

ORIGINAL ARTICLE

# The Power of *Parwanas*: Indo-Persian Grants and the Making of Empire in Eighteenth-Century Southern India

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<sup>1</sup>In the year 1164 Hijri or 1751 CE, Sa'adullah Khan Muzaffar Jung, the then-Nizam of Hyderabad, granted Divi, an island off the port town of Macchlipatan (Masulipatnam) as *ina'm* (reward)<sup>2</sup> to Joseph François Dupleix, Governor-General for the French Company of the Indies (*Compagnie des Indes*) in India.<sup>3</sup> The document, issued in the traditional Mughal form of a *parwana* or a non-imperial order,<sup>4</sup> alerted the local landlords and officials to the grant, and instructed them to hand over the proceeds of the taxes collected in the area.<sup>5</sup> Written in Persian, the *parwana* conformed very closely to

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<sup>1</sup> We have used a simplified transliteration scheme based on Library of Congress (LOC) Romanization guidelines for Persian. We have indicated the 'ain but not the *hamza*, and omitted all diacritical marks. We have followed the Indo-Persian phonetic conventions in transliterating words that co-occur in Arabic, Persian, and Urdu, hence *qazi* and not *qadi*. In excerpts and book titles, we have retained the original orthography, in this case reflecting several instances of French rather than English pronunciation patterns.

<sup>2</sup> Usually in the form of a grant of "tax-free" lands. See H.H. Wilson, *A Glossary of Revenue and Judicial Terms*, ed. Ganguli and Basu (Calcutta: Eastern Law House, 1940), 338–40. An *ina'm grant* was not straightforward "property" in the modern sense; it implied the right to take a share of the peasant's produce without the obligation of paying a share as revenue to the state. It could be combined with a range of other rights and conditions.

<sup>3</sup> On Dupleix, see Marc Vigié, *Dupleix* (Paris: Fayard, 1993). On Masulipatnam, see Emma Flatt, *Courts of the Deccan Sultanates: Living Well in the Persian Cosmopolis* (Cambridge: Cambridge University Press, 2019), 9.

<sup>4</sup> For *parwanas*, see Mohin Mohiuddin, *The Chancellery and Persian Epistolography under the Mughals* (Calcutta: Iran Book Society, 1971), 85–86.

<sup>5</sup> Persian Original, Archives Nationales d'Outre-Mer, Aix-en-Provence (hereafter ANOM), Inde Série B, 5166. See [Figure 1](#).

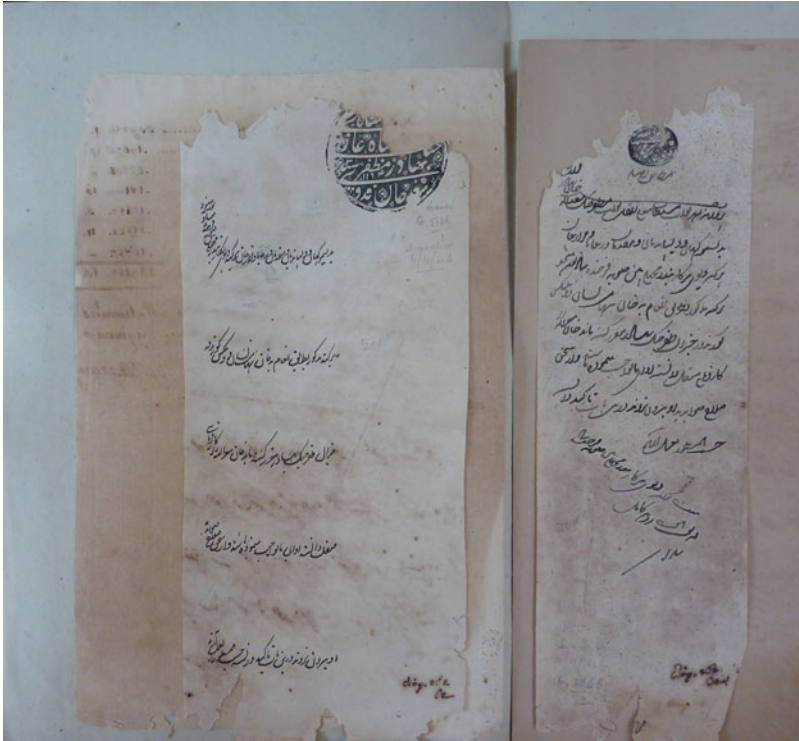


Figure 1. Parwana issued to Joseph François Dupleix, 1751 CE.

Mughal conventions, with some variations: the terms used for local officials were those current in southern India (*deshmukh*, *deshpande*, *desai*) rather than in the core Mughal regions; no obligations were imposed on Dupleix, not even the conventional one of continued loyalty to regime; and there was no date in the final line of the document. The Nizam’s large circular seal was fully conventional per Mughal Indian usage for nobles, with the issuer’s name at the bottom, higher grades of authority visually arranged in line with socio-political hierarchy, topped therefore with the name of the incumbent Mughal emperor, Ahmad Shah (r. 1748–54 CE).<sup>6</sup> There were clerical notes on the verso of the document, also in Persian, which read: “On 7th Safar, 1164 Hijri [which converts to January 5, 1751], a copy reached the *diwan*’s office” (Figure 1).

*Parwanas* are among the most numerous of Mughal-era documents that have survived to the present day. As sub-imperial orders, they offer insight into the formation of power centers in noble households (who issued such orders) as well as locally ensconced lineages (who received them). Although generally

<sup>6</sup> The seal is partly torn here, but is identical to other documents in the collection where it is intact.

an executive order to perform certain duties, in some cases, as in this one, a *parwana* could be a legal grant that conferred enforceable privileges.<sup>7</sup> The granting of privileges was always a matter of negotiations within the Mughal political and administrative infrastructure. But by the eighteenth century, *parwanas* had become more akin to a currency expended by ambitious, would-be rulers to buy up political support necessary to forge a dynastic state. In this case, following the assassination of his uncle, Muzaffar Jung had been propelled to the throne of Hyderabad, one of the largest and most powerful “successor states” that rose up underneath the mantle of a declining Mughal empire.<sup>8</sup> Anxious to draw upon French military support to prop up his fledgling rule, the new Nizam offered Dupleix and his chief officers a whole range of titles, ranks (*mansabs*), and land grants (*jagirs*) to ensure their continued participation in his regime.<sup>9</sup> In the uncertain and fractured political landscape of eighteenth-century South Asia, the issuing and receipt of *parwanas* emerged as a transactional and performative field through which rulers could build alliances and claim legitimacy. Yet investment in this legal currency could prove a risky business, as companies tied themselves to the fortunes of their benefactors.

For scholars writing during the certainties of the Raj, the receipt of such Mughal grants by Europeans, and the associated deference toward Mughal legality were a source of mild bewilderment, even hilarity.<sup>10</sup> In more recent times, however, historians of European trade in South Asia in the seventeenth century depict Europeans as both earnest and active participants in Mughal law.<sup>11</sup> Others explain European interest in such documents by showing how, with the growing political involvement of trading companies in the late eighteenth century, Mughal grants, and by extension, a putative “Mughal constitution,” could be used to block metropolitan scrutiny.<sup>12</sup> Our paper seeks to fill in the gap between these moments, and situates itself

<sup>7</sup> Nandini Chatterjee, *Negotiating Mughal Law: A Family of Landlords Across Three Indian Empires* (Cambridge: Cambridge University Press, 2020), 33–35.

<sup>8</sup> For the frequently used descriptor “successor state” or “successor regime,” implying a Persianised state in eighteenth-century South Asia, retaining many cultural and political features of the Mughal empire, see Christopher A. Bayly, *Rulers, Townsmen and Bazaars: North Indian Society in the Age of British Expansion, 1770–1870* (Cambridge: Cambridge University Press, 1983), 377, 415. For extensive and more recent use, referring specifically to Hyderabad, see Nile Green, *Indian Sufism since the Seventeenth Century: Saints, Books and Empires in the Muslim Deccan* (London: Routledge, 2006).

<sup>9</sup> For some specific examples of these, see Burhan Ibn Hasan, *Tuzak-i-Walajahi of Burhan Ibn Hasan, Part Two*, trans. S. Muhammad Husayn Nainar (Madras: University of Madras, 1939), 62–63.

<sup>10</sup> For example, Henry Dodwell’s remarks in *The Private Diary of Ananda Ranga Pillai, Dubash to J. F. Dupleix: A Record of Matters Political, Historical, Social, and Personal, from 1736 to 1761*, trans. J. F. Price, H. Dodwell, and K. Rangachari, 12 vols. (Madras, 1904–1928), (hereafter ARP), 8:xii. See also, Alfred Martineau, *Dupleix et l’Inde française*, 4 vols. (Paris: Société de l’Histoire des colonies françaises, 1920–28), iv:489.

<sup>11</sup> For example, Philip J. Stern, *The Company-State: Corporate Sovereignty and the Early Modern Foundations of the British Empire in India* (New York: Oxford University Press, 2011), 198–203.

<sup>12</sup> Robert Travers, *Ideology and Empire in Eighteenth-Century India: The British in Bengal* (Cambridge: Cambridge University Press, 2007), 67–99.

in a crucial period that witnessed the beginnings of European empire “by treaty” on the subcontinent.<sup>13</sup>

What we present are not treaties, which assumes the equivalence of signatories, but orders, in which all parties formally acknowledged a political hierarchy with the Mughal emperor at the apex. There was an element of make-believe at work here. In the mid-eighteenth century, the receipt of Mughal *farmans* or *parwanas* did not imply that European factors or South Asian dynastic state builders such as the Nizams of Hyderabad suddenly became loyal vassals and state functionaries of the emperor. Yet these documentary performances of vassalship were crucial for gaining access to the legitimizing stamp of Mughal authority, necessary for building political coalitions and staking a claim to revenues. Competing parties thus continued to invest in the formal structure of Mughal hierarchy, even as they sponsored upstarts and played at being king-makers themselves. In this fragmented political context, Mughal-style legal deeds were accumulated into legal arsenals, whose builders were constantly compelled to invest in shoring up the legitimacy of the issuing authority. We have called this process “*parwana* politics.”

This complex process, in which those who had no inherent commitment to the Mughal regime scrambled for *parwanas* and *farmans*, and constantly duplicated, embellished, and diffused the documents themselves, poses a challenge in terms of locating a suitable heuristic vocabulary. Many existing frameworks for analyzing the documentary practices and foundations of statehood are drawn from a context where the colonial or postcolonial state exercised a much more effective monopoly on authentication.<sup>14</sup> Our study, and indeed several others in this volume, present a very different world, in which “things were not what they appeared to be at first sight.”<sup>15</sup> In such a context, the notion of currency centers our focus on the representative value of the documents and the fluctuations therein, their transmission, circulation, exchange for services, and the dependence of their value on the legitimacy of the issuing authority. Mughal documents were not just *like* currency, they *were* a legal and political currency in the context that this article describes.

It is worth noting here that despite our use of the term “*parwana* politics,” the Mughal documents considered in this article comprise not only of *parwanas* but also other documentary genres. The most important of these were orders from the Mughal emperor, designated *farmans*, which were issued and received as political players followed the trail of authority back to the source. By focusing on *parwanas*; however, we aim to foreground the dynamic rise of centers of courtly power away from Delhi, as erstwhile Mughal nobles forged their own

<sup>13</sup> Robert Travers, “A British Empire by Treaty in Eighteenth-Century India,” in *Empire by Treaty: Negotiating European Expansion, 1600-1900*, ed. Saliha Belmessous (Oxford: Oxford University Press, 2014), 132–60.

<sup>14</sup> Bhavani Raman, *Document Raj: Writing and Scribes in Early Colonial South India* (Chicago: University of Chicago Press, 2012); and Veena Das, *Life and Words: Violence and the Descent into the Ordinary* (Berkeley: California Press, 2007), 162–83.

<sup>15</sup> Alicia Schrikker and Byapti Sur, “An Empire in Disguise: the appropriation of pre-existing modes of governance in Dutch South Asia, 1650-1800,” *Law and History Review*, this issue. doi: [10.1017/S0738248022000554](https://doi.org/10.1017/S0738248022000554).

states. Focusing on southern India allows us to resist the teleological pressures of the better-known story of the English East India Company's conquest of Bengal, the "British bridgehead."<sup>16</sup> In order to recover this setting, we make use of both European and Indian sources, including the famous "diary" of Ananda Ranga Pillai.<sup>17</sup> Ananda Ranga was the courtier, or agent of the French Company in Pondicherry, and his diary offers a unique vantage point on the ceremonial accompaniment of *parwana* politics, sometimes undercutting French accounts.

By reading the Persian materials fully and in relation to their long-standing usage in South Asia, we also attempt to uncover the complex meanings of materials like the *Divi parwana*. In this we are in sympathy with efforts to write cultural histories of the East India Company in various locales,<sup>18</sup> and with the scholarship on European-Ottoman relations that the former are modeled on.<sup>19</sup> This article specifically studies the negotiation of non-European legal systems by European individuals and corporations. It does so with full attention to the pre-colonial traditions of Persian-language documentation and law in South Asia, while recognizing that "Mughal law" was itself an intensely contested entity in eighteenth-century southern India.

### Persianate Hyderabad and Arcot

Hyderabad, one of the largest and most stable "successor states" of eighteenth-century South Asia, was essentially a polity of peninsular India, or the Deccan.<sup>20</sup> It was also part of a vast cultural zone—the "Persianate world"—that stretched from Burma to Bosnia. Within this area, the prestige and use of the Persian language created an arena of shared literary knowledge, ethical orientation, and cosmopolitan standards of behavior.<sup>21</sup> Specifically referring to the Deccan Sultanates, predecessors of the Hyderabad state between the fourteenth and seventeenth centuries, Emma Flatt has pointed to comportment,

<sup>16</sup> Peter Marshall, *Bengal: The British Bridgehead: Eastern India, 1740-1828* (Cambridge: Cambridge University Press, 1988).

<sup>17</sup> On Ananda Ranga Pillai, see David Shulman, "Cowherd or King? The Sanskrit Biography of Ananda Ranga Pillai," in *Telling Lives in India: Biography, Autobiography, and Life History*, ed. David Arnold and Stuart H. Blackburn (Bloomington: Indiana University Press, 2004), 175–202; and David Washbrook, "Envisioning the Social Order in a Southern Port City: The Tamil Diary of Ananda Ranga Pillai," *South Asian History and Culture* 6 (2015): 172–85.

<sup>18</sup> Julia Schleck and Amrita Sen, "Introduction: Alternative Histories of the East India Company," *Journal for Early Modern Cultural Studies* 17 (2017): 1–9, and other articles in this special issue.

<sup>19</sup> Francisco Apellániz, *Breaching the Bronze Wall: Franks at Mamluk and Ottoman Courts and Markets* (Leiden: Brill, 2020); and Maurits van den Boogert, *The Capitulations and the Ottoman Legal System. Qadis, Consuls and Beratlis in the 18th Century* (Leiden and Boston: Brill, 2005).

<sup>20</sup> Munis D. Faruqi, "At Empire's End: The Nizam, Hyderabad, and Eighteenth-Century India," *Modern Asian Studies* 43 (2009): 5–44. On the cultural and linguistic limits of the Deccan, see Richard Eaton, *A Social History of the Deccan, 1300-1761: Eight Indian Lives* (Cambridge: Cambridge University Press, 2005), 1–2.

<sup>21</sup> Nile Green, ed., *The Persianate World: The Frontiers of an Eurasian Lingua Franca* (Oakland: University of California Press, 2019).

friendship, trade, writing, magic, medicine, and war as key areas for the efflorescence of those shared principles.<sup>22</sup>

As Flatt demonstrates, writing was a core element of this courtly culture. The success of communication within and between persons and regimes depended not just on the substantive information conveyed by a written document, but also on its rhetorical appropriateness, visual appearance, and process of delivery. In order to acquire the requisite aesthetic-ethical training, aspirants in the system naturally took to studying transregional as well as locally produced *insha* or epistolaries, with model letters and documents, which advised them on how to stay in good form.<sup>23</sup>

In such a context, imperial orders (*farmans*) were active instruments of politics, not just letters communicating information or orders. The elaborate ceremonial that surrounded the despatch and receipt of these talismanic documents created spaces for negotiations over power, hierarchy, and legitimacy. To take one example, in 1603 CE, a Mughal envoy called Asad Beg Qazwini was sent to Bijapur, a Deccan Sultanate, to secure the latter's subordination without overt military action. Qazwini's arsenal consisted of a number of aggressive diplomatic moves, key among which was the delivery of a *farman*, receipt of which would entail accepting the overlordship of the Mughal emperor. Predictably, the Bijapuris responded with elaborate passive aggression including months of opulent and obstructive hospitality. The actual *farman* delivery ceremony was marred by the Bijapuri king failing to observe the necessary rituals, as the Mughals saw it: the document was not received by the king alone, necessary obeisances were omitted, and the Bijapuri king even turned away mid-way through reading the *farman* to complain in the local language (Marathi) to his Hindu Brahmin minister.<sup>24</sup>

In the Persianate political culture of South Asia, the power of written documents derived not only from their written content, but also from their material aspects, including the paper they were written on, the arrangement of text on the page, validating symbols, and marks such as stamp impressions. In fact, in a context where significant users of such documents were people unable to read them; for example, European company employees, such material aspects became additionally relevant to creating the impression of legality. Moreover, the valence of Mughal and other Indo-Persian legal documents was elaborated within a structured and semantically loaded matrix of ceremonial performances. As we have seen in the Mughal-Bijapuri encounter, the meanings of those ceremonies, words, and artefacts were shared to the extent that they were comprehended by all parties, but which still remained up for grabs in contests of political legitimacy.

<sup>22</sup> Emma Flatt, *The Courts of the Deccan Sultanates: Living Well in the Persian Cosmopolis* (Cambridge: Cambridge University Press, 2019).

<sup>23</sup> Flatt, *Courts of the Deccan Sultanates*, 43–47, 167–209.

<sup>24</sup> Muzaffar Alam and Sanjay Subrahmanyam, "The Deccan Frontier and Mughal Expansion, ca. 1600: Contemporary Perspectives," *Journal of the Economic and Social History of the Orient* 47 (2004): 357–89, at 383.

This continued to be the case in the eighteenth century, with the decline of the power but not the prestige of the Mughal empire. In 1713, Nizam ul-Mulk Asaf Jah, one of the highest nobles of the Mughal court, was appointed viceroy of the enormous Deccan province, formed out of the conquest of the Sultanates of Bijapur and Golconda, in 1686–87, and further victories against the Marathas in the 1690s.<sup>25</sup> From the 1720s onward, Nizam ul-Mulk moved toward consolidating substantive provincial autonomy through his own appointments, and dealt with local powers, old and emerging. The substance of the resultant Hyderabad state thus lay in the social and political relationships Nizam al-Mulk was able to establish with locally significant groups: southern Indian warrior clans, Maratha Brahmin, Kayastha, and Shi‘a administrators.<sup>26</sup> External powers most significant to Hyderabad were the federated and expansive Maratha empire, led by the Peshwa,<sup>27</sup> the kingdom of Mysore, and the European trading companies. In reality, the internal–external dichotomy is hard to sustain in a political arrangement where so many of the state functions were outsourced even across stringently assertive political boundaries. The kingdom of Arcot, key to our story, was an archetype of such entities that were both internal and external to the Hyderabad state.<sup>28</sup>

This unwieldy coalition was held together under the capacious but increasingly flimsy banner of Mughal suzerainty. In terms of norms and self-presentation, Hyderabad political culture retained a deep external reverence for the Emperor, whose *farmans* (orders) were received in extravagant ceremony. A specific tent known as a *farmanbari* was erected for this purpose, in which Nizam ul-Mulk would symbolically hold the document above his head in submission.<sup>29</sup> As with the Bijapuri reception, such rituals were not divorced from the cut and thrust of politics. For Salabat Jung, a successor of Nizam ul-Mulk who came to the throne in dubious circumstances examined at length below, the number of ceremonial receptions of *farmans* appeared to proliferate in inverse proportion to his grip on power. Some of these documents appear to have been genuine, secured by judicious gifts to imperial courtiers; however, on other occasions even his own allies doubted the authenticity of his *farmans*.<sup>30</sup> According to one, admittedly hostile account, in 1752 Salabat Jung feared his supporters would abandon him in favor of his brother and dynastic rival. In

<sup>25</sup> M.A. Nayeem, *Mughal Administration of the Deccan under Nizamul Mulk Asaf Jah* (Bombay: JAICO, 1985), 6, 25–26.

<sup>26</sup> Karen Leonard, “The Hyderabad Political System and its Participants,” *The Journal of Asian Studies* 30 (1971): 569–82.

<sup>27</sup> Rosalind O’Hanlon, “Entrepreneurs in Diplomacy: Maratha Expansion in the Age of the Vakil,” *The Indian Economic & Social History Review* 57 (2020): 524.

<sup>28</sup> Tanja Bühner, “Intercultural Diplomacy at the Court of the Nizam of Hyderabad, 1770–1815,” *The International History Review* 41 (2019): 1042.

<sup>29</sup> Nayeem, *Mughal Administration*, 20. On the importance of such tents to conceptions of sovereignty in eighteenth-century successor states, see Zirwat Chowdhury, “An Imperial Mughal Tent and Mobile Sovereignty in Eighteenth-Century Jodhpur,” *Art History* 38 (2015): 668–81.

<sup>30</sup> A *farman* allegedly appointing him governor of the Deccan received in May 1751 was judged to be fake by the French, see Dupleix to Bussy, May 27, 1751, Archives départementales d’Essone, Chamarande (hereafter ADE), E/3748, 51v. For payments made to secure an apparently bona fide *farman*, received in September 1751, see *Selections from the Peshwa Daftar*, ed. G.S. Sardesai, 46

order to keep them on board, on the receipt of a regular letter from a Delhi courtier he “caus’d a Phirmaund Tent [*farmanbari*] to be fix’d and within which he went with the usual Pomp and gave it out that the Mogul’s Phirmaunds were sent him.”<sup>31</sup>

Of all the political players at the Hyderabad court, the Nawabi state of Arcot is the most important to our purposes. Another Mughal successor state, its dynastic history was closely entangled with Hyderabad, although it always remained rather in the shadow of its Deccani cousin. Culturally and geographically, Arcot’s core was further south, in the Tamil-speaking coastal areas (see [Figure 2](#)). Established by Afghan nobles in Mughal service in the early eighteenth century, the ruling dynasty changed to a family of long-Indianized Arab immigrants who came to be known as the Nawaiyat (descendants of the Prophet).<sup>32</sup> In the 1720s, when the Nizam al-Mulk was building up the Hyderabad state and its region of power, he formally appointed Sa‘adatullah Khan, the first Nawaiyat nawab, as the *faujdar* (military governor) of the newly formed Mughal province of Carnatic (of which Arcot was a part).<sup>33</sup> This “appointment” was a transparently political move aimed at establishing the subordination of Arcot to Hyderabad, using the terminology and instruments of Mughal administration. The precise status of Arcot in relation to Hyderabad was a continuous source of dispute in subsequent years; Arcot’s struggles for autonomy turning them into “rebel” dependants of overlords who were “rebels” themselves.<sup>34</sup>

One important difference between Arcot and Hyderabad was the array of coastal forts controlled by European trading companies that dotted the coastline of the former polity. While Hyderabad was orientated around the inland courtly centers of the Deccan Plateau, for the Arcot Nawabs, the European presence presented both challenges and opportunities for consolidation.<sup>35</sup> These commercial centers brought in trade and provided a secure source of revenue, but the military force wielded by trading companies could also prove a destabilizing factor, as Arcot became a theater of European war during the War of Austrian Succession (1740–48). Eventually, the Nawabs became ever more embroiled with the British, most infamously through the extensive debts acquired in the second half of the eighteenth century.<sup>36</sup>

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vols (Bombay: Government Central Press, 1930–34), xxv:3127–28 (document 127). We thank Dominic Vendell for his translation.

<sup>31</sup> Records of Fort St. George (hereafter RFSG), *Diary and Consultation Book, Military Department, 1752* (Madras: Superintendent Government Press, 1910), 52.

<sup>32</sup> Muzaffar Alam and Sanjāh Subrahmanyam, “Trade and Politics in the Arcot Nizāmat (1700–1732),” in *Writing the Mughal World: Studies in Culture and Politics* (New York: Columbia University Press, 2012), 339–95.

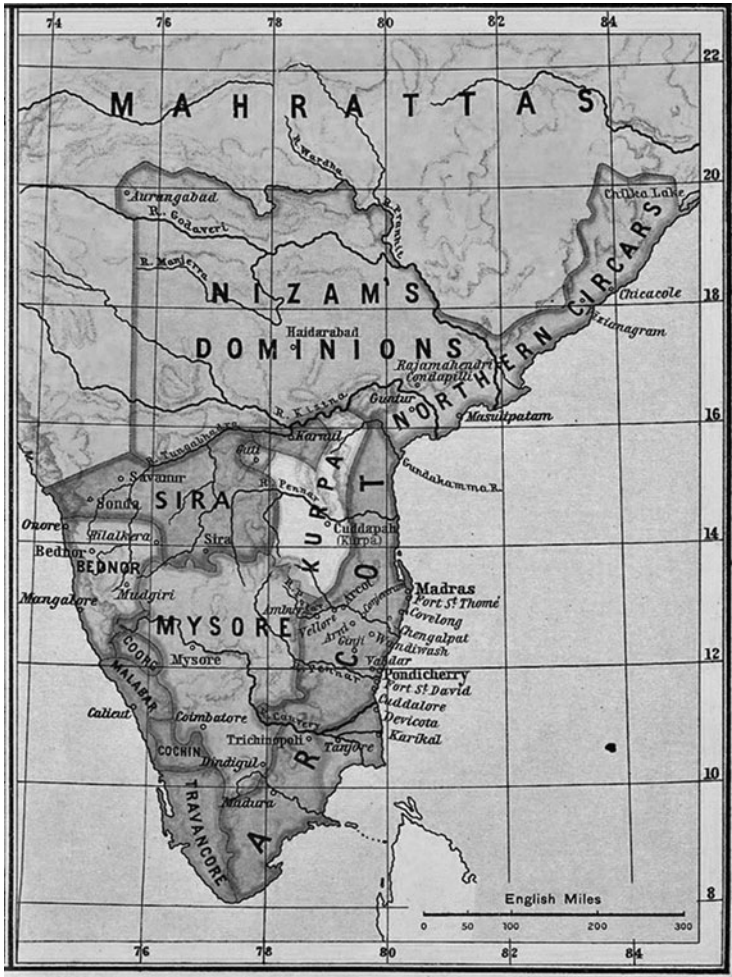
<sup>33</sup> Not to be confused with present-day Karnataka; see [Figure 2](#). Nayeem, *Mughal Administration*, 38–40.

<sup>34</sup> Susan Bayly, *Saints, Goddesses and Kings: Muslim and Christians in South Indian Society, 700–1900* (Cambridge: Cambridge University Press, 1989), 158.

<sup>35</sup> Richard M. Eaton and Phillip B. Wagoner, *Power, Memory, Architecture: Contested Sites on India’s Deccan Plateau, 1300–1600* (Oxford: Oxford University Press, 2014).

<sup>36</sup> Jim Phillips, “A Successor to the Moguls: The Nawab of the Carnatic and the East India Company, 1763–1785,” *The International History Review* 7 (1985): 364–89.





**Figure 2.** Map Illustrating South India in the Eighteenth Century.

Source: Charles Joppen, *Historical Atlas of India* (London: Longmans, Green & Co, 1907), <http://www.columbia.edu/itc/mealac/pritchett/00maplinks/colonial/joppenlate1700s/joppenlate1700s.html#arnatic>; accessed 04/08/2022.

Arcot’s relatively lower rank in the Deccani political hierarchy did not prevent their meddling with the dynastic politics of Hyderabad. In fact, Arcot dynasts, allied with the French, competed to determine the appointment of their own overlords at Hyderabad. The intricate entanglement of regimes such as Hyderabad, Arcot, and the Maratha empire with European Companies and the hectic factioneering underlying dynastic succession used to be seen as signs of the political frailty of the Indian successor regimes, prescient of their ultimate subjugation by Europeans. In reality, it was precisely through such mutual intervention that all these regimes—European and South Asian—constituted themselves.

## The Compagnie Française as a Player in Parwana Politics

From 1701, Pondicherry (see [Figure 2](#)) had served as the principal base in South Asia for the French *Compagnie des Indes*, and as the headquarters of the Company's governor general.<sup>37</sup> The port town provided a fortified vantage point from which the French had regarded the rise of the Arcot Nawabs with a wary eye, yet despite periodic grumbles over financial exactions, Nawabi sovereignty was formally recognized through yearly tributary gifts, in exchange for which trade was generally left to flow unimpeded.<sup>38</sup> While French power should not be overstated, the expansion of commerce in the 1730s and increased bullion shipments from Europe afforded Governor General Pierre Benoît Dumas (1735–41) a newfound credit that was put to a more ambitious expansionist agenda.<sup>39</sup> This was characterized by a deepening involvement with the Nawabi state, as the French bestowed expensive gifts on key Arcot courtiers in order to gain privileges such as a *parwana* conferring the right to mint rupees (1736) or help in acquiring new colonies such as Karaikal (1739).<sup>40</sup> A marker of this increasingly close relationship came in 1740 with the devastating Maratha invasion of the province. Many of the Arcot nobility took refuge at Pondicherry, and the Nawab rewarded Governor Dumas for his help with *parwanas* for several villages, the revenues of which he secured as his personal property.

It was under his successor, Joseph-François Dupleix (1742–54), that French expansion reached its short-lived apogee. Dupleix has long been presented as a kind of far-sighted imperial visionary, motivated by nothing less than a precocious idea of territorial empire along the lines of the later British Raj.<sup>41</sup> While historians have admirably deconstructed the ideological dimensions of this mythical status, a more convincing explanatory framework for his actions has yet to materialize.<sup>42</sup> Taking a more critical eye to his correspondence, however, we can detect a central preoccupation with acquiring Mughal legal documentation.

<sup>37</sup> On the early company, see Glenn J. Ames, *Colbert, Mercantilism, and the French Quest for Asian Trade* (DeKalb: Northern Illinois University Press, 1996); and Marie Ménard-Jacob, *La première compagnie des Indes: 1664-1704: apprentissages, échecs et héritage* (Rennes: Presses universitaires de Rennes, 2016).

<sup>38</sup> On Pondicherry, see Danna Agmon, *A Colonial Affair: Commerce, Conversion, and Scandal in French India* (Ithaca: Cornell University Press, 2017), 6–13; and Elisabeth Heijmans, *The Agency of Empire: Connections and Strategies in French Overseas Expansion (1686-1746)* (Leiden: Brill, 2019), 105–14.

<sup>39</sup> Philippe Haudrère, *La Compagnie française des Indes aux XVIII<sup>e</sup> siècle*, 2 vols. (Paris: Les Indes savantes, 2005), i:278–79.

<sup>40</sup> Catherine Manning, *Fortunes à Faire: The French in Asian Trade, 1719-48* (Aldershot: Variorum, 1996), 208–12.

<sup>41</sup> Even modern historians have been beguiled by this enduring image; see Pierre Pluchon, *Histoire de la colonisation française, vol. 1: Le premier empire colonial: des origines à la Restauration* (Paris: Fayard, 1991), 181–82; and Massimiliano Vaghi, “Alfred Martineau et La «genèse» du Protectorat. Le Cas Indien (1745–1761),” *French Colonial History* 14 (2013): 71–87.

<sup>42</sup> Kate Marsh, *India in the French Imagination: Peripheral Voices, 1754-1815* (London: Pickering & Chatto, 2009); and Danna Agmon, “Failure on Display: The Meaning of Eighteenth-Century French India in Twentieth-Century Colonial Administration and Historiography,” *The Journal of Modern History* 91 (2019): 848–82.

This was a long-standing goal of European trading companies operating in India, which undertook diplomatic missions in order to secure commercial and territorial privileges in law.<sup>43</sup> For instance, Dutch and British companies had both obtained lengthy *farmans* from Delhi through the lavish embassies of Josua Ketelaar (1711–13) and John Surman (1715–17) respectively.<sup>44</sup> And in Dumas, Dupleix had an even closer model of how the acquisition of *parwanas* could lead to professional and personal success.<sup>45</sup> Dupleix's metropolitan correspondents kept him apprised of how Dumas had “shown off” his Arcot *parwana* conferring the right to mint rupees on his return to Paris in 1741, where he had been appointed a director of the Company.<sup>46</sup> The *parwana* was an enormous public triumph for Dumas, and was specifically mentioned as a reason for his ennoblement.<sup>47</sup> *Parwana* politics could thus resonate even in metropolitan France, where Mughal prestige had long been admired and even emulated.<sup>48</sup>

Public service was not the only reason for his success, however, as Dumas also returned to France fabulously wealthy. Here too, *parwanas* had helped pave the way, through the village revenues granted by the Nawab of Arcot. Moreover, Dupleix had direct insight into how his predecessor acquired his wealth, since Dumas entrusted him to oversee the villages as they were in the vicinity of Pondicherry.<sup>49</sup> Much like Robert Clive's later *jagir*, the revenues of these fiefs were used to fund his meteoric social ascension, with the purchase of venal offices and an advantageous marriage for his brother.<sup>50</sup> Dumas provided a concrete example of how the pursuit of *parwanas* could prove a winning formula for both professional advancement and private enrichment.

An opportunity for Dupleix to participate in local politics emerged with the dynastic struggles precipitated by the death of the venerable Nizam ul-Mulk Asaf Jah I in 1748. As we have seen, the formation of Hyderabad and Arcot regimes had long been marked by significant interdependence, and their respective dynastic struggles were interwoven in complex ways. The fallout of the Maratha invasion in 1740 resulted in the end of the Nawaiyat dynasty and the installation of a new regime. However, in 1749, a prominent

<sup>43</sup> Guido Van Meersbergen, “The Diplomatic Repertoires of the East India Companies in Mughal South Asia, 1608–1717,” *The Historical Journal* 62 (2019): 875–98.

<sup>44</sup> On the Dutch, see Hans van Santen, *Op bezoek bij de Groot-Mogol. Twee hofreizen van de VOC naar de Groot-Mogol in India, 1662 en 1711-1713* (Leiden: Sidestone, 2016), 118. On the British, see David Veivers, *The Origins of the British Empire in Asia, 1600-1750* (Cambridge: Cambridge University Press, 2020), 245–58.

<sup>45</sup> For a hagiographic account, see Paul Olganier, *Le Gouverneur Benoist Dumas: Un grand colonial inconnu* (Paris: Ernest Leroux, 1936).

<sup>46</sup> Godeheu to Dupleix, February 10, 1742, Bibliothèque Nationale de France, Paris (hereafter BNF), Nouvelles Acquisitions Françaises (hereafter NAF) 9148, 196.

<sup>47</sup> “Lettres de Noblesse accordé à Dumas,” October 1737, ANOM E 153.

<sup>48</sup> Faith Evelyn Beasley, *Versailles Meets the Taj Mahal: François Bernier, Marguerite de La Sablière, and Enlightening Conversations in Seventeenth-Century France* (Toronto: University of Toronto Press, 2018).

<sup>49</sup> Dumas to Dupleix, October 1, 1743, BNF, NAF 9147, 181v.

<sup>50</sup> Bruce Lenman and Philip Lawson, “Robert Clive, the ‘Black Jagir’, and British Politics,” *The Historical Journal* 26 (1983): 801–29.

Nawaiyat general named Chanda Sahib returned to the Carnatic after a long spell of captivity among the Marathas.<sup>51</sup> An ambitious and politically adroit figure, he represented a serious contender for the throne of Arcot. Yet Chanda Sahib himself appears to have staked his claim through the union he formed with Muzaffar Jung, the young grandson of the recently deceased Nizam. As Chanda Sahib made a bid for the throne of Arcot, so Muzaffar Jung claimed to be rightful Nizam of Hyderabad, in place of his uncle Nasir Jung.

The forging of this new coalition was achieved in part through performative documentary displays rooted in Mughal cultures of legality. In June 1749, Muzaffar Jung supposedly received a *farman* from the Mughal Emperor for the *subadari* (governorship) of the Deccan and a dress of honor, and promptly invested Chanda Sahib with the (lower-ranked) government of the Carnatic.<sup>52</sup> In a demonstration of how receivers of grants worked to establish the authority of the grant-givers, Chanda Sahib's son gave strict instructions that Muzaffar Jung's letters and gifts should be received at French Pondicherry "with the same pomp and grandeur with which [Dupleix] used to receive the Nizam's presents."<sup>53</sup> Muzaffar Jung's apparent elevation to the Deccan *subadari*, and the French recognition of such, thus gave Chanda Sahib a legitimizing Mughal imprimatur.<sup>54</sup> Documentary ceremonial was even embellished in an attempt to bring onside local *qila'dars*, or commanders of fortresses. Where Nizam ul-Mulk confirmed their offices with *parwanas* issued "on small sheets of paper which were sent by messengers without being put into envelopes," a more elaborate enclosure was used to "show respect to them and magnify their greatness."<sup>55</sup>

Over the short term this multisided coalition met with success. Anwaruddin Khan, the sitting Nawab of Arcot was defeated and killed in 1749. Nasir Jung of Hyderabad responded the following year by marching a large army into the Carnatic. However, he did not risk attacking Pondicherry and was subsequently betrayed by his disaffected Afghan allies. As we saw at the start of this article, his death led to the installation of Muzaffar Jung as Nizam at Pondicherry in January 1751, with the issuance of *parwanas* for various territories and commercial privileges. In exchange, Dupleix agreed to send Charles Joseph Patissier de Bussy at the head of a military contingent of French and Sepoy troops to escort Muzaffar Jung back to the Deccan. Thus, in every instance,

<sup>51</sup> On his imprisonment, see C. S. Srinivasachari, "A Little Known Phase in the Career of Chanda Sahib (1741-48)," in *Indian Historical Records Commission Proceedings*, vol. xix (Delhi: Government of India Press, 1943), 1-7.

<sup>52</sup> ARP, 6:123-4. It was later claimed that Ghazi-ud-Din Khan, Nasir Jung's brother, sent a *farman* to Muzaffar Jung in order to ferment rebellion against Nasir Jung, see RFSG, *French Correspondence*, 1752 (Madras: Superintendent Government Press, 1916), 33.

<sup>53</sup> ARP, 6:125.

<sup>54</sup> Regardless of authenticity, it is notable that Mughal legality was preferred over a hereditary or religious claim. For such alternative avenues that emerged later in the eighteenth century, see Kate Brittlebank, *Tipu Sultan's Search for Legitimacy: Islam and Kingship in a Hindu Domain* (Delhi; New York: Oxford University Press, 1997).

<sup>55</sup> ARP, 6:127.

claimants of the Hyderabad and Arcot thrones sought to legitimize themselves both by acquiring and issuing Persian grants; recognition of the validity of such grants serving as proxy treaties that drew the various political actors together and enmeshed them in a common matrix that depended on Mughal law.

This political and legal relationships thus formed transcended individual relations between the actors themselves. Hardly a month after having gained the throne of Hyderabad, Muzaffar Jung was killed by the same Afghan nawabs who had betrayed his uncle. The French helped engineer the enthronement of Salabat Jung, Nasir Jung's brother, as the new Nizam. Key to the French decision was Raja Raghunath Das, the Brahman diwan, a clear master of *parwana* politics. As one French witness described, "he [Raghunath Das] took from his pocket a pile of papers and made us see that Salabat Jung not only confirmed all the concessions that Muzaffar Jung had given [ . . . ] but even increased them considerably on the side of Mazulipatnam."<sup>56</sup> These were not only offered to the French Company, but also included "private" grants of village revenues made out to Dupleix and his wife (although no such private–public distinction existed in Mughal grants).<sup>57</sup> These appear to have been paper promises, which one can judge from the fact that the pair were quick to "sacrifice" their property titles to the Company once it became apparent that their revenues had been extensively overvalued.<sup>58</sup> The stakes in *parwana* politics were much higher than individual estates, substantial though those could be.

### **Parwanas to Farmans: Going to the Source**

Matters refused to settle down in Arcot. Despite Chanda Sahib's initial success, Anwaruddin Khan's son, Muhammad Ali, continued to hold a fortified seat of power at Trichinopoly,<sup>59</sup> and sought out the support of the British. Predictably, Dupleix sought to handle this challenge to Chanda Sahib's legitimacy in Arcot by soliciting fresh *parwanas* from Salabat Jung. As he wrote to Bussy, "the delay to the letter of the new Nawab and of the *parwanas* interrupts affairs, and all those that were ready to be concluded are suspended."<sup>60</sup> These were anticipated with a feverish anxiety, as the governor worried about "plunderers" on the roads, and insisted the *parwanas* be sent in duplicate with an armed guard.

The material dimensions of the legal documents themselves were an increasing preoccupation for the French governor. He instructed his lieutenant to ensure that copies of *parwanas* did "not resemble rags of papers" and were properly stamped with the seal of the Qazi (Islamic judge).<sup>61</sup> He was particularly taken by Bussy's description of a large imperial *farman* obtained by Salabat Jung in September 1751, writing that he was "extremely desirous to

<sup>56</sup> Kerjean to d'Argenson, September 23, 1751, Bibliothèque de l'Arsenal, Paris, Ms. 6650, 7.

<sup>57</sup> For a French translation of the *parwana* in the name of "Jeanne Begum," see BNF, NAF 8929, 97.

<sup>58</sup> Dupleix to Bussy, June 4, 1751, ADE, E/3748, 55v.

<sup>59</sup> On the importance of Trichinopoly as a seat of power for the Arcot Nawabs, see Bayly, *Saints, Goddesses and Kings*, 162.

<sup>60</sup> Dupleix to Bussy, March 1, 1751, ADE, E/3748, 17.

<sup>61</sup> Dupleix to Bussy, August 4, 1751, ADE, E/3748, 69v.

have this document to show in Europe to make them see that there is magnificence in this land. It is necessary that everything that is written in gold [in the original] must also be [in the copy] and on parchment of the same size as the original.”<sup>62</sup> Indeed, Dupleix imagined the stream of legal grants as an important means of persuading his superiors in France of the success of operations, pointing to the gifts that accompanied them, as well as “the style and the form” of these documents as proof of the renown that his actions had won for the French Company.<sup>63</sup>

In the Carnatic, however, Dupleix’s accumulation of *parwanas* failed to evict Muhammad Ali from Arcot, since the latter had adopted his own legal strategy. To his British allies, Muhammad Ali attempted to prove his rightful claim to Arcot by sending them his own *parwanas* previously obtained from the deceased ruler of Hyderabad, Nasir Jung.<sup>64</sup> But Muhammad Ali also upped the stakes by deciding to go for the source. He urged the British to forward his letters to the Mughal Emperor and also to another of Nizam ul-Mulk’s sons, Ghazi-ud-Din Khan Feroze Jung II at Delhi, via ships through Bengal. As he explained, “these letters come herewith to you & I desire you’ll forward them in Bags to Bengal as soon as possible by sea to be delivered to the Nabob there who will transmit them to court & send us Answers and Phirmaunds [*farmans*].”<sup>65</sup> This alternative legal avenue relied on the backing of Ghazi-ud-Din Khan, Salabat Jung’s dynastic rival, who upon the news of the death of Nasir Jung had been made *subahdar* of the Deccan at Delhi.<sup>66</sup> Muhammad Ali calculated, apparently correctly, that Delhi’s preferred candidate would back him over Chanda Sahib, who was associated with the rival Muzaffar Jung faction.

An imperial *farman* confirming Ghazi-ud-Din Khan as Nizam arrived at Trichinopoly at the end of March 1751.<sup>67</sup> With this was also a letter from Ghazi-ud-Din Khan instructing Muhammad Ali to “act as a Phosadar [*faujdar*] in the Carnatick country.”<sup>68</sup> As was the case with his rivals, Muhammad Ali treated the arrival of an imperial *farman* as an occasion of great importance, and further evidence for this can be found in the *Tuzak-i-Walajahi*, a chronicle composed much later in his reign. Upon receiving these documents, Muhammad Ali held a splendid *darbar* (court) where, in the wonderful metaphor of the chronicler, he “strung the pearls of the clear and polished contents

<sup>62</sup> Dupleix to Bussy, October 28, 1751, ADE, E/3748, 101.

<sup>63</sup> Dupleix to Directors and Syndics, October 15, 1752, BNF, NAF 9146, 44.

<sup>64</sup> RFSG, *Country Correspondence, Public Department, 1751* (Madras: Superintendent Government Press, 1910), 3.

<sup>65</sup> *Ibid.*, 9.

<sup>66</sup> G.S. Sardesai, *Selections from the Peshwa Daftar*, 46 vols. (Bombay: Government Central Press, 1932), 25:127–28.

<sup>67</sup> The timetable for this document to arrive was very rapid. Nasir Jung was killed on December 16, 1751; the *farman* was dated January 19, 1751 and arrived in the south on March 24. However, given that the Marathas on the west coast had been informed of Ghazi-ud-Din Khan’s nomination by February 19, this was not inconceivable.

<sup>68</sup> RFSG, *Country Correspondence, Public Department, 1751*, 14. Elsewhere this is described as a *parwana*.

of the *farman* on the thread of the hearing of everyone.”<sup>69</sup> The *farmans* were accompanied with great ritual and ceremony, aimed to publicly communicate the honor they bestowed. Muhammad Ali thus explained to the British how he “ordered a Phirmaund Tent to be fix’d in which [he] receiv’d the Phirmaund &ca with great Respect & Honour, played upon the Musick Noubet [*naubat* or drum], order’d guns to be fir’d & return’d thousands of Thanks to the Almighty.”<sup>70</sup>

These documents were also quickly put to use in external negotiations. In April 1751, Dupleix had obtained a *kaul*, or grant of safe passage, from Salabat Jung, to be offered to Muhammad Ali in exchange for yielding Trichinopoly to Chanda Sahib. However, Muhammad Ali refused to accept it. Instead, he disputed Salabat Jung’s authority by presenting copies of the imperial *farman* appointing Ghazi-ud-Din Khan *subahdar* of the Deccan and a *parwana* from the latter for the government of the Carnatic.<sup>71</sup> The French governor retorted by questioning the validity of *these* documents, writing to Muhammad Ali that “the collection of *parwanas* which you parade will only lead to persuading everyone that you are not and will never be submitted to the orders of your superiors.”<sup>72</sup> Going by hints offered by Ananada Ranga Pillai, however, it appears that this viewpoint was not shared by other local powers, as Ghazi-ud-Din Khan’s *parwana* was referenced in drawing Thanjavur and Mysore forces to Muhammad Ali’s side.<sup>73</sup>

The French response to Muhammad Ali’s brazen *parwana* game was to join him at the higher level, that is, in seeking orders from the source of authority: the Mughal emperor. As Dupleix wrote to Bussy in July 1751, “it is also the time to think of obtaining from the Great Mughal the *farman* of which we have need. This affair merits all your attention [. . .] because these documents will assure us our possessions, our *jagirs*, our dignities, putting a seal on your mission which will then be accomplished.”<sup>74</sup> Although plans were made for their own embassy to Delhi,<sup>75</sup> the French had to rely upon a Hyderabadī intermediary, the crafty old Raghunath Das. But such a master of *parwana* politics was hard to handle, and Dupleix mistrusted the minister, claiming that “this man, clever as a weasel, thinks that it’s a means of engaging me to always leave our troops around him [keeping] us always in the hope of these *farmans* until all his affairs and those of his master [are] settled by our presence.”<sup>76</sup> An increasingly bitter stream of French denigration against their Indian

<sup>69</sup> Ibn Hasan, *Tuzak-i-Walajahī*, 80.

<sup>70</sup> Country Correspondence 1751, 14.

<sup>71</sup> ARP, 7:442.

<sup>72</sup> Draft of a letter from Dupleix to Muhammad Ali, n.d. BNF NAF 9159, 340v. Indian sources close to Dupleix accepted their validity, noting that they bore the Qazi’s seal. See ARP 7:441. Privately, Dupleix also appeared to accept their validity, see Dupleix to Bussy May 3, 1751, ADE, E/3748, 40v.

<sup>73</sup> For example, ARP, 8:2, 38. These powers, of course, had their own interests in intervening.

<sup>74</sup> Dupleix to Bussy, July 16, 1751, ADE, E/3748, 66.

<sup>75</sup> Dupleix to Kerjean, January 10, 1752, ADE, E/3748, 66. The project was shot down by the Company, which had grown increasingly alarmed by Dupleix’s freewheeling diplomacy, see Directors to Dupleix, January 1, 1753, BNF, NAF 9145, 168–168v.

<sup>76</sup> Dupleix to Bussy, October 23, 1751, ADE, E/3748, 97v.

intermediaries and allies marked the beginning of an enduring colonial stereotype.<sup>77</sup> However, Dupleix's frustration also reveals an all too real sense of dependency on such figures to navigate courtly settings.

In this respect, we might also signal the role of Salabat Jung himself, who was more usually written off as a helpless puppet of the French. In fact, he clearly identified their priorities in securing a Mughal *farman*, and shrewdly positioned himself as the best route to imperial favor. He therefore carefully stage-managed the courtly reception of his own Mughal *farmans* and correspondence, making sure the relevant French observers were present. One officer described the public reception of a *farman* along with a "most tender letter" from the emperor, at which the Nizam was "possessed with joy."<sup>78</sup> After this Salabat Jung made assurances to the Frenchman that their own *farman* could not be long in coming. The message was unmistakable: the French should keep their troops with him if they wished to achieve Mughal legitimacy through their own legal grants.

As the French waited for Mughal confirmation, the political situation in the South rapidly deteriorated. By the summer of 1752, Muhammad Ali's Mysorean and Thanjavuri allies successfully broke the French siege of Trichinopoly, and, even more disastrously, captured and executed Chanda Sahib.<sup>79</sup> It was with supreme irony that a much-anticipated imperial *farman* arrived at Pondicherry shortly after this catastrophe. Ananda Ranga Pillai recorded that Dupleix took great care to spruce up its entry into the town, ordering the addition of various gifts, music, and stately procession.<sup>80</sup> Yet even a sympathetic French observer was sceptical about the ceremonial reception of the *farman*, claiming that "many people [assumed] that it was a comedy on the part of M. Dupleix, and no more than smoke and mirrors."<sup>81</sup> This elaborate panoply may have served to compensate for the rather lackluster text of the *farman* itself. From extant translations, the Mughal Emperor Ahmad Shah offered a brief and vague endorsement of French friendship with Salabat Jung, without providing any details whatsoever about the concessions made by the latter.<sup>82</sup> Dupleix was left to boast about the quality of the

<sup>77</sup> Callie Wilkinson, "Weak Ties in a Tangled Web? Relationships between the Political Residents of the English East India Company and Their Munshis, 1798–1818," *Modern Asian Studies* 53 (2019): 1574–612. See also see Sanjay Subrahmanyam, *Europe's India: Words, People, Empires, 1500–1800* (Cambridge, MA: Harvard University Press, 2017), 231–39.

<sup>78</sup> Kerjean to Dupleix, 18 March 1752, BNF, NAF 9159, 149.

<sup>79</sup> N. S. Ramaswami, *Political History of Carnatic under the Nawabs* (New Delhi: Abhinav, 1984), 167–177.

<sup>80</sup> ARP, 8:185–90.

<sup>81</sup> "Relation des principaux évènements arrivés aux Indes dans la province de Carnate et le long de la côte Coromandel entre les François et les Anglois," BNF, Français 8971, 113.

<sup>82</sup> For extant translations, compare ARP, 8:215–56; "Firman du tres Puissant au nom du Gouverneur General Bahadour Zaferjingue," ANOM, Inde Series B 5098. Although dated the same, the two translations differ significantly; the first is a translation of a translation, from Persian to Tamil to English. Compare with the much longer and more detailed *farmans* obtained by the British in 1717, reproduced in translation in C.R. Wilson, *The Early Annals of the English in Bengal* (New Delhi: Bimla Publishing House, 1911), ii, 2, 162–69. Regrettably, we have been unable to locate an extant Persian copy of Dupleix's *farman*.



paper, claiming that “the Muhammadans [sic] are astonished that paper used only in writing to persons of equal rank should have been used in writing to me.”<sup>83</sup> Yet its inadequacy was clearly recognized, as he insisted that Bussy stay the course at Hyderabad and continue to work toward acquiring a “detailed and confirmative *farman* of all that we possess” from Delhi.<sup>84</sup> Despite investing a great deal in *parwana* politics, the French were unable to translate their provincial influence into the kind of far-ranging *farman* such as those secured by the Dutch in 1713 or the British in 1717.

Even in the Deccan, the French position grew more tenuous. Bussy’s influence at the Hyderabad *darbar* could not prevent a *parwana* in the name of Salabat Jung being issued that recognized Muhammad Ali as Nawab of Arcot. This infuriated Dupleix, who wondered whether his enemies at court had “counterfeited the *chop* [seal] of the nawab.”<sup>85</sup> The governor was especially piqued when the Raja of Thanjavur wrote to ask which of Salabat Jung’s orders he was supposed to follow: those given to him by Muhammad Ali or by the French?<sup>86</sup> Nonetheless, Dupleix kept up a great faith in the stream of documents from Hyderabad to help resolve affairs in Arcot. The beleaguered governor sought out fresh *parwanas* for Murtaza Ali Khan, the powerful Nawaiyat *qila’dar* of Vellore. Anxious to retain a kingmaker role, Dupleix wrote in code to Bussy that he should “make it so that in the *parwana* [. . .] it is said that it is only under my orders that he must govern, and even that he is only my *naib* [deputy].”<sup>87</sup> This more creative engagement with Mughal legal forms failed to mask the depreciating value of Hyderabad legal currency, as Murtaza Ali Khan refused to participate in the plan, and instead began dealing with the British.<sup>88</sup>

### The Sadras Conference of 1754 or “What is the Constitution of the Government of this Country?”

By the end of 1753, with a conclusive military outcome to the armed struggle over Arcot looking ever more unlikely, Dupleix agreed to talks with the British at the suggestion of Thomas Saunders, the governor of Madras. Sadras, a town under neutral Dutch control between Pondicherry and Madras, was chosen as the site for the conference or committee where the respective deputies would meet.<sup>89</sup> While neither side appeared to have much faith in negotiating their

<sup>83</sup> ARP, 8:216–17.

<sup>84</sup> Dupleix to Directors and Syndics, February 15, 1753, BNF, NAF 9145, 93. See also, Dupleix to Bussy, December 19, 1752, ADE, E/3754, 52.

<sup>85</sup> Dupleix to Bussy January 13, 1753, ADE, E/3754, 67v.

<sup>86</sup> Dupleix to Goupil, April 12, 1753, ADE, E/3754, 81.

<sup>87</sup> Dupleix to Bussy January 13, 1753, ADE, E/3754, 73v.

<sup>88</sup> ARP, 8:429; RSFG, *Country Correspondence, Military Department, 1754* (Madras: Superintendent Government Press, 1912), 24–25.

<sup>89</sup> On Sadras, see S. Arasaratnam, “The Dutch East India Company and Its Coromandel Trade 1700–1740,” *Bijdragen Tot de Taal-, Land- En Volkenkunde* 123 (1967): 329. For the Dutch presence in the Coromandel more generally, see Pieter C. Emmer and Jos J.L. Gommans, *The Dutch Overseas Empire, 1600–1800* (Cambridge: Cambridge University Press, 2020), 312–20.

way out of the crisis, the event nonetheless proved a notable occasion for airing arguments about the political status of Arcot, and the legal basis to various claims.<sup>90</sup> The meeting was as much a chance for representatives of both companies to posture to metropolitan authorities as it was for resolving conflict. Company authorities in both Paris and London were increasingly alarmed at the spiraling costs of war in the Carnatic, which, given that the two home nations were at peace, risked diplomatic embarrassment.<sup>91</sup> In fact, the talks came too late to save Dupleix, as by this point his dismissal had already been decided upon in France.<sup>92</sup> Nonetheless, the negotiations point to the wider issues around claims of sovereignty and legitimacy that would continue to structure politics in Arcot and Hyderabad long after Dupleix's departure.

The principal sticking point for the Sadras conference was the British demand that Muhammad Ali be recognized as Nawab of Arcot. This was Saunders's precondition for any further discussion, yet Dupleix was unwilling to submit to a figure he regarded as a "slave" of the British and reliant on their financial support.<sup>93</sup> The problem for the French, however, was the absence of any other serious candidate who could be put forward.<sup>94</sup> While Dupleix did not go so far as to stand forth as *nawab* himself, his deputies did present the *parwana* of Muzaffar Jung who appointed him "commander of all the territories in his dependencies from the river Krisnah to the sea." With this and other "authentick pieces," the French deputies evoked "the right of the French nation to take part in the affairs of the Carnateck [Arcot], and to make proposals concerning the said country."<sup>95</sup> This had indeed been confirmed by Salabat Jung in a *parwana* that described Dupleix as "governor."<sup>96</sup> It was, however, in contrast to the British who presented themselves as representatives of Muhammad Ali, claiming that they "acted from the beginning only as allies of the Circar [government]."<sup>97</sup> Where the British thus adopted a more conservative position, as loyal allies of the Nawab, the French claimed a more expansive right to act as effective rulers of Arcot.

To support this assertion, the French deployed the formidable legal arsenal that they had assembled since the death of Nasir Jung. Père François-Louis Lavour, the Jesuit superior who led the French delegation, had been entrusted

<sup>90</sup> Dupleix wrote as much to Bussy, see Dupleix to Bussy December 31, 1753, ADE, E/3754, 134; for the British view, see RFSG, *Diary and Consultation Book, Military Department, 1754* (Madras: Superintendent Government Press, 1911), 9, 12.

<sup>91</sup> On the metropolitan negotiations, see François Ternaut, *Partager le monde : Rivalités impériales franco-britanniques (1748-1756)* (Paris: Presses de l'université Paris-Sorbonne, 2015), 408–13.

<sup>92</sup> Haudrière, *Compagnie française des Indes*, ii, 741.

<sup>93</sup> ADE, E/3754, Dupleix to Bussy, September 16, 1752, 29v.

<sup>94</sup> There was some lingering suggestion from the French that Murtaza Ali Khan could serve as governor of the Carnatic, but this was only to be through "the authority of the marquis Dupleix." The proceedings at Sadras are reprinted in Richard Owen Cambridge, *An Account of the War in India: between the English and French, on the Coast* (London: T. Jefferys, 1761), appendix (hereafter Proceedings), quoted here at 20.

<sup>95</sup> *Ibid.*, 3.

<sup>96</sup> *Lettres & conventions des gouverneurs de Pondichéry avec differents princes hindous, 1666 à 1793* (Pondicherry: Société de l'histoire de l'Inde française, 1911–1914), 256.

<sup>97</sup> Proceedings, 4.

with the documents, including the imperial *farman* and various Hyderabad *parwanas*.<sup>98</sup> These documents were presented to the British deputies for inspection, with Muttukrishna, a *dubash* (translator) in the service of the British Company, sent from Madras to serve as translator.<sup>99</sup> While only able to take preliminary copies of the documents, Muttukrishna immediately detected a problem with the wax seal of the imperial *farman*, which was dated AH 1133, (1720/21) some 30 years off from the claimed date. It appears that the British already suspected that something might be amiss, as Saunders had earlier instructed his deputies to “demand of the French deputies the dates of the several saneds (P. *sanad*, document) [. . .] from these depends the confuting them.”<sup>100</sup>

Upon this revelation, the French withdrew their grants, and insisted that they would only allow further perusal if the British presented them with legal title for Muhammad Ali’s claim to the nawabship. Dupleix later claimed that the error on the seal was only on the copy, while the original at Pondicherry had the date AH 1163. His deputies blamed the “writers at Delhi” for using the seal of the emperor’s predecessor on the copy.<sup>101</sup> Privately, however, the British deputies had a very different explanation, namely that “Mr Dupleix’s friend at the court of Delhi has deceived him.”<sup>102</sup> Whatever the case, it was a diplomatic coup for the British, who wasted no time in writing to the Raja of Thanjavur that “upon examining the Sanad we find it a Cheat and dated twenty Year ago.”<sup>103</sup>

It was one thing for the British to scrutinize French *parwanas*, but another for them to build their own case. Their deputies had not brought any legal grants with them to Madras, despite supporting Muhammad Ali’s legitimacy with “arguments founded on Nazir Jung’s [Nasir Jung’s] Phirmaunds, confirmed by Gauzedeey Cawn [Ghazi ud-Din Khan, and even by the Mogul.”<sup>104</sup> The official British explanation for this was that since the British were merely his allies, these documents should remain in his possession at Trichinopoly. However, after the French demanded to see the *parwanas*, Saunders had written privately to Muhammad Ali as a matter of urgency, asking him to “send Copys of them attested by the Caudee (*Qazi*) as soon as possible.”<sup>105</sup> These documents were only sent after the conference had ended, but apparently included “sanads” or *parwanas* from Nasir Jung, Ghazi-ud-Din Khan, and Salabat Jung, as well as a *farman* from the emperor.<sup>106</sup> As we have seen, Muhammad Ali had also recognized the necessity of compiling his own legal arsenal in asserting his right

<sup>98</sup> See “Rolle de papiers remis à Père Lavour”, BNF, NAF 9159, 375–75v.

<sup>99</sup> On Muttukrishna, see Susan Neild-Basu, “The Dubashes of Madras,” *Modern Asian Studies* 18 (1984): 5–6.

<sup>100</sup> Proceedings, 3.

<sup>101</sup> *Ibid.*, 15.

<sup>102</sup> *Ibid.*, 6.

<sup>103</sup> RSFG, *Country Correspondence, Military Department, 1754, 29.*

<sup>104</sup> Proceedings, 1.

<sup>105</sup> RSFG, *Country Correspondence, Military Department, 1754, 28.*

<sup>106</sup> *Ibid.*, 47.

to the rulership of the Carnatic. Needless to say, the French cast doubt on the validity of these documents.

Disputes over the authenticity of Mughal documents can be understood as part of an incipient wider argument about the “constitution” of the Mughal empire. During the Sadras conference, British and French actors both evoked what they labeled as either the Mughal “constitution” or the “fundamental laws of the country.”<sup>107</sup> Such terms reflected early modern imaginings of the legal underpinnings of European states, where notions such as the “ancient constitution” of England or the “*lois fondamentales*” of France proved an enduring ideological battleground over the legal limits to monarchical power.<sup>108</sup> As Linda Colley has recently argued, the second half of the eighteenth century witnessed a renewed attention to such constitutions as written texts, spurred on by new forms of global warfare such as that rapidly escalating in South India.<sup>109</sup> In this case, we see the process of abstraction whereby the lawfulness of Mughal documents was projected back to posit a constitution that might underlie and validate their legality.

Constitutional abstractions, however, could not paper over the question of who was the legitimate source of such authority. Here, rebellion against such legitimate authority was a key argument. As Saunders sarcastically put it: “let M. Dupleix produce a saned from the Great Mogul or Nazirizing for destroying the legal governor of the province and fomenting a rebellion.”<sup>110</sup> In a passage clearly aimed at Europe, Saunders continued that “his and our superiors must plainly be convinced that he has acted in open violence to the fundamental laws of the country in rebelling against Nabob Anaverdey Cawn [Anwaruddin Khan], the legal governor of the province.”<sup>111</sup> The French, in return, labelled Muhammad Ali a rebel for resisting the orders of Salabat Jung, and stressed the murder and dismemberment of Chanda Sahib, “the legitimate Nawab of the country” in Dupleix’s words.<sup>112</sup> This was a vocabulary shared with Mughal chroniclers, for instance the chronicle glorifying the reign of Muhammad Ali constantly presented the French as rebels, suggesting a commonality in rhetorical strategies.<sup>113</sup>

The Sadras conference heralded novel arguments among Europeans about the nature of Mughal sovereignty, imbuing them with a newfound political urgency. Perhaps its most potent intellectual legacy was the concept of a

<sup>107</sup> Proceedings, 20; 33–34.

<sup>108</sup> For intellectual genealogies, see G.A. Pocock, *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century* (Cambridge: Cambridge University Press, 1957); and Martyn P. Thompson, “The History of Fundamental Law in Political Thought from the French Wars of Religion to the American Revolution,” *The American Historical Review* 91 (1986): 1103–28.

<sup>109</sup> Linda Colley, *The Gun, the Ship and the Pen: Warfare, Constitutions and the Making of the Modern World* (London: Profile Books, 2021).

<sup>110</sup> Proceedings, 34.

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*, 43, 45. Dupleix to Saunders, January 16, 1754, BNF, NAF 9161, 123v.

<sup>113</sup> Burhan Ibn Hasan, *Tuzak-i-Walajahi of Burhan Ibn Hasan, Part One*, trans. S. Muhammad Husayn Nainar (Madras: University of Madras, 1934), 114–19.

Mughal constitution, something given a much fuller treatment by Warren Hastings in Bengal in the following decades.<sup>114</sup> Yet these arguments also pointed to longer-term shifts in the post-Mughal settlement. By the 1760s, British “treaties” worked, among other things, to break the political hierarchy between Hyderabad and Arcot, cutting the legal circuit and atomizing individual Indian states,<sup>115</sup> creating the necessary preconditions for a British imperial world order.

### The Swan Song of Mughal Law: Eighteenth-Century South Asia

The eighteenth century in South Asia was long seen as a lawless period, one that was between empires and hence devoid of secure legal regimes. In fact, just like the pirate-filled oceans of the early modern world that Lauren Benton wrote about,<sup>116</sup> eighteenth-century India was awash with law, and specifically Mughal law. In this mania for Mughal grants, we can retrieve a form of “lawfare,” not just between colonizers and colonized, but also in this case between and among European corporations and Indian successor regimes that utilized the materials of the Indo-Persian legal world, but turned them to novel purposes. Our arguments in this article are threefold. First, we have pointed to a startling but neglected feature of eighteenth-century politics in South Asia: that it was conducted by European corporations in particular, in legal terms. In doing so, we have shown that Mughal orders (imperial *farmans* as well as regional *parwanas*), once instruments of executive orders or property grants, were transformed into a widely used form of political currency. Political players of all stripes used them to validate their own political positions and those of their formal inferiors/superiors. As a result, Mughal sub-imperial orders or *parwanas*, always a capacious form, morphed further from orders and deeds into implicit treaties. Second, because the validity of any legal right within this system depended on the authority of the order-giver, participants were drawn deeper and deeper into a system generative of more and more orders. The surfeit of such documents, we have argued, derived from the nested and mutually constitutive nature of political regimes. With political status in flux and open to deals, there arose a frenetic trade in Mughal documents, each party seeking to out-legalize the other. A corollary of that process was the disproportionate investment in the material aspects of the documents. Since most European users of these documents often had limited or no literacy in Persian, the quality of the paper, the seals, and various other graphic components acquired disproportionate importance in establishing legal claims. Third, the formal political hierarchies established by such orders were often the expression of multi-directional patronage relationships such that purported vassals strove to shore up chosen overlords. In such a context, *parwanas*

<sup>114</sup> Travers, *Ideology and Empire*.

<sup>115</sup> C.U. Aitchison, ed., *A Collection of Treaties, Engagements and Sanads Relating to India and Neighbouring Countries* (Calcutta: Office of Superintendent Government Printing, 1892), viii, 288.

<sup>116</sup> Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2009).

(and *farmans*) served to cement a range of rights and were used to buy alliances. *Parwanas* were currency, and not just in a metaphorical sense; these documentary records of rights served as valuable media of transaction in the political sphere.

And thus Mughal law received a fresh lease on life in eighteenth-century India. Mughal orders spewed forth as tangled regimes scrambled for legitimacy. The fluid and contested field of *parwana* politics only ended once the British Empire broke up these nested political circuits, imposing a formalized system of Princely States under its pseudo-Oriental umbrella: the Raj.

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