

**Manuscript version: Author's Accepted Manuscript**

The version presented in WRAP is the author's accepted manuscript and may differ from the published version or Version of Record.

**Persistent WRAP URL:**

<http://wrap.warwick.ac.uk/142057>

**How to cite:**

Please refer to published version for the most recent bibliographic citation information. If a published version is known of, the repository item page linked to above, will contain details on accessing it.

**Copyright and reuse:**

The Warwick Research Archive Portal (WRAP) makes this work by researchers of the University of Warwick available open access under the following conditions.

Copyright © and all moral rights to the version of the paper presented here belong to the individual author(s) and/or other copyright owners. To the extent reasonable and practicable the material made available in WRAP has been checked for eligibility before being made available.

Copies of full items can be used for personal research or study, educational, or not-for-profit purposes without prior permission or charge. Provided that the authors, title and full bibliographic details are credited, a hyperlink and/or URL is given for the original metadata page and the content is not changed in any way.

**Publisher's statement:**

Please refer to the repository item page, publisher's statement section, for further information.

For more information, please contact the WRAP Team at: [wrap@warwick.ac.uk](mailto:wrap@warwick.ac.uk).

## Bribery in Baroda: The Politics of Corruption in Nineteenth Century India

Mark Knights (University of Warwick) and Zak Leonard (University of Chicago)

### *Abstract*

Two nineteenth century cases in the Gujarati princely state of Baroda shed light on the politics of corruption. The first, running from the mid-1830s to mid-1850s, centred on allegations about the corrupt influence (known as 'khutput') of a native clique on the East Indian Company hierarchy; the second, in 1893-5, turned on allegations against Vasudev Sadashew Bapat, an allegedly corrupt official in a department dealing with sensitive land revenue issues. The responses by the British authorities were different in the two cases. In the first, the Bombay hierarchy proved very resistant to challenging khutput despite the vigorous investigatory efforts of one of its own officials, James Outram. In the second, the British authorities were keen to intervene and brought the matter to trial. These differing approaches were nevertheless united by a common desire to maintain maximum influence over the nominally-independent state. Differing interpretations of this political imperative thus determined how corruption was regarded and what, if anything, was done about it. The cases also highlight the legal ambiguity surrounding the sovereignty of princely states and suggest that imperial authorities in the metropole and in India were unable to control the publicity surrounding such allegations.

**Introduction.** This chapter examines two 'scandals' in Baroda, a nominally-independent Maratha state in Gujarat, that respectively played out from 1837-1854 and 1893-1895. In both cases, the question of 'influence' on government animated a contest about what constituted corruption and how it should be dealt with. In the first scandal, accusations of khutput — described in an 1886 lexicon as 'a slang term in Western India for a prevalent system of intrigue and corruption' — were inextricably tied to charges of bribery, specifically, attempts by personnel associated with the Gaekwar of Baroda's durbar (court) to gain undue influence over British officials in the Bombay government.<sup>1</sup> Khutput was investigated by a zealous East India Company (EIC) official, James Outram, whose assertion that the colonial regime favored these bribers proved controversial; he was removed in 1852 from his post for undermining the gaekwar's sovereignty and casting aspersions on his fellow officers.<sup>2</sup> Even after Baroda was

---

<sup>1</sup> Henry Yule and A. C. Burnell, *Hobson-Jobson: The Definitive Glossary of British India* (Oxford: Oxford University Press, 2013), 297.

<sup>2</sup> Outram defined khutput as 'illicit influence over high Bombay functionaries'. See James Outram, *Baroda Intrigues and Bombay Khutput, an Exposition of the Fallacies Promulgated by Mr. Lestock Robert Reid in a "Letter to the editor of The Daily News"* (London: Smith, Elder, &

transformed into a 'model' state in the later nineteenth century, bribery cases continued to attract public attention. At the request of British Resident Colonel John Biddulph, a Commission in the 1890s investigated thirty-five charges levied against Vasudev Sadashev Bapat, an Assistant Settlement Officer in the Alienation (or Barkhali) Department that interrogated landholder's hereditary claims and hence oversaw a sensitive part of the land revenue system. Examining the Outram debacle alongside the Bapat case prompts three key questions. Why would British authorities sanction inquiries into corruption in some instances while obstructing them in others? Did the colonial personnel involved in these affairs conceptualize corruption in dissimilar ways? And how did these investigations attain a level of notoriety throughout India and the metropole?

In addition, the two cases raise the issue of how corruption scandals could evolve into public affairs in a manner that officials had not intended and which had significant implications for imperial governance. Outram's actions stimulated public comment in India, while reformers in Britain who publicized his mistreatment during the renewal of the EIC's charter put the Bombay administration and Company more generally on the defensive. In the Bapat case, the gaekwar's unexpected rejection of the Commission's guilty verdict provoked significant ethnic strife in Baroda and brought the Residency itself into disrepute. The following sections of this chapter will provide an overview of the two cases, probe officials' politically motivated approaches to corruption, clarify how understandings of corruption differed, and reveal how efforts to consolidate colonial paramountcy could generate an embarrassing public backlash.

In this chapter, we attribute the ambiguous criminalization of corruption to the ongoing adjudication of political relations between the semi-sovereign Baroda state and the 'paramount' colonial power. In the late eighteenth century, Baroda had entered into a subsidiary alliance with the EIC, which directly ruled areas of land that were in close proximity to, and to some extent intermingled, with the Indian state.<sup>3</sup> By the 1840s, the Bombay government was intent on dominating Baroda's princely rulers through informal influence. After the substitution of Crown for Company rule in 1858, the British still sought indirect control. In 1875, they deposed Malhar Rao on the grounds of 'incorrigible misrule' and installed the young Sayajirao III, who obtained sovereign powers upon reaching his majority in 1881.<sup>4</sup> In both contexts, certain British officials sought to retain their ability to intervene in Baroda's internal politics and strategically pursued or ignored corruption cases to this end. Between the

---

Co., 1853), 138. Other commentators simply translated it as 'corruption'. See Indus, *Bombay Briberies; a Tale of the Present Charter* (London: Effingham Wilson, 1853), 4-5.

<sup>3</sup> David Hardiman, "Baroda: The Structure of a Progressive State," in *People, Princes and Paramount Power. Society and Politics in the Indian Princely States*, ed. Robin Jeffrey (Delhi: Oxford University Press, 1978).

<sup>4</sup> Stanley Rice, *Life of Sayaji Rao III, Maharaja of Baroda* (London: Oxford University Press, 1931), 28.

1840s and 1850s, high-ranking members of the Bombay government strategically *frustrated* or neutralised prosecutions of indigenous officials and bankers who were either attached to the Residency or held ‘guarantees’ from the Company, even though Outram thought he had compiled more than sufficient evidence of their corrupting influence. In the 1890s, Biddulph and his colleagues positively *promoted* a prosecution against an allegedly corrupt official, Bapat, to regain their influence. In so doing, they aimed to chasten the strong-willed Sayajirao and curtail the influence of F. A. H. Elliot, his former tutor, adviser and head of the Baroda Alienation Department. These affairs revealed a lack of consensus in colonial circles as to what counted as corruption and to what extent it was tolerable.

This diversity of responses stemmed in part from the legal ambiguity of the relations between the princely state and the British. Such uncertainty fostered both the attempts at undue indigenous influence — members of the khutput ring saw themselves as virtually immune from prosecution, a perception apparently shared by the Bombay hierarchy — and the British determination to retain or increase influence. Having signed a treaty in 1805 to pay for protection by EIC troops, the gaekwars remained vested with a nebulous amount of internal sovereignty under the supervision of an assigned British ‘resident’. Historians have noted that the ‘Company rarely provided its Residents even with explicit *principles* of guidance and only occasionally with specific instructions’.<sup>5</sup> Few were schooled in the technicalities of international law and diplomatic practice. The ensuing ambiguity resulted in chronic disputes over legal jurisdiction. As Priyasha Saksena has recently argued, there were two very different ways of regarding sovereignty in the second half of the nineteenth century: one as ‘divisible and flexible’ and the other as ‘absolute and territorial’.<sup>6</sup> The former allowed the British to enlist the princes as “allies” in the imperial project, while also affirming their right to intervene in the internal affairs of the states’.<sup>7</sup> But after the mid-1860s, some native rulers began to entertain a concept of absolute, territorial sovereignty that threatened British influence. Chief ministers such as Madhava Rao, who had overseen Baroda’s transformation into a model state, urged these princes to replicate European administrative forms and thereby rob the Government of India of any pretext for meddling. As the nature of native sovereignty remained contested, colonial agents in the residencies and provincial governments were anxious to preserve their powers of interference in princely affairs. Their level of toleration for corruption was directly informed by this concern.

---

<sup>5</sup> Michael Fisher, *Indirect Rule in India: Residents and the Residency System, 1764-1858* (Delhi and New York: Oxford University Press, 1991), 66.

<sup>6</sup> Zak Leonard, “Law of Nations Theory and the Native Sovereignty Debates in Colonial India,” *Law and History Review* 38, no. 2 (2020): 374-407; Priyasha Saksena, “Jousting Over Jurisdiction: Sovereignty and International Law in Late Nineteenth-Century South Asia,” *Law and History Review* 38, no. 2 (2020): 409-457.

<sup>7</sup> Saksena, “Jousting over Jurisdiction,” 416.

What constituted corruption was not always clear, whether in Britain (where electoral bribes were a problem into the late nineteenth century) or in the South Asian context.<sup>8</sup> The Regulating Act of 1773 forbade the receipt of presents from natives, but the propriety of gifting remained ambiguous and contested.<sup>9</sup> In 1829, Edward Colebrooke, a resident stationed at the Mughal court in Delhi, was found guilty on twelve counts of accepting *nuzzarana* (a ceremonial payment to a superior) and bribes totaling £10,000. As Anubha Anushree notes in this volume, he defended his conduct by suggesting that the cessation of gift exchanges would perilously estrange the British from their 'Native subjects and allies'.<sup>10</sup> Yet Colebrooke's censure did not dissuade later officials from attempting to replicate indigenous patronage practices. Arthur Crawford, the popular Municipal Commissioner of Bombay, was perhaps the most prominent offender in this regard in the later nineteenth century. Heavily indebted to native moneylenders, he enlisted his go-between, the Brahmin Hanmantrao Ramchandra Shirhatti, to solicit 'gifts' from the revenue-collecting *mamlatdars* who were seeking professional favors or simply wanted to remain in Crawford's good graces. The Commissioner upheld this patrimonial order by outfitting his Poona residence as a miniature *darbar*, where he received these subordinates and collected *nuzzarana*.<sup>11</sup> While Crawford's self-anointment as the virtual 'king of the people' was too much for the Bombay government to bear, administrators in North India tolerated the acceptance of more modest emoluments such as *daalii* (traditional gifts) and *dasturi* (a commission to an intermediary for a service rendered) well into the twentieth century.<sup>12</sup>

---

<sup>8</sup> Michael Cowen, *Doctrines of Development* (London and New York: Routledge, 1996), 74. For disputes over corruption in Britain before 1850, see Mark Knights, *Trust and Distrust: Corruption in Office in Britain and its Empire, 1600-1850* (Oxford: Oxford University Press, forthcoming).

<sup>9</sup> In prosecuting former Governor-General Warren Hastings, Edmund Burke contended that the distinction between legitimate gift-giving and bribes was readily apparent in the Persian language. See Vinod Pavarala, "Cultures of Corruption and the Corruption of Culture: the East India Company and the Hastings Impeachment," in *Corrupt Histories*, eds. Emmanuel Kreike and William Chester Jordan (Rochester, NY: University of Rochester Press, 2004), 313-315.

<sup>10</sup> See also Katherine Prior, Lance Brennan, and Robin Haines, "Bad Language: the Role of English, Persian and Other Esoteric Tongues in the Dismissal of Sir Edward Colebrooke as Resident of Delhi in 1829," *Modern Asian Studies* 35, no. 1 (2001): 105; Margot Finn, "Material Turns in British History: II. Corruption: Imperial Power, Princely Politics and Gifts Gone Rogue," *Transactions of the Royal Historical Society* 29 (2019): 1-25; Knights, *Trust and Distrust* (Oxford, forthcoming), chapter 2.

<sup>11</sup> Knut Auckland, "Connecting British and Indian, elite and subaltern: Arthur Crawford and corruption in the later nineteenth century Western India," *South Asian History and Culture* 4, no. 3 (2013): 323.

<sup>12</sup> William Gould, *Bureaucracy, Community, and Influence in India: Society and the State, 1930s-1960s* (New York: Routledge, 2011), 82-86.

Allegations of corruption in colonial India were often tied to illicit personal gain, but they could also be attributed to racially-coloured views of native agents. Commentators on the Crawford case, for instance, identified Hanmantro as an ‘evil genius’ who wielded a great influence over his employer.<sup>13</sup> The evidence from the khutput enquiries on the matter proved conclusively that bribes were frequently paid ‘not to British dispensers of patronage but natives who may be supposed to have influence over them’. Callie Wilkinson has recently suggested that these fears of native manipulation were especially acute in the administrations of the princely states. While British residents might resent their dependence on their native aides (or munshis) and stereotype them as crafty and duplicitous, a ‘vertical relationship of mutual obligation’ could also develop that led them to acknowledge ‘a certain responsibility for their munshis’ welfare, even after the working relationship ended’.<sup>14</sup> Both of these dynamics were evident in the cases that we present in this chapter. After Outram implicated the Residency’s native agent, Nursoo Punt, in a khutput ring, he became highly suspicious of Revenue Secretary Lestock Reid’s inexplicable intervention to salvage Punt’s reputation. And when Biddulph grew frustrated with the gaekwar’s sweeping fiscal reforms, he amplified rumors that Elliot had come under the thrall of his corrupted underling, Bapat.

**Outram’s ‘Crusade’ against Khutput.** Outram’s run-ins with the ‘corruptionists’ of the khutput ring began in 1835 when he was appointed Political Agent of the Mahee Kanta, a semi-independent district of Gujarat subordinate to the Baroda Residency. A distinguished soldier known for his pacification of the turbulent Bhil tribes, Outram was sent there because the area had a reputation for lawlessness and little respect ‘for the British name’.<sup>15</sup> He witnessed this firsthand when Sarabhoy, the native head of clerks and a member of the Nagur Brahmin caste, began filling the Resident’s office with ‘his immediate personal connections’.<sup>16</sup> The Nagurs were a tight-knit clique united by kinship and interest, with extensive connections within the gaekwar’s durbar and Baroda’s bank. Yet time and time again, Bombay officials seemed reluctant to push prosecutions or enforce penalties against the Nagurs when they were accused of corruption, consolidating local belief that they were being secretly influenced. In 1837-8, for example, derisory action was taken against Sarabhoy for bribery in relation to the succession of a local chieftain whose lands yielded valuable revenues. The year before, Bombay failed to pursue Motee Lall Purshotum, who had been accused of offering a bribe to an EIC officer to

---

<sup>13</sup> “‘The Times’ on the Crawford Case,” *Madras Mail*, July 26, 1889, 6.

<sup>14</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, no. 5 (2019): 1598.

<sup>15</sup> Indus, *Bombay Briberies*, 2.

<sup>16</sup> John Chapman, *Baroda and Bombay; their Political Morality* (London: John Chapman, 1853), 11-15.

prevent a corruption investigation. Another of the Nagurs, Daddo Punt, was also accused of corruption in 1837, but the investigating officer was informed by his superiors that 'there was no law by which a Government servant receiving bribes at Baroda could be punished otherwise than by dismissal', a problem caused by the legal pluralism that will be discussed later. Punt was released and the most serious charge against him quashed. That nearly all those accused evaded any significant punishment was due in part to legal technicalities and the Nagurs' intimidation of potential witnesses. Outram left Baroda in 1838 to fight in Afghanistan, but when he was appointed as Resident of Baroda in 1847, he found that khutput was 'as rife and rampant as ever'.<sup>17</sup>

The peculiar relations between Bombay officials and the alleged Nagur khutputists resulted from the financial system that supported the court. Unlike many princes, the gaekwars lacked their own treasury and had long been dependent on a handful of powerful banking houses to subsidize their regimes' operations. To secure the payback of these loans as well as their personal safety, the bankers employed a legion of Arab mercenaries who numbered 7,000 in 1802.<sup>18</sup> In soliciting an alliance with the gaekwar, the Company raised ten lakhs of rupees to pay off the Arabs and stepped into their role as the guarantor of select bankers. An early resident lauded this *bhandari* system for offering yet 'another mode of extending the Company's influence'.<sup>19</sup> Regarded as 'an act of condescension and favour', the distribution of guarantees would aid the British in establishing profitable connections with Baroda's 'monied men'.<sup>20</sup> For their part, the Bombay authorities believed they had obtained 'the right to a uniform and systematic participation in the internal authority of the Gaikwad's government'.<sup>21</sup> But while the British simply pledged to safeguard guaranteed individuals 'against injustice', the inhabitants of Baroda presumed that they enjoyed unlimited protection.<sup>22</sup> In one notorious

---

<sup>17</sup> F. J. Goldsmid, *James Outram: A Biography*, vol. 2 (Cambridge, 1880), 22.

<sup>18</sup> S. V. Kothekar, *The Gaikwads of Baroda and the East India Company, 1770-1820* (Nagpur: Nagpur University, 1977), 95.

<sup>19</sup> East India, 1853. *Return of the Subjects of His Highness the Guicowar Now Enjoying the British Guarantee* (HC, 883), 39.

<sup>20</sup> Other colonial agents worried that the British could not 'support the usurious and grasping speculations of the loan contractors of India, without raising them into political influence, and without gaining the reputation of being [themselves] governed by sordid and unworthy motives'. See John Sutherland, *Sketches of the Relations Subsisting between the British Government in India, and the Different Native States* (Calcutta: G. H. Huttman, 1837), 97.

<sup>21</sup> F. A. H. Elliot, *The Rulers of Baroda* (Bombay: Education Society's Press, 1879), 99.

<sup>22</sup> *Return of the Subjects of His Highness the Guicowar*, 63. See also Mani Kamerkar, *British Paramountcy: British-Baroda Relations, 1818-1848* (Bombay: Popular, 1980), 124.

case, guarantee-holder and ousted minister Dhackjee Dadajee managed to swindle the gaekwar out of £50,000 by claiming to possess the Company's favor.<sup>23</sup>

Nagur bankers and their relatives who boasted hereditary guarantees also appealed to the Company to advance their legal claims and seemingly won protection from the British, even after evidence of their malfeasance. The accusations centred on Baba Nafra, who had secured control over the daily management of the prominent Huree Bhugtee bank after his co-partner Bechur Samuldass died in 1845. Three months after Samuldass' death, his younger widow, Joitabae Setanee, had given birth to a son who stood to inherit his father's share of the operation. When Joitabae began to accuse Nafra of embezzlement, he hatched a scheme to secure his assets by claiming that she had *not* in fact given birth, but rather had purchased a child from a family of servants. Citing dubious evidence of this deception,<sup>24</sup> Nafra ordered Joitabae into confinement and returned the boy to his 'ancestral' village, where he soon died from cholera. Joitabae's mother managed to escape to Bombay and petitioned the government to intervene on her daughter's account. Outram was convinced that she and her dead child had been victims of Nagur foul play and began an investigation in 1847; he was soon questioning the necessity of guarantees that led malcontents like Nafra to believe that they 'enjoy[ed] an immunity from all law'.<sup>25</sup> But when ill health forced Outram to take a break from duties in the autumn of 1848, his temporary replacement, Captain French, left Joitabae to the mercy of the *panchayat* (court of arbitration) in Baroda that was stacked with Nafra's sympathizers. Upon his return in May of 1850, Outram was disturbed to find that no action had been taken against the Nagurs and that French had hastily dismissed the case, suspecting that the latter had been unduly manipulated by the Residency's native agent, Nursoo Punt. In the past, Outram had received credible tips that Nursoo — who was closely tied by marriage alliances to Nafra — was obstructing legal cases involving Huree Bhugtee. Outram had permitted Nursoo to quietly retire, but Reid intervened and urged him to withdraw his resignation.<sup>26</sup>

In 1850, Baba Nafra's ill-treated underlings admitted that he had bribed two servant families to claim that Joitabae's child was their own.<sup>27</sup> Soon after, Outram secured the

---

<sup>23</sup> After the gaekwar dismissed Dadajee from service for embezzlement, the Court of Directors intervened and restored his tax-free holdings that had been confiscated as punishment. For a synopsis of this affair, see Government of Bombay to the Court of Directors, May 1, 1843, British Library (BL), IOR/F/4/2034/92213, ff. 41-57. It was later alleged that the gaekwar had provided Dhackjee with 60,000 rupees to bribe Reid. See Indus, *Bombay Briberies*, 25.

<sup>24</sup> *Copies of all Correspondence and Papers on the Subject of Colonel Outram's Removal from the Office of Resident at the Court of the Guicowar, or on the Subject on the Alleged Corruption of Officers of the Bombay Government with Bribes from Baroda* (HC, 560), 413.

<sup>25</sup> *Return of the subjects of His Highness the Guicowar*, 5-6

<sup>26</sup> Indus, *Bombay Briberies*, 39.

<sup>27</sup> *Copies of all Correspondence and Papers*, 382.



(temporary) support of the gaekwar, who authorized the seizure of Nafra's personal papers and those of the bank.<sup>28</sup> Although the gaekwar's chief of police was complicit in 'destroying, erasing and altering' them, the surviving documents provided damaging evidence of bribery payments of £30-40,000 that had facilitated Joitabae's dispossession. One memorandum drawn up by Nafra also implicated former acting Resident of Baroda W. C. Andrews, who apparently 'died, suffering from, if not killed by, the anxiety following' its discovery.<sup>29</sup> After these revelations, Outram pressured the gaekwar to appoint a second *panchayat*, which found that Nafra was complicit in the abduction and death of Joitabae's son. His punishment was a fine of 15,500 rupees and seven years' imprisonment. While Outram was combing through the bank's papers to determine the extent of the fraud, he also discovered that Nafra had placed £8,000 at the disposal of an intermediary named Joteshwur for the purpose of bribing Reid.<sup>30</sup> While Joteshwur did not approach Reid directly, he did leave the money with R. D. Craig, a mixed-race clerk in the Secretary's Office who absconded to Calcutta thereafter. The hierarchy in Bombay was quite willing to portray Craig as the corrupted villain of the piece, but Outram was not convinced that khutput was limited to the lower rung of the bureaucracy.<sup>31</sup> In his private correspondence, he clarified that he was contending with a 'foul system of bribery and corruption which has so long prevailed at this petty durbar, and indeed in every British office throughout Government'.<sup>32</sup> He felt he had received 'no support from the Bombay govt, every member of which is supposed by the natives to be as corrupt as themselves'.

The documents recovered from Huree Bhugtee further indicated that Nafra had bribed Nursoo Punt with a payment of 78,000 rupees (£6,500) in 1848. Bombay therefore approved Outram's request to stage an inquiry into Nursoo's conduct before a special commission in accordance with the new Public Servants Act (XXXVII of 1850).<sup>33</sup> Charged with seven crimes, Nursoo in the end was only found guilty of betraying the resident's trust and making 'ill use of Reid's name' to boast of his favored status; he was dismissed from service and barred from future employment under the Company. This was, then, only a minor victory for Outram, who had been unfamiliar with the procedures of the civil *adalat* courts (which the tribunal employed) and had been precluded from presenting his own testimony as evidence.

---

<sup>28</sup> The gaekwar had perhaps been alienated by Baba Nafra's mismanagement and plundering of the bank — he was said to have taken £70,000 in jewels and £50,000 in money from its treasure chests. See Chapman, *Baroda and Bombay*, 99.

<sup>29</sup> *Ibid.*, 73, 140.

<sup>30</sup> *Ibid.*, 63.

<sup>31</sup> Outram, *Baroda Intrigues*, 120. Outram suspected that Craig's disappearance had resulted from the 'exposure of his relations with his sister-in-law, with whom he had been conducting adulterous intercourse'.

<sup>32</sup> James Outram to John Jacob, December 29, 1850, BL, Mss Eur F75/3.

<sup>33</sup> *Copies of all Correspondence and Papers*, 1011-1017.

Undeterred, Outram urged Bombay to confirm Nafra's criminal sentence and produced an expansive and inflammatory khutput report in November 1851 that resembled 'an awful recapitulation – a sort of Doomsday catalogue of crimes unexpiated'.<sup>34</sup> But just as his triumph over the Nagurs seemed imminent, Outram was dismissed. The *Bombay Guardian* reported that this was his 'reward for being too honest for a British Resident at a Native Court, and for wishing to put inquiries into the corrupt practices of the Baroda Durbar to an extent that might prove inconvenient to the fosterers of the khutput system'.<sup>35</sup> Outram only managed to obtain some resolution to this saga when, following his re-appointment in 1854 at the insistence of the Court of Directors in London, he secured the dismissal of the gaekwar's chief minister, Bhow Tambekur, who had protected the Nagurs and had engaged in bribery himself.<sup>36</sup>

**The Bapat Commission** The Bapat case in 1894-5 was no less remarkable, given that Baroda was considered by then to be a 'model state' of European influence. Bapat's alleged corruption occurred in the Alienation Department which was a product of the reformed state's long-running campaign for fiscal viability. When Sayajirao was still a child, minister Madhava Rao had made a concerted effort 'to enforce economy in expenditure, to restrain waste, to reduce extravagance, and to prevent losses arising from corruption and malversation'.<sup>37</sup> To further streamline property-holding and revenue collection in the early 1890s, Sayajirao attempted to replicate the Bombay Hereditary Offices Act and regulate the possession of *vatans*, or hereditary claims 'to perform a particular kind of labor and receive certain payments and perquisites'.<sup>38</sup> His new rules, however, 'gave rise to discontent and agitation' throughout Baroda.<sup>39</sup> The origins of this ill-feeling could be traced back to the gaekwar's former tutor Elliot, who supervised the division of *vatans* and determined disputes between their holders in a way that brooked no challenge to his decisions. The prosecution in the Bapat case would claim that the accused had acted in a similarly arbitrary manner in Elliot's absence, widely accepting bribes from *inamdars* who were keen to safeguard their tax-free property holdings from confiscation.

---

<sup>34</sup> Indus, *Bombay Briberies*, 72.

<sup>35</sup> *Bombay Guardian*, January 23, 1852. Cited in J. R. B. Jeejeebhoy, *Bribery and Corruption in Bombay* (Bombay: Sanj Vartaman Press, 1952), 194.

<sup>36</sup> Goldsmid, *Outram*, 73, 84; Chapman, *Baroda and Bombay*, 132.

<sup>37</sup> Rice, *Life of Sayaji Rao III*, 24.

<sup>38</sup> Rachel Sturman, *The Government of Social Life in Colonial India: Liberalism, Religious Law, and Women's Rights* (Cambridge: Cambridge University Press, 2012), 98-99. A *vatandar* might be tasked with tax collection or else ensure the maintenance of village records. This role rotated between male family members until the 1874 Watan Act endowed the eldest male with sole power.

<sup>39</sup> *Kaiser-i-Hind*, February 18, 1894.

After reading an account of rampant corruption under Elliot's watch in the *Ahmedabad Times*, Colonel Biddulph appointed A. F. Maconochie of the Settlement Department to gather evidentiary materials via a Special Commission (in keeping with the terms of Act XXXVII of 1850). It would be tempting to approach this commission as a simple attempt to smear the gaekwar — one scholarly descendant of Sayajirao has done just that.<sup>40</sup> However, both English and vernacular newspapers throughout India represented the four-month trial as a legitimate inquiry into the operations of a controversial bureaucratic entity.<sup>41</sup> A sizeable crowd attended the first meeting of the Bapat Commission in late September of 1894 to watch a clash between two heavyweights in the legal field. Former Indian National Congress president Pherozeshah Mehta led the prosecution, while Bapat's defense team included luminaries such as B. G. Tilak. Bapat initially faced thirty-five charges of bribery, as many disgruntled *inamdars* who had acceded to his demands testified to a clear pattern of extortion in the Alienation Department. These property holders had 'received messages to settle with Bapat' if they wished to resolve lingering boundary disputes in their favor; if they refused, the cases were suddenly 'taken up and adversely decided'.<sup>42</sup> At that point, Bapat would demand bribes ranging from 1,200 to 10,000 rupees.

Having served Bapat in various capacities over fourteen years, the banker Girdharlal emerged as the prosecution's star witness during two weeks of questioning. While Bapat alternately insisted that he did not keep regular books and that his personal papers were unobtainable, Girdharlal showed the court the receipts in the form of 'benami accounts, a species of book-keeping well known in India'.<sup>43</sup> To conceal his acceptance of bribes and their conveyance to Bapat, he recorded these dealings in his ledgers as payments to a number of fictitious personages. The prosecution also made quick work of Bapat's objection that he could not be accused of corruption if the bribers were unsuccessful in their cases. Looking to the Indian Penal Code for guidance, they noted that 'a person receiving a bribe under pretense of doing what he does not really intend to do' was equally punishable under the terms of Section 161.<sup>44</sup> When his defense's legal maneuverings foundered, Bapat fell back on the argument that the Commission was 'the outcome of a vast conspiracy originated and organized in the Residency'. Although this allegation was not completely unfounded, the prosecution at the time diagnosed Bapat with a persecution complex. Mr. Branson, who had taken over for Mehta,

---

<sup>40</sup> Fatesinhrao Gaekwad, *Sayajirao of Baroda, the Prince and the Man* (Bombay: Popular Prakashan, 1989), 159-164.

<sup>41</sup> "The Alleged Bribery at Baroda, First Day of the Commission," *The Times of India*, September 26, 1894, 5.

<sup>42</sup> "The Baroda Commission," *The Times of India*, October 2, 1894, 5.

<sup>43</sup> "The Bapat Case," *The Times of India*, October 14, 1894, 4; "The Baroda Commission," *The Times of India*, January 18, 1895, 5.

<sup>44</sup> "The Baroda Commission of Enquiry. The Final Speech for the Prosecution," *The Times of India*, January 18, 1895, 6.

could hardly imagine ‘that the seventy or eighty witnesses called were perjured up to their eyes to the knowledge of high officials, supported by fabricated evidence, the witnesses having been tutored, bribed, threatened...into giving false evidence’ all for the ‘villainous purpose of procuring the corrupt judicial destruction of an absolutely innocent man’.<sup>45</sup> Noting that Bapat himself had been aware of widespread rumors that ‘no business could be done in his department without money’, Branson surmised that there was ‘no smoke without fire’.<sup>46</sup>

It took the Commission four months to assemble its final report and find Bapat ‘guilty in respect of eleven of the twelve charges of receiving bribes’.<sup>47</sup> The gaekwar mulled the case over until October, at which point he determined that Bapat was ‘freed of the charges’ while simultaneously calling for his dismissal. This decision took many aback, as did the fact that he had relied on the counsel of newly appointed Naib Dewan Mr. Pandit — a partisan Maratha who had been excluded from the Commission on account of his blatant pro-Bapat sympathies. Effectively acquitting Bapat, the gaekwar seemingly accepted the defence’s unsubstantiated argument that the Residency had ‘got up’ the case and fabricated evidence. Fearing a public relations nightmare, Maconochie fumed that ‘no British officer should sit quiet under such a monstrous imputation’.<sup>48</sup> And yet, he attempted to take the higher ground and remained silent while ‘all Gujrat’ boiled ‘with indignation at the Gaekwar’s interference with justice’.

### **Politicizing Corruption**

What, then, can we conclude from these two cases? The first point is that the British authorities acted very differently to allegations of corruption and that political considerations determined both what constituted corruption and whether or not to prosecute it. The khutput debacle shows that the EIC either refused to investigate and punish behaviour that Outram drew to its attention as corrupt, or implemented penalties so mild as to be meaningless (except against Outram himself). In the Bapat scandal, on the other hand, British authorities seemed very keen to push a commission of enquiry and to prosecute. Yet these different responses to allegations of corruption were both geared towards maintaining or even extending British power. In obstructing Outram’s inquiries, the Bombay government wished to retain the system of guarantees that gave them a foothold in Baroda’s internal politics and suppressed the revelation of khutput to ensure its continuance. In the early 1890s, Biddulph and his colleagues began to resent Elliot for wielding undue influence over Sayajirao and enabling his ill-considered reforms. They mistakenly anticipated that an investigation into Bapat’s corrupt deal-

---

<sup>45</sup> “The Baroda Commission,” *The Times of India*, January 16, 1895, 5

<sup>46</sup> “The Baroda Commission,” *The Times of India*, January 22, 1895, 5.

<sup>47</sup> *Lahore Tribune*, June 1, 1895, 1.

<sup>48</sup> A. F. Maconochie to W. J. Cunningham, October 16, 1895, BL, IOR/R/1/1/162, f. 15.

making in Elliot's Alienation Department would humble the gaekwar and remind him of his subordinate position in the colonial feudal order.

One of Outram's defenders pithily summarised the different options available in the face of systemic corruption:

Where a habit of dishonesty of any kind prevails, two courses are open in respect of it: 1st, to resist and expose it whenever it affects our own interests or proceedings; or, 2ndly, to bear with it, satisfied with the total result, although that result be diminished by this adverse influence.<sup>49</sup>

Outram had taken the first; the Bombay government had taken the second. In an official minute, Governor Falkland claimed that Outram was jeopardizing good relations with the gaekwar and was being manipulated by natives who were 'seeking to turn his monomania to advantage in the attainment of their own ends'.<sup>50</sup> He further determined that Outram lacked the 'tact, calmness of mind and discretion indispensable to the maintenance, on a satisfactory footing, of our political relations with the Baroda Government' and berated him for thinking that his post gave him 'some independent authority of his own'. Falkland therefore declared that the Resident was

not placed at Baroda as a governing power, nor is it consistent with his duty to interfere with the actual Government of the country, further than by exercising a personal influence, which may enable him, without direct and visible interference, to sway the councils of the Durbar for the benefit of the people and the interests of the British power which he represents.<sup>51</sup>

This statement, however, was somewhat disingenuous given the indirect power that the EIC itself continued to wield over the gaekwar. Unsettled by Outram's dogged advocacy of Joitabae's cause, Bombay Council members preferred to avoid a scenario in which 'every appeal to the Resident...by a guaranteed subject, will be viewed as an act of rebellion against his lawful prince'.<sup>52</sup> And yet, they refused to materially alter the *bhandari* system that undergirded their influence and denied that guaranteed individuals such as Nafra were flouting the law with abandon. Reid even advised against cancelling Huree Bhugtee's *bhandari*, noting that 'commercial morality' was simply at 'not so high a standard among our countrymen in India'.<sup>53</sup>

---

<sup>49</sup> Chapman, *Baroda and Bombay*, 124-5.

<sup>50</sup> *Ibid.*, 116-7.

<sup>51</sup> *Ibid.*, 129.

<sup>52</sup> *Copies of all Correspondence and Papers*, 402, 406.

<sup>53</sup> *Return of the subjects of His Highness the Guicowar*, 46-47.

This same concern to preserve and extend colonial power would provide the impetus for the formation of the Bapat Commission in 1894. Whereas the Bombay Council in the 1850s looked upon the guarantees as a necessary evil to keep the gaekwars in line, later administrations boldly experimented with reforming the court's culture and refashioning the Baroda bureaucracy. Under Elliot's tutelage, Sayajirao developed a passion for improvements such as educational and infrastructural projects; tours throughout Europe further expanded his horizons, leading him to borrow 'expressed and implied ideas' that would 'mould modern Baroda'.<sup>54</sup> This construction of a model state that was partially but not entirely Western in appearance began to provoke uneasiness amongst the colonial policymakers who had initially approved of such experiments.<sup>55</sup> As princely administrations were 'universally extolled in the Native Press as a sample of the best form of Home Rule', agents in the Indian Foreign Department also feared they might testify to the obsolescence of the colonial presence. They were therefore adamant that these success stories 'owe[d] all their distinctive features to the recent application of British methods of British officers to the states'.<sup>56</sup> Even the secretary of state for India publicly confirmed that 'governments have always hated and discouraged independent and original talent...and promoted docile and unpretending mediocrity'.<sup>57</sup> It was this official mindset that soured relations between the gaekwar and the Residency in the mid-1890s. Biddulph bridled at Sayajirao's presumption 'that the Baroda State [was] practically equal with the British government'; such thinking implied that the colonial state had 'no more right to interfere in the affairs of Baroda than...in the affairs of Denmark or Portugal'.<sup>58</sup> This resentment was apparently mutual, as the gaekwar was reportedly 'discontented' and felt 'aggrieved especially by the present Resident' who regarded his 'actions, administrative measures, and motives' with suspicion.

Biddulph was convinced that Elliot had encouraged the gaekwar to adopt an absolutist, territorial conceptualization of sovereignty that militated against the Residency's supervision. Sayajirao's unorthodox decision to retain his former tutor had been controversial since the outset, as the Government of India thought 'it would never do to have an irresponsible English adviser practically ruling Baroda over the heads of the Dewan and Council'.<sup>59</sup> Those authorities relented in 1883 after the gaekwar offered to provide Elliot 'more legitimate occupation' in the

---

<sup>54</sup> Rice, *Life of Sayaji Rao III*, 83.

<sup>55</sup> Manu Bhagavan, "Demystifying the 'Ideal Progressive': Resistance through Mimicked Modernity in Princely Baroda, 1900-1913," *Modern Asian Studies* 35, no. 2 (2001): 386.

<sup>56</sup> William Lee-Warner, *The Protected Princes of India* (London: Macmillan and Co., 1894), 124.

<sup>57</sup> Sir John Gorst, Speech to House of Commons, June 16, 1891, *Parliamentary Debates*, Commons, 3<sup>rd</sup> series., vol. 354 (1891) col. 567.

<sup>58</sup> Gaekwad, *Sayajirao of Baroda*, 171.

<sup>59</sup> 'Memorandum of Mr. Elliot's connection with Baroda,' BL, IOR/R/1/1/162, f. 11. See also 'Appointment of Mr. F. A. H. Elliot as Supt. Of Revenue Survey and Settlement of Baroda State,' National Archives of India, Bombay: Foreign, 1883-06, nos. 216/224.

Revenue Department. By 1891, the latter had expanded his portfolio and was authorized 'to supervise all State Departments and see if the orders issued from time to time were carried out, and to submit reports on all departments after his inspection'.<sup>60</sup> Meanwhile, Biddulph had become convinced that he would be 'unable to exert his own personal influence over His Highness' and attempt any rapprochement so long as Elliot continued to have Sayajirao's ear.<sup>61</sup> The resident later claimed that he had made Elliot aware of rumors that the Alienation Department was awash in corruption and bribery; he even recalled that Elliot had received an anonymous petition warning him not to fall under 'the evil influence' of Bapat.<sup>62</sup> The Bapat Commission's findings thus supported the Residency's political objective to undermine Elliot's influence and ward off challenges to its own. For Biddulph, it was readily apparent that Elliot had 'given protection and immunity to a vast system of organized corruption that would never have reached the proportions it did but for the attitude taken up by him'.<sup>63</sup> But the new resident, Colonel N. C. Martelli, implied that his predecessor's attempt to reassert colonial paramountcy had gone too far. It was one thing to put self-directing princes in their place and quite another to undermine the model state experiment altogether. Because Biddulph had kicked a hornet's nest, Martelli was forced to reckon with the reality that the 'the administration under the cloaks of codes, law, regulations, and high-paid officials' was 'anything but sound'.<sup>64</sup>

In both of the cases under examination, officials' differing political agendas resulted in incongruous conceptions of what actually constituted corruption and which malpractices demanded intervention. The Bombay authorities, for instance, charged Outram with tilting at windmills and portrayed khutput as a quotidian behaviour that the colonial power could hardly rectify. For Governor Falkland, what was termed khutput was 'inseparable in the ideas of an Asiatic from the possession of power which he believes to be absolute'.<sup>65</sup> Under despotic rule, intelligent Indians would naturally attempt to sway a monarch by influencing those who surrounded him rather than trusting 'to the abstract justice of their cause'. And because such techniques yielded dividends in Baroda, the khutputists logically presumed they would work in Bombay as well. Falkland implied that Outram was peculiarly deluded if he believed he could single-handedly induce the inhabitants of Baroda 'to disbelieve the efficacy of khutput all over the world'. In his personal rebuttal to Outram, Reid also pointed to 'the total absence of even the semblance of political morality in the Baroda court'.<sup>66</sup> The comportment of the bribers in

---

<sup>60</sup> J. Biddulph to W. J. Cunningham, February 20, 1895, BL, IOR/R/1/1/162, f. 8.

<sup>61</sup> *Ibid.*, f. 5.

<sup>62</sup> *Ibid.*, ff. 2-3.

<sup>63</sup> "Report of Colonel Biddulph," BL, IOR/R/1/1/162, f. 4.

<sup>64</sup> N. C. Martelli to W. J. Cunningham, May 29, 1895, BL, IOR/R/1/1/162, f. 7.

<sup>65</sup> *Copies of all Correspondence and Papers*, 400-402, 1284.

<sup>66</sup> Lestock Reid, *Letter to the Editor of the 'Daily News'* (London: Smith, Elder & Co., 1853), 64.

Baroda was not immoral but rather *amoral*. Khutput was simply a means to an end rather than the violation of a supreme behavioral code.

For Outram, however, khutput represented corruption pure and simple. Yet he claimed that he ‘never entertained a Quixotic design of rooting out corruption from amongst the natives of India’.<sup>67</sup> Instead, he hoped ‘to be supported by Government, in showing that high British functionaries were incorruptible’ — so much the better to preserve the empire. The ‘vindication of the purity of the British name’ was thus essential to strengthening and legitimising colonial rule.<sup>68</sup> Sincere and energetic in what he called his ‘crusade against corruption’,<sup>69</sup> he nevertheless sought to root out bribery and undue influence over his British colleagues in order to vindicate and legitimise British influence. Outram and Bombay had similar imperial aims but different ways of achieving them, different views of where the danger of corruption lay, and different ideas about whether some forms of corruption could be tolerated.

Officials in the 1890s favoured varying anti-corruption measures depending on whether they considered Sayajirao to be a belligerent monarch or a sympathetic, unsuspecting victim who required colonial assistance. Such help might even be necessitated by the malign influence of Elliot’s wife. Captain W. Evans-Gordon, who was supervising the gaekwar’s European tour in 1894, found the prince to be a ‘very intelligent and a really pleasant companion’ and assured the Foreign Secretary that he was not in danger of abdicating his duties (as Biddulph had implied).<sup>70</sup> Yet Evans-Gordon feared that Sayajirao’s legitimate efforts to restore his health were being jeopardized by Mrs Elliot who Biddulph thought to be actively undermining the gaekwar’s rule for her own corrupt self-gain.<sup>71</sup> Evans-Gordon, however, was rather more concerned that Mrs. Elliot was conspiring to send Sayajirao to an early grave in anticipation that Gajra Bai would be appointed regent upon his demise; as a close confidant, she would surely benefit from this reshuffle.<sup>72</sup> As the Bapat Commission was finalizing its report in May of 1895, Evans-Gordon was doggedly reminding his superiors that Mrs. Elliot was a ‘thoroughly dangerous intriguing woman, whose unscrupulousness it is impossible to exaggerate’.<sup>73</sup> The British were thus deeply divided amongst themselves.

## Publicizing Corruption

---

<sup>67</sup> Chapman, *Baroda and Bombay*, 119.

<sup>68</sup> *Ibid*, 122. See also Ronald Kroeze’s chapter in this volume.

<sup>69</sup> Goldsmid, *Outram*, 52.

<sup>70</sup> W. Evans-Gordon to W. J. Cunningham, February 1, 1894, BL, IOR/R/1/1/140.

<sup>71</sup> “K. W. No. 1: Employment of Mrs. F. A.H. Elliot by the Gaekwar, while in Europe, not sanctioned,” BL, IOR/R/1/1/140; J. Biddulph to W. J. Cunningham, July 26, 1894, BL, IOR/R/1/1/140.

<sup>72</sup> W. Evans-Gordon to W. J. Cunningham, May 16, 1894, BL, IOR/R/1/1/140, ff. 3-4.

<sup>73</sup> W. Evans-Gordon to Neel, May 14, 1895, BL, IOR/R/1/1/140, f. 2.



Both the khutput and Bapat scandals escaped the control of the authorities and quickly became matters of public debate. Metropolitan reformers seized upon the Outram drama as damning evidence that the provincial government in India operated as an *imperium in imperio* with scant accountability. In 1852, a handful of MPs were dissatisfied with the manner in which Company rule would be scrutinized during the charter renewal debates; few natives, they feared, would brave the journey to present testimony before Parliament. News of Outram's dismissal further 'illuminated the dark recesses of Indian despotism and corruption', thereby revealing the necessity of a local commission to examine Bombay's conduct 'at the scene of their action'.<sup>74</sup> Other MPs such as E. H. Colebrooke drew an analogy between the practice of khutput and the archaic patronage system that continued to enrich each director to the tune of £17,000 annually.<sup>75</sup> In its place, they called for the introduction of competitive exams that would be open to native aspirants. For the Company's leadership, this debacle was a source of unmitigated embarrassment. In parliamentary debates, director James Hogg had rejected the notion that any officers 'high in the service of the Bombay government...had ever been convicted of corruption, or had ever had it imputed to them'.<sup>76</sup> But he was forced to admit that 'malpractices...among the subordinate functionaries in the government offices' had 'been continued through many years'.<sup>77</sup> In official correspondence — which Parliament ordered to be submitted to it and then printed — the directors admonished Bombay for allowing this culture of corruption to take root. If the provincial government had any inkling that illicit transactions were taking place in a department but could not identify the perpetrators, they would be justified in dismissing the entire staff.<sup>78</sup>

Hogg's claim that no high-ranking official had been accused of corruption would not hold up for long. Whereas Outram had taken pains to avoid personal attacks against his confederates, an author writing under the pseudonym 'Indus' published a series of letters in the *Daily News* that boldly implicated Reid in the khutput ring. These appeared as a pamphlet in 1852, which went through four editions in less than a year. Glorifying Outram, its author, 'Indus', claimed that he was more than once targeted by the gaekwar's poisoners; even after his withdrawal, 'sacrifices of goats and sheep' were 'carried on, at the order of the Guicowar, in order to effect [his] death'.<sup>79</sup> Indus further noted that Reid's name often appeared in

---

<sup>74</sup> Chisholm Anstey, Speech to House of Commons, April 19, 1852, *Parliamentary Debates*, Commons, 3<sup>rd</sup> series., vol. 120 (1852), col. 830.

<sup>75</sup> Edward Colebrooke, Speech to House of Commons, April 19, 1852, *Parliamentary Debates*, Commons, 3<sup>rd</sup> series., vol. 120 (1852), col. 843.

<sup>76</sup> Sir James Hogg, Speech to House of Commons, April 27, 1852, *Parliamentary Debates*, Commons, 3<sup>rd</sup> series., vol. 120 (1852), col. 1387.

<sup>77</sup> Indus, *Bombay Briberies*, 83.

<sup>78</sup> *Copies of all Correspondence and Papers*, 20. For additional printed material see *Colonel Outram. Return to an Order of the Honourable House of Commons* (1852).

<sup>79</sup> Indus, *Bombay Briberies*, 82.

governmental proceedings as ‘opposed to inquiry, where opposition is possible; or, at least, where that cannot be evaded, as opposed to severity in chastisement’.<sup>80</sup> As a result of this lenience, the Baroda durbar continued to believe that ‘gold can effect anything with the English sarkar’. Once the 1,514-page parliamentary Blue Books on the Baba Nafra case emerged in 1853,<sup>81</sup> Outram received further support in reformist circles. John Chapman, the former promoter of the Great Indian Peninsula Railway who had taken to writing pieces of imperial critique, cast him as a chivalrous defender of Joitabae’s honour and upbraided Bombay for requiring positive proofs that the deceased child was hers by blood.<sup>82</sup> Recapitulating Outram’s career from his Mahee Kanta days to the present, Chapman found it

impossible that a person at Baroda should come to any other conclusion than that the open boast of the corruptionists was substantially true, viz. that secret influence at the seat of [British] Government was the real means of impunity to the evil-doers, and of disappointment, disgust, and in some cases ruin, to those who attempted to check them.<sup>83</sup>

Reid, who was canvassing Company proprietors for election to the directorate, did not help his cause by publishing a rather unconvincing rebuttal. Apart from denouncing Indus as a libeler, he attempted to redeem disgraced minister Nursoo Punt and noted that Outram himself had been targeted by bribers in the past.<sup>84</sup> In a heated rejoinder, Outram insisted that there was an obvious distinction between his comportment and Reid’s. While khutput was certainly pervasive, Outram and other upright officers had notified the authorities immediately upon learning that they were likely targets. Reid, in contrast, had ignored the matter altogether until Indus connected the dots in the *Daily News*. Outram also declared that the Bombay Council’s resistance to his inquiries had ‘tended to rivet more powerfully than ever, in the native community of Baroda, the belief that certain influential and wealthy criminals...enjoyed the secret favour, sympathy, and support of those in power’.<sup>85</sup> Mystified by his adversary’s unwavering loyalty to Nursoo, Outram predicted that a translation of Reid’s recent pamphlet into Gujarati would ‘do more to convince the natives of Baroda of the ‘efficacy of Khutput,’

---

<sup>80</sup> Ibid., 26, 81.

<sup>81</sup> Even Outram thought there was too much material for the public to really take it in. See Goldsmid, *Outram*, 71. For an account of Outram’s previous whistleblowing, see Sarah Ansari, “The Sind Blue Books of 1843 and 1844: The Political ‘Laundering’ of Historical Evidence,” *The English Historical Review* 120, no. 485 (2005): 35-65.

<sup>82</sup> Chapman, *Baroda and Bombay*, 111.

<sup>83</sup> Ibid., 19. Chapman received accolades for his coverage of the Outram case from John Dickinson, who invited him to join his India Reform Society. See John Chapman to Jagannath Sunkersett, April 8, 1853, BL, Mss Eur E234/100.

<sup>84</sup> Reid, *Letter to the Editor*, 22-28.

<sup>85</sup> Outram, *Baroda Intrigues*, 12.

than fifty years will suffice to undo'.<sup>86</sup> Other critics also noted the inherent hypocrisy of Reid's position. A decade earlier during the Dadajee affair, Reid had himself admitted that 'the greatest evil next to the actual prevalence of corruption, is the dissemination of this belief among the masses of the population that it does exist, for the effects in both cases are nearly the same'.<sup>87</sup>

While the Bapat case did not attract such attention in the metropole, it created waves in western India by exposing latent ethnic strife between the Gujarati and Maratha communities. The fact that the three-man Commission was entirely composed of Gujaratis (despite the gaekwar's wishes to the contrary) stoked a 'great violence of feeling...among the Mahrattas of Bombay, Poona, and Baroda, who made it into a race quarrel'.<sup>88</sup> As a result, the prosecution apparently contended with all forms of intimidation. After a 'murderous attack was made on a witness', both Maconochie and those testifying 'were obliged to take special precautions for their own safety.' When the gaekwar returned from his European sojourn in the late winter, he further stoked these tensions by replacing the officers who assisted the prosecution with Maratha civil servants. Native editorialists wrote to the *Times of India* to debate the significance of these politicized transfers. While an anonymous 'Mahratta' assured readers that 'the present shuffling of offices had nothing peculiar in it except in the eyes of jaundiced observers', skeptics warned that enlightened statecraft was incompatible with personal partiality.<sup>89</sup> By July, papers throughout India were reporting that the Bapat investigation 'was regarded by all classes in the Native State of Baroda as a struggle between the Guzerathis and the Mahrattas'.<sup>90</sup>

The gaekwar's surprise rejection of the Commission's recommendations was a shocking development that provoked a good deal of discussion. The *Times of India* reported that Sayajirao had instructed several partisan, pro-Bapat Maratha officials to review the case and had based his decision on 'ex parte information and representations' rather than 'sworn evidence laid before the Commission'.<sup>91</sup> Lacking access to the Commission's report, the *Times of India* also struggled to make sense of the gaekwar's verdict from a legal perspective. It was unclear what the phrase 'freed of charges' signified and how this finding differed from an acquittal.<sup>92</sup> While the *Times* urged the gaekwar to ensure 'what used to be gained by violence is not now gained by craft', the native papers adopted a patently critical tone.<sup>93</sup> A writer for the *Kaiser-i-Hind* thought that a wave of ministerial retirements and resignations suggested that the

---

<sup>86</sup> *Ibid.*, 148.

<sup>87</sup> Lestock Reid to the Court of Directors, June 19, 1843, BL, IOR/F/4/2034/92213, f. 62.

<sup>88</sup> J. Biddulph to W. J. Cunningham, February 20, 1895, BL, IOR/R/1/1/162, f. 1.

<sup>89</sup> A Mahratta, "Baroda Affairs," *The Times of India*, July 4, 1895, 5; On-looker, "Baroda Affairs," *The Times of India*, July 6, 1895, 5.

<sup>90</sup> "Baroda Affairs," *Pioneer*, July 18, 1895, 2.

<sup>91</sup> "The Bapat Case," *The Times of India*, October 5, 1895, 4.

<sup>92</sup> "The Bapat Case," *The Times of India*, October 14, 1895, 4.

<sup>93</sup> "The Bapat Case," *The Times of India*, October 18, 1895, 4

native states were 'more or less out of administrative gear, if not radically rotten to the core'.<sup>94</sup> *Rast Goftar*, an organ of Bombay's Parsi community, declared that the entire appointment the Bapat Commission was merely a 'Gaekwari farce' that had squandered a vast amount of time and money. Other papers were 'of the opinion that the proverbial Gaekwari mismanagement of old seems to have broken out with renewed vigour'.<sup>95</sup> Predictably, presses that expressed the opinions of the Maratha community rejected these censures and dismissed the Commission as the work of anti-patriotic partisans who thought of 'themselves as Gujaratis and Deccanis instead of considering themselves as servants of the State'. The Bapat affair thus public exposed significant tensions within Baroda.

## Conclusion

The Baroda cases highlight that corruption was deeply politicised in imperial contexts where authorities confronted challenges of exercising power over peoples with different cultures. The British did so through agents far removed from the metropole, leaving a good deal of policy and discretion to men who, as Outram's battle with Falkland or Biddulph's with the Elliots underline, did not always see eye to eye. Political context, rather than a universal set of moral principles, informed how these parties reacted to the occurrence of bribery and corruption. It is significant that Outram's clash with his superiors in Bombay was replicated within the EIC in London after he appealed to the Court of Directors about his dismissal. In an 'iniquitous and incoherent' judgement on 26 June 1852, the Court sat on the fence: they condemned Outram's disrespectful language to his superiors and confirmed his removal, but also supported his zeal against corruption and hoped that he could be found another post in India.<sup>96</sup> Perhaps as many as 18 of the 23 directors dissented from this ambiguous stance, setting out their belief that Outram's work required support, not censure.<sup>97</sup> The Company, then, was divided both at home and abroad.

But the politicisation of corruption meant more than internal divisions and differences of opinion among Britons. It also indicated that the meaning of corruption, where it principally lay, and what (if anything) should be done about it, were all topics of debate. Subject to criticism in the metropolitan press, in Parliament, and in the increasingly assertive Indian papers, colonial authorities often struggled to control the public response to corruption allegations. The relationship between the press and imperial corruption, or between imperial authorities and the 'public', has been highlighted in a number of recent works on Cape

---

<sup>94</sup> "The Native Papers," *The Times of India*, October 10, 1895, 6.

<sup>95</sup> "The Native Papers," *The Times of India*, October 19, 1895, 3.

<sup>96</sup> Indus, *Bombay Briberies*, 66. Indus also chastised the Court of Directors for their failure to intervene earlier.

<sup>97</sup> Goldsmid, Outram, 68-70.

Colony.<sup>98</sup> Questions of how information concerning corruption leaked, was disseminated for different audiences, and resonated across both the metropole and colonies all have wider global implications and provide fertile ground for further research.

The two cases presented in this chapter also highlight broader issues concerning Britons' control over regions or states that were not formal colonies. This was not an intrinsically modern problem. Aside from the EIC, other corporations in the pre-modern era sought to use socio-cultural as well as commercial and political influence that also provoked corruption allegations.<sup>99</sup> Corruption was thus not merely about the abuse of office, but also about patronage, influence, networks, and gifting cultures through which informal power often worked and which were frequently connected to larger power dynamics.<sup>100</sup> These socio-economic-cultural relationships lay on the shifting, uncertain, and highly charged boundary between licit and illicit behavior that was in part shaped by public reactions to corruption scandals. The type of discussions that the Baroda cases generated in the local and imperial presses, as well as in Parliament, may be observed more widely across a global canvass to highlight the importance of a deliberative element in determining norms.<sup>101</sup>

Although scholars such as Lauren Benton have identified the 'outright suspension of law' as a key feature of 'systems of divided sovereignty', the corruption cases that we have recovered were clearly ensconced in distinct but occasionally overlapping judicial orders.<sup>102</sup> Such legal ambiguity created significant problems. In probing the misconduct of Nursoo Punt, Baba Nafra, and Vasudev Bapat, colonial officials negotiated a labyrinth of legal pluralism. As a Company servant, Nursoo was brought up on charges under Act XXXVII of 1850; the fate of Baba Nafra was left to the successive *panchayats* that the gaekwar convened (at the request of the Residency). The Bapat Commission, meanwhile, was a hybrid operation in which Sayajirao adopted — and later overrode — British procedures. Both the prosecution and defence made frequent references to colonial civil and criminal codes throughout the proceedings. Historians

---

<sup>98</sup> Zoe Laidlaw, *Colonial Connections, 1815-1845: Patronage, the Information Revolution and Colonial Government* (Manchester: Manchester University Press, 2012); Kirsten McKenzie, *Imperial Underworld: An Escaped Convict and the Transformation of the British Colonial Order* (Cambridge: Cambridge University Press, 2016).

<sup>99</sup> Knights, *Trust and Distrust*.

<sup>100</sup> David Veevers, "'Inhabitants of the Universe': Global Families, Kinship Networks, and the Formation of the Early Modern Colonial State in Asia," *Journal of Global History* 10 (2015), 99–121.

<sup>101</sup> Ben Gilding, "The Rise and Fall of Hicky's Bengal Gazette (1780–2): A Study in Transoceanic Political Culture," *Journal of Imperial and Commonwealth History* 47, no. 1 (2019): 1-27; Prasun Sonwalkar, "Indian Journalism in the Colonial Crucible," *Journalism Studies* 16, no. 5 (2015): 624-636.

<sup>102</sup> Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (Cambridge: Cambridge University Press, 2009), 241.

have recently gravitated towards cases in which native rulers rejected European extraterritoriality as a violation of their internal sovereignty.<sup>103</sup> Yet we should not neglect instances in which subordinate states partially or fully adopted legal frameworks borrowed from paramount regimes. If the adoption of colonial law in regions under indirect rule signaled a kind of symbolic victory for the British, the improper application of these codes could be interpreted as a galling counter-hegemonic affront. These juridical contests deserve further scrutiny on a global scale.

Although the politicization of anti-corruption was universal across time and space, it was particularly acute in imperial settings (as chapters by Gemma Rubi and Ronald Kroeze also suggest). Corruption scandals were directly implicated in politics in that they provided triggers for regime changes; were shaped and exploited by political groups for their own advantage; and, as Xavier Huetz de Lemps' chapter illustrates for the Philippines, left long-term political legacies. Scholars writing in other contexts have also approached corruption as a means of propping up regimes or systems, as much as lining individual pockets. Studies suggest that anti-corruption 'clean-ups are important political phenomena' and that new heads of state and incumbent governments continue to use reform to gain political advantage over opponents.<sup>104</sup> Our analysis of colonial-gaekwari relations demonstrates that the invocation or denial of corruption — as well as its definition — were all political interventions, but the point is more generally applicable. The language of corruption was used against rivals to achieve political goals, even if those doing so fell victim themselves to the same rhetoric.<sup>105</sup> As each side weaponised anti-corruption it could thus lead to thin politics and erode trust in the political and judicial process altogether.<sup>106</sup> Scholars studying countries in transition have seen corruption as a discourse worthy of analysis and asked very useful questions about what political work the language of corruption does (what it enables and what it excludes); what or who determines the meaning(s) of corruption at any given moment; and how a focus on particular types of

---

<sup>103</sup> Eric Lewis Beverley, "Frontier as Resource: Law, Crime, and Sovereignty on the Margins of Empire," *Comparative Studies in Society and History* 55, no. 2 (2013): 250-255.

<sup>104</sup> Anja Gebel, "Human Nature and Morality in the Anti-Corruption Discourse of Transparency International," *Public Administration and Development* 32 (2012): 109-128; Akhil Gupta, "Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State," *American Ethnologist* 22, no. 2 (May, 1995): 375-402; Barry Hindess, "Investigating International Anti-Corruption," *Third World Quarterly* 26, no. 8 (2005): 1389-398; Kate Gillespie and Gwenn Okruhlik, "The Political Dimensions of Corruption Cleanups: A Framework for Analysis," *Comparative Politics* 24, no. 1 (October, 1991): 92.

<sup>105</sup> Pieter de Vries, "The Orchestration of Corruption and Excess Enjoyment in Western Mexico," in *Corruption and the Secret of Law: A Legal Anthropological Perspective*, eds. Gerhard Anders and Monique Nuijten (Hampshire, UK: Ashgate, 2009), 143-166.

<sup>106</sup> Ivan Krastev, *Shifting Obsessions: Three Essays on the Politics of Anti-Corruption* (Budapest: Central European University Press, 2004), xiv, 69-70.

individual or institutional corruption can miss wider systemic corruption.<sup>107</sup> From this point of view, corruption becomes less an essentialist 'thing' as a lens through which to view wider political and societal tensions and contests, an approach that is useful to the historian as well as the social scientist.

---

<sup>107</sup> Letitia Lawson, "The Politics of Anti-Corruption Reform in Africa," *Journal of Modern African Studies* 47, no. 1 (March, 2009): 73-100; Giorgio Blundo, "Hidden Acts, Open Talks. How Anthropology Can 'Observe' and Describe Corruption," in *Corruption and the Secret of Law: A Legal Anthropological Perspective*, eds. Gerhard Anders and Monique Nuijten (Hampshire, UK: Ashgate, 2009), 30-32; Peter Bratsis, "The Construction of corruption or rules of separation and illusions of purity in Bourgeois Societies," *Social Text* 21, no. 4 (2003): 9-32; idem., "Political Corruption in the Age of Transnational Capitalism: From the Relative Autonomy of the State to the White Man's Burden," *Historical Materialism* 22, no. 1 (2014): 105-128; Mlada Bukovansky, "The Hollowness of Anti-Corruption Discourse," *Review of International Political Economy* 13, no. 2 (2006): 181-209.

## Bibliography

Ansari, Sarah. "The Sind Blue Books of 1843 and 1844: The Political 'Laundering' of Historical Evidence." *The English Historical Review* 120, no. 485 (2005): 35-65.

Auckland, Knut. "Connecting British and Indian, elite and subaltern: Arthur Crawford and corruption in the later nineteenth century Western India." *South Asian History and Culture* 4, no. 3 (2013): 314-335.

Benton, Lauren. *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (Cambridge: Cambridge University Press, 2009).

Beverley, Eric Lewis. "Frontier as Resource: Law, Crime, and Sovereignty on the Margins of Empire." *Comparative Studies in Society and History* 55, no. 2 (2013): 241-272.

Bhagavan, Manu. "Demystifying the 'Ideal Progressive': Resistance through Mimicked Modernity in Princely Baroda, 1900-1913." *Modern Asian Studies* 35, no. 2 (2001): 385-409.

Blundo, Giorgio. "Hidden Acts, Open Talks. How Anthropology Can 'Observe' and Describe Corruption." In *Corruption and the Secret of Law: A Legal Anthropological Perspective*, edited by Gerhard Anders and Monique Nuijten. Hampshire, UK: Ashgate, 2009.

Bratsis, Peter. "The Construction of corruption or rules of separation and illusions of purity in Bourgeois Societies." *Social Text* 21, no. 4 (2003): 9-32.

Bratsis, Peter. "Political Corruption in the Age of Transnational Capitalism: From the Relative Autonomy of the State to the White Man's Burden." *Historical Materialism* 22, no. 1 (2014): 105-128.

Bukovansky, Mlada. "The Hollowness of Anti-Corruption Discourse." *Review of International Political Economy* 13, no. 2 (2006): 181-209.

Chapman, John. *Baroda and Bombay; their Political Morality*. London: John Chapman, 1853.



*Copies of all Correspondence and Papers on the Subject of Colonel Outram's Removal from the Office of Resident at the Court of the Guicowar, or on the Subject on the Alleged Corruption of Officers of the Bombay Government with Bribes from Baroda* (HC, 560).

East India, 1853. *Return of the Subjects of His Highness the Guicowar Now Enjoying the British Guarantee* (HC, 883).

Elliot, F. A. H. *The Rulers of Baroda*. Bombay: Education Society's Press, 1879.

Finn, Margot. "Material Turns in British History: II. Corruption: Imperial Power, Princely Politics and Gifts Gone Rogue." *Transactions of the Royal Historical Society* no. 29 (2019): 1-25.

Fisher, Michael. *Indirect Rule in India: Residents and the Residency System, 1764-1858*. Delhi and New York: Oxford University Press, 1991.

Gaekwad, Fatesinhrao. *Sayajirao of Baroda, the Prince and the Man*. Bombay: Popular Prakashan, 1989.

Gebel, Anja. "Human Nature and Morality in the Anti-Corruption Discourse of Transparency International." *Public Administration and Development* 32 (2012): 109-128.

Gilding, Ben. "The Rise and Fall of Hicky's Bengal Gazette (1780-2): A Study in Transoceanic Political Culture." *Journal of Imperial and Commonwealth History* 47, no. 1 (2019): 1-27.

Gillespie, Kate and Gwenn Okruhlik. "The Political Dimensions of Corruption Cleanups: A Framework for Analysis." *Comparative Politics* 24, no. 1 (October, 1991): 92.

Goldsmid, F. J. *James Outram: A Biography*, 2 vols. Cambridge: Cambridge University Press, 1880.

Gould, William. *Bureaucracy, Community, and Influence in India: Society and the State, 1930s-1960s*. New York: Routledge, 2011.

Gupta, Akhil. "Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State." *American Ethnologist* 22, no. 2 (May, 1995): 375-402.

Hardiman, David. "Baroda: The Structure of a Progressive State." In *People, Princes and Paramount Power. Society and Politics in the Indian Princely States*, edited by Robin Jeffrey. Delhi: Oxford University Press, 1978.

Hindess, Barry. "Investigating International Anti-Corruption." *Third World Quarterly* 26, no. 8 (2005): 1389-1398.

Indus, *Bombay Briberies; a Tale of the Present Charter*. London: Effingham Wilson, 1853.

Jeejeebhoy, J. R. B. *Bribery and Corruption in Bombay*. Bombay: Sanj Vartaman Press, 1952.

Kamerkar, Mani. *British Paramountcy: British-Baroda Relations, 1818-1848*. Bombay: Popular, 1980.

Knights, Mark. *Trust and Distrust: Corruption in Office in Britain and its Empire, 1600-1850*. Oxford: Oxford University Press, forthcoming.

Kothekar, S. V. *The Gaikwads of Baroda and the East India Company, 1770-1820*. Nagpur: Nagpur University, 1977.

Krastev, Ivan. *Shifting Obsessions: Three Essays on the Politics of Anti-Corruption*. Budapest: Central European University Press, 2004.

Lawson, Letitia. "The Politics of Anti-Corruption Reform in Africa." *Journal of Modern African Studies* 47, no. 1 (March, 2009): 73-100.

Leonard, Zak. "Law of Nations Theory and the Native Sovereignty Debates in Colonial India." *Law and History Review* 38, no. 2 (2020): 374-407.

Outram, James. *Baroda Intrigues and Bombay Khutput, an Exposition of the Fallacies Promulgated by Mr. Lestock Robert Reid in a "Letter to the editor of The Daily News."* London: Smith, Elder, & Co., 1853.

Pavarala, Vinod. "Cultures of Corruption and the Corruption of Culture: the East India Company and the Hastings Impeachment." In *Corrupt Histories*, edited by Emmanuel Kreike and William Chester Jordan. Rochester, NY: University of Rochester Press, 2004.

Prior, Katherine, Lance Brennan, and Robin Haines. "Bad Language: the Role of English, Persian and Other Esoteric Tongues in the Dismissal of Sir Edward Colebrooke as Resident of Delhi in 1829." *Modern Asian Studies* 35, no. 1 (2001): 75-112.

Reid, Lestock. *Letter to the Editor of the 'Daily News'*. London: Smith, Elder & Co., 1853.

Rice, Stanley. *Life of Sayaji Rao III, Maharaja of Baroda*. London: Oxford University Press, 1931.

Saksena, Priyasha. "Jousting Over Jurisdiction: Sovereignty and International Law in Late Nineteenth-Century South Asia." *Law and History Review* 38, no. 2 (2020): 409-57.

Sonwalkar, Prasun. "Indian Journalism in the Colonial Crucible." *Journalism Studies* 16, no. 5 (2015): 624-636.

Sturman, Rachel. *The Government of Social Life in Colonial India: Liberalism, Religious Law, and Women's Rights*. Cambridge: Cambridge University Press, 2012.

Sutherland, John. *Sketches of the Relations Subsisting between the British Government in India, and the Different Native States*. Calcutta: G. H. Huttman, 1837.

Veevers, David. "'Inhabitants of the Universe': Global Families, Kinship Networks, and the Formation of the Early Modern Colonial State in Asia." *Journal of Global History* 10 (2015): 99–121.

de Vries, Pieter. "The Orchestration of Corruption and Excess Enjoyment in Western Mexico." In *Corruption and the Secret of Law: A Legal Anthropological Perspective*, edited by Gerhard Anders and Monique Nuijten. Hampshire, UK: Ashgate, 2009.

Wilkinson, Callie. "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, no. 5 (2019): 1574-1612.