-General's Council subsequently recommended that the Company avoid land revenue settlements with 'women in this predicament'.¹⁹⁵

In outlining widowhood as a dilemma, officials in the Council were suggesting that a female subject was unable to operate in her own capacity, independent of male authority. Jasso and Girija's engagements as heads of their family firms should dispel us of this notion. Propertied women's ability to participate in the agrarian economy was dependent upon their wielding political and economic power. As the ruling family's matriarch, Gulab Kuar had enjoyed substantial revenue farming rights. Even after the Company introduced the Permanent Settlement regulations, she used her status and experience to establish younger generations of natal relatives; her seal was enough for them to source credit from merchant-bankers.¹⁹⁶ In 1794, Duncan begrudgingly noted Gulab Kuar's influence over her grandson, the ruler Mahipnarain, in his revenue report to Governor-General John Shore.¹⁹⁷ Working through male relatives became one

¹⁹⁰Extract Jonathan Duncan's report.

¹⁹¹Representation from the mother of Sheetal Prasad, UPRAA, Resident's Proceedings, Basta 15, vol. 82, p. 276.

¹⁹²Testimony of Gajraj, UPRAA, Resident's Proceedings, Basta 14, vol. 75, p. 306.

¹⁹³Field, *Regulations of the Bengal Code*, p. 206.

¹⁹⁴UPRAA Residents Proceedings, 28 December 1788, Basta 2, vol. 10, pp. 158–159.

¹⁹⁵Governor-General's Council to the Resident, 17 June 1789, in *ibid.*, p. 224.

¹⁹⁶Raja of Banaras to the Collector of Banaras, 6 August 1800, UPRAA, Letters Issues by the Agent to the Governor-General, Basta 11, vol. 5, pp. 95–97.

¹⁹⁷Jonathan Duncan, Resident of Banaras to Governor-General John Shore, UPRAA, Resident's Proceedings, Basta 15, vol. 79, p. 168.

of the ways in which other women, too, could continue to participate in the agrarian economy after the settlements.

It will be useful to close this section by returning to Devakinandan's sister. In the early nineteenth century, the sister of a powerful revenue farmer named Devakinandan petitioned British officials in Banaras and Calcutta to intervene in her dispute with her brother. She is unnamed and her petition is reproduced in the archive as 'The *Arzee* of the widow of Jugdeo Sing' with a forwarding letter from J. J. Neaves, a British official in Banaras to his seniors in Calcutta.¹⁹⁸ In the letter, Neaves, who, too, referred to the petitioner as the widow of Jugdeo Singh and the sister of Devakinandan, offered to resolve the dispute by serving in a private capacity as arbitrator since, according to him, the dispute was of a 'family nature' and better kept out of the courts.¹⁹⁹ Ironically, that any record of the widow remains is on account of this suggestion, as is evident from the response to Neaves's letter. In light of late eighteenth-century corruption scandals surrounding its officers, Neaves could not be allowed to act in a private capacity and senior officials in Calcutta instructed him as such.²⁰⁰ Both letters, which are located in archives separated by thousands of miles, were recorded for reasons that exceeded the widow's concerns. But I centre them now to draw attention to yet another kind of erasure.

In her petition, Jagdeo's widow informed British officials that after her husband's passing, she approached Duncan for a revenue farming contract.²⁰¹ Writing to elicit empathy from the reader, she, too, like Jasso before her, assumed the position of a hapless widow who needed the revenue farm to support herself. According to her, Duncan only agreed to grant her the contract if she could find a male proxy because 'it was forbidden to grant *purgunnas* to women'.²⁰² Therefore, she contracted some *parganas* in the name of her younger brother, Devakinandan, and others under the name of two other male agents who, she claimed, maintained 'fictitious' control over the revenue farms.²⁰³

The widow emphasized her deceased husband's familial connections to the royal family of Banaras and his status as a former *naib*. In contrast, she argued that Devakinandan was an outsider in Banaras and came to her from neighbouring Allahabad in need of support, which she then subsequently provided. The widow attributed her younger brother's rise to her influence in the region. In the petition, she provided the name of the merchant banker with whom she deposited around Rs 30,000 for his services as guarantor. This was in addition to the Rs 16,000 she claimed to have paid from her own fortune in revenue instalments, and another Rs 45,000 which Devakinandan is said to have taken from her for expenses for farming the *parganas*. Deputies from the farmed *parganas* were said to have sent in revenues to her for

¹⁹⁸Petition from the widow of Babu Jagdeo Singh and letter from J. J. Neaves to N. B. Edmonstone, Secretary to the Government, 5 December 1802, UPRAA, Letters from the Agent to the Governor-General, 1801–1804, Basta 1, vol. 5, pp. 199–203.

¹⁹⁹Letter from J. J. Neaves to N. B. Edmonstone, Secretary to the Government, in *ibid.*, p. 199.

²⁰⁰Letter to J. J. Neaves from Fort William, 7 May 1803, IOR, Correspondence with Agents at Benares, 1798–1805, 13581, pp. 41–42. For corruption scandals, see Dirks, *The scandal of empire*.

²⁰¹Petition from the Widow of Babu Jagdeo Singh, UPRAA, Letters from the Agent to the Governor-General, 1801–1804, Basta 1, vol. 5, pp. 199–203.

²⁰²*Ibid.*, p. 200.

²⁰³*Ibid.*, p. 202.

which she signed receipts. She claimed, 'On me rested the payment of the government revenue and issuing orders, as also the settlement of the purgunnahs, the seybandy [sihbandi or soldiers who were employed to collect revenues] establishment and generally every arrangement.'²⁰⁴ Devakinandan himself is said to have received a stipend from her and she offered to produce copies of accounts for the transactions he conducted on her behalf. Furthermore, the widow asserted she had 'a proof of my right' under the seal of Rani Gulab Kuar, her great grandson Raja Udit Narain Singh, and other 'respectable and well-informed people of the city'.²⁰⁵

The widow argued that Duncan's insistence that she work through proxies had led to her financial ruin since her chosen proxies usurped the wealth gained from the enterprise which she had set up, managed, and into which she invested her social and economic capital. It is not possible, nor productive, to determine if all the claims of Devakinandan's sister are true. What the petition does reveal to us, at the very least, is that she had a keen knowledge of how such a firm was to be created and administered. She also had the influence and power to become a revenue farmer. Gender alone did not factor as an incapability in this milieu until colonial regulations stated that it did.

Colonial interventions had significant implications for women like Jagdeo's widow. A singular focus on gender had the potential to challenge the authority they cultivated as matriarchs, elderly sisters, and propertied women. In mobilizing gender in this way, officials were also reshaping relationships between state and society by reframing the place of households in this economy. In her petition, Jagdeo's widow noted that one of the reasons that Duncan had cited for disallowing her from revenue farming in her own name was that he would not be able to send *piyadahs* or foot soldiers to the house of a woman when she defaulted on revenue payments.²⁰⁶ The household did not lie at a remove from the transactions that powered the late eighteenth-century agrarian economy. On the contrary, we have seen how it served as a site for negotiation and upon which merchant bankers, native court officials, and British officials asserted their sovereign jurisdictions. Jasso's example has also shown how elite women politicized the household by using it to resist the reach of the Resident's office even as they ventured beyond it in palanquins to forge alliances. Operating within and beyond the household, the performance of status, respectability, and influence was central to their participation in the agrarian economy. The argument that the state could not reach such women in their houses to hold them accountable for lapses in revenue payments glossed over their complex agency in local politics and recharacterized households as spaces that lay beyond the realm of the political. Both interventions served colonial efforts to consolidate legal sovereignty over land revenue administration.

Conclusion

In Banaras, the courts of the Banaras raja and the matriarch of the ruling family, the Company courts under Ali Ibrahim Khan and his coterie, the *qazi's* office, revenue

²⁰⁴Ibid., p. 201.

²⁰⁵Ibid., p. 202.

²⁰⁶Ibid.

officials, and arbitrate assemblies (constituted by prominent members of communities) all shared power to varying degrees. This political milieu grew out of a dynamic Mughal empire in which sovereignty and jurisdictional authority were dispersed. An ethos of legal pluralism ensured that disputants could plead their cases across multiple sites of power. Litigants, who wielded knowledge of this textured political and legal turf, wove their disputes through these different sites in the hope of achieving the best outcome. For instance, a middle-aged widow named Sewa was able to defy the caste-based patriarchy of her extended family and community, which were concentrated in Mirzapur, and extract an inheritance from her affinal kin 24 years after her husband's passing.²⁰⁷ Her grievances were addressed after the Banaras raja Chait Singh's court, his mother Panna's court, and prominent merchants of her city, who formed an assembly of arbitrators, weighed in on her demands. After paying a portion of the share she received to the royal matriarch's court, Sewa used the rest to become a cloth merchant and the matriarch of her own household which chiefly comprised her daughter, her son-in-law, and her grandchildren.²⁰⁸ Years later, when she passed, her brother-in-law's sons claimed Sewa's business and painted her as a loquacious, shrewd, and quarrelsome woman who sowed seeds of dissension between two loving brothers—her husband and their father.²⁰⁹ They accused her daughter of being in violation of the caste norms to which all the women in their community were expected to adhere on account of her continued defiance of patriarchal authority.²¹⁰ Unfazed, Sewa's heirs approached Gulab Kuar—Panna's successor as the ruling matriarch—who in turn charged revenue officials in the region with the responsibility of resolving the dispute and reporting back to her.²¹¹

Both ruling matriarchs, Panna and Gulab Kuar, rose to power through dynastic co-sharing. Succession contests between lineal heirs in polygynous households and the politics of state-making enabled them to exercise authority as consorts and mothers of rulers, and as propertied women who maintained a stake in the agrarian economy.²¹² Other prominent agrarian and mercantile households saw women like Jasso, Devakinandan's sister, and Girija emerge as revenue farmers and merchant bankers on account of their status, which derived from their wealth, age, maternal authority, or proximity to the ruling family. Less influential women like Sewa took advantage of the matriarchs' courts to extract wealth from their households. They integrated the ruling household into the countryside through their litigious activity.

Dynastic co-sharing was indicative of the continued investments in redistributive sovereignty which had been a salient feature of the Mughal state. However, departing from precedent, the Company strove to monopolize sovereignty over the agrarian economy of the eastern Gangetic plains in the final decade of the eighteenth century. It used gender as one of the means to impress its presence and authority upon the

²⁰⁷For details on this case, see UPRAA, Resident's Proceedings, August 1792, Basta no. 11, vol. no. 61, pp. 271–304.

²⁰⁸Arzi from Ramnarain, Sewa's grandson, in *ibid.*, pp. 282–283.

²⁰⁹Arzi from Umrao Singh, *vakil* to Hingu Lal and Rambaksh, Mahajan of Mirzapur, in *ibid.*, p. 299.

²¹⁰Arzi from Hingu Lal, in *ibid.*, pp. 285–287.

²¹¹*Ibid.*, p. 302.

²¹²On motherhood, generational authority, and dynastic co-sharing in the eighteenth century, see Chatterjee, *Gender, slavery and law in colonial India*, pp. 57–60; and Abbott, “It all comes from me”.

ruling family and the revenue farming and *zamindari* households which had maintained a lasting control over the region's revenues. Beginning in 1789, British officials questioned the suitability of engaging women in long-term revenue settlements with the Company. Ruling matriarchs and other propertied women found ways to assert themselves in the agrarian economy through male kin and agents who acted as their proxies in an official capacity. However, this form of substitution posed its own risks, as I have shown in the case of Devakinandan's sister. There is evidence to suggest that practices of appointing proxies bolstered the patriarchal authority of male kinsmen in land-holding patrilineages as well.²¹³ In these instances, the ritual of having widows appoint male kinsmen as 'managers' in patrilineages where land rights were (in any case) controlled by the male coparcenary, yoked these *zamindari* brotherhoods more firmly to the authority of the Resident's office.²¹⁴

The Company's construction of a disenfranchised womanhood was aimed at depoliticizing the maternal and generational authority that women like Jasso exercised within and beyond their households in the other centres of power that found expression under Mughal law. The microhistory of the local politics analysed in this article has shown how the Company intervened in this pluralistic legal landscape where sovereignty was diffused in local society. By retiring women like Jasso to households, which they envisioned as being disassociated from sites of state power, British officials strove to create an androcentric colonial public in which the Company enjoyed a unitary sovereignty over Banaras's fertile Gangetic plains and its resources.

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²¹³For instance, when an influential landlord named Jainath died, J. Neaves, assistant to Duncan, asked his widow and heir to engage a (male) manager for the *zamindari*. She chose Dallan Singh, a paternal kinsman of her deceased husband who she claimed had been a support to her. Dallan Singh would henceforth defend it as 'my *zamindari*' against other claimants. See Arzi of Dallan Singh and a report from the *Qanungo* or accounts officer of the *pargana* of Kola Asla, UPRAA, Resident's Proceedings, Basta 7, vol. 38, pp. 99–102 and 103–105.

²¹⁴Ibid.

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