South Asians and West Africans at the Inns of Court:

Empire and Expulsion circa 1900

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Between the 1860s and 1950s, thousands of non-white students from across the British empire studied at the Inns of Court in London to become barristers. In numbers, South Asians and West Africans led the way. By the late 1920s, between a third and a half of admitted students at Middle Temple and Lincoln’s Inn hailed from the Indian subcontinent. Between 1945 and the independence of Ghana and Nigeria in 1957-60, Africans at the Inns (who were mostly West Africans) outnumbered Britons by a factor of four to one. During this period, there were about 2,000 African law students at London at any one time. One joke of the era began with a British member of Lincoln’s Inn entering the library that was full

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1 I thank my former research assistants Bennett Cross, Renu Paul, and Anita Arenson and the University of Wisconsin–Madison Graduate School for funding their work; the librarians of the University of Wisconsin Law School; and Celia Pilkington, Archivist at the Honourable Society of the Inner Temple for making the Inn’s records available to me. I am also grateful to R. P. Vachha of Mumbai (now deceased) for sharing his experiences as an Indian student at the Inns in the mid-1940s. The views expressed here are my own alone.


of readers. Spotting only one other white man in the room, he approached with the line, “Dr. Livingstone, I presume?”

For South Asians and West Africans, study at the Inns involved education and professionalization; awareness of racial and cultural difference; attempted acculturation and homesickness; friendship and sometimes romance; and “experiments with truth,” to borrow from the title of Gandhi’s autobiography. The prospect of becoming a barrister in London “pleased and glittered,” in the words of one Indian lawyer. Being one of the “England-returned” in South Asia or the “Been to” elite in West Africa meant professional success and social status back home. But it was also ripe with hazard. One too many Savile Row suits could make one a “WOG” (Western Orientalized Gentleman), a pejorative term for Indians who tried too hard to be British. Asian and African families worried about the temptations of London and the risk of “deracination.” Drinking alcohol, smoking, eating meat, having relationships with white women, gambling and going into debt—these were things that could derail one’s studies and prospects back home. There was also the cold, both the weather and the chilliness of many British social circles, particularly for people of color. Some colonial students found that they fit in nowhere—neither the metropole nor the

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4 John Aye (pseud. of John Atkinson), *Humour among the Lawyers* (London: Universal Press, 1931), 73. I thank Marc Galanter for sharing this joke from his extensive historical joke collection. It alludes to the 1871 episode in which the journalist Henry M. Stanley greeted the British explorer, David Livingstone. Stanley had been searching for Livingstone for two years in Africa. He found the explorer among African tribesmen on the shores of Lake Tanganyika.


6 On the “appalling loneliness” and even suicide of some Indian students in London, see “Indian Affairs. Indians in England,” *Times of London* (19 Nov. 1906), 5. For similar observations based on coroners’ reports thirty years earlier, see untitled editorial, *Times of India* (16 Nov. 1876), 2.
colony—after being educated in Britain.  

And the experience of studying in London could radicalize, turning a colonial student against British rule through contact with the Indian nationalist movement, pan-Africanism, anarchism, socialism, communism, Irish republicanism, and other anti-colonial influences. 

Like interwar Paris, London by the 1920s was becoming an anti-imperial metropolis. It was a hub where the future leaders of decolonization, then in their late teens and twenties, could meet, think, and plan. Many were law students at the Inns, including Edward A. Akufo Addo, B. D. Ambedkar, M. K. Gandhi, Mohammad Ali Jinnah, Jawaharlal Nehru, William Esuman Gwira “Kobina” Sekyi, and Ladipo Solanke.

From the colonial state’s perspective, the aim of Anglicized legal education for colonial populations was to create a group of collaborators who would prop up British rule—in the case of Inns, through the administration of the legal system. In non-white settler colonies like India and the British colonies of West Africa, there were simply too few Europeans to sustain colonial rule by themselves. The point of English-style education for Indians, in the famous words of Thomas Babington Macaulay, was to create a class South Asian “in blood and color, but English in taste, in opinions, in morals, and in intellect.” To put it more crudely, colonial

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7 On Nehru, see Mukherjee, 94. For an unforgettable fictionalized account of a Sudanese student’s struggles, see the classic of Arabic-language literature: Tayeb Salih, _Season of Migration to the North_ trans. Denys Johnson-Davies (New York: New York Review of Books, 2009).


10 See Sharafi, _Law and Identity_, 104.

education was meant to create a population that was brown (or black) on the outside, but white on the inside—in order to sustain colonial rule. As examples from Gandhi to Vinayak Damodar Savarkar remind us, this model of colonial education did not always work as planned.12

Being called to the Bar through one of the Inns allowed a lawyer to appear in court across the British empire.13 Being disbarred or expelled from an Inn thus meant the death of one’s legal career, with ripple effects on social status, family reputation, and marital prospects. The disbarment of South Asians and West Africans could also mean the “failure” of colonial legal education—the failure not only to create a body of professionals who benefited from and were loyal to British rule, but also the failure to replace “native mendacity” and other stereotypical character flaws of colonized peoples (from the British colonial perspective) with “good character” through Anglicization. This article explores the disbarment files of the Honourable Society of the Inner Temple, focusing on the previously unexplored cases of three colonial members around the turn of the twentieth century. In the first case, an Indian student named A. K. Ghose had withdrawn then later applied for readmission to the Inn (1902). This disciplinary process related to some fraudulent “spirit letters” Ghose had written to Miss Frances Henrietta Müller, a well-known figure in the Theosophist and women’s movements. The second case, which was the most high-profile of the three, involved the radical founder and editor of The Indian Sociologist, Indian barrister Shyamji

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13 By C. E. A. Bedwell in the Journal of the Society of Comparative Legislation (new series), see “Conditions of Admission to the Legal Profession throughout the British Empire” (part 1), 12:2 (1912), 209-32; and (part 2), 13:1 (1912), 130-44.
Krishnavarma, who was disbarred for advocating the violent overthrow of British rule in India (1909). In the third case, the African barrister Olusomoka Rotimi Aladé was disbarred following a criminal conviction in the Gold Coast, the colony that would become Ghana (1909). Only Ghose was re-admitted to Inner Temple. Krishnavarma and Aladé were disbarred. Aladé petitioned for readmission, but was rejected.

These three cases occurred in the relatively early days of the flow of South Asian and West African students to the Inns. Asians and Africans at the Inns were still a small group in the decades flanking 1900, and this period pre-dated the establishment of many colonial student organizations and full-blown independence mass movements. These disciplinary cases thus revealed the working out of principles that would set the tone for the high era of Asian and African students at the Inns during the 1920s-50s. The three cases reflected the imperial legal profession’s views of racial difference; truthfulness, deception, and good character; and loyalty to British rule. They involved social movements, particularly Theosophy, Indian spiritual guru movements that attracted European followers, and the violent non-Gandhian branch of the Indian independence movement. They shed light on conflicts over the definition of terrorism and the legitimacy of using violence to resist tyranny. And they featured different priorities surrounding rights, the rule of law, due process and precedent. In this early period, these three cases required the imperial legal profession to set the outer limits of acceptable behavior—personally, professionally, and politically. Inescapably, the imperial project was at the heart of these cases.

14 On this later period, see Mukherjee, 81-112.
South Asians and West Africans at the Inns

The four Inns of Court—Inner Temple, Middle Temple, Lincoln’s Inn and Gray’s Inn—were institutions dating from the medieval period that trained the litigators known as barristers in England’s split legal profession.\(^{15}\) Physically, the Inns consisted of Oxbridge college-like courtyards surrounded by barristers’ chambers and some lodgings, along with a dining hall, chapel, and library. The Inns were architecturally grand and historic, but also easy to miss. They were tucked away behind bustling London shopfronts between Chancery Lane and the Royal Courts of Justice. A series of unassuming doorways led into the inner world of the imperial legal profession.

The legal profession in England consisted of barristers and solicitors. The latter were akin to general practitioners in medicine. A potential client would hire a solicitor. That solicitor would then engage a barrister for any court appearances. The solicitor, who worked in a law firm with extensive office infrastructure, handled all aspects of the case before and after court appearances and provided support (like document retrieval) to the barrister in court. Barristers were self-employed, although they rented out office space known as “chambers” in clusters at an Inn of Court.\(^{16}\) In most parts of the empire, the legal profession was not split between barristers and solicitors.\(^{17}\) And yet because of the prestige of calling oneself a barrister, most elite members of the legal profession in West Africa, for instance,

\(^{15}\) Inner Temple and Middle Temple were built on the site formerly occupied by the Knights Templar, hence their names. For histories of the Inns, see C. E. A. Bedwell, *A Brief History of the Middle Temple* (London: Butterworth, 1909); Richard O. Havery, ed., *History of the Middle Temple* (Oxford: Hart, 2011); Angela Holdsworth, ed., *A Portrait of Lincoln’s Inn* (London: Third Millennium, 2007); Clare Rider and Val Horsler, eds., *The Inner Temple: A Community of Communities* (London: Third Millennium, 2007).


\(^{17}\) Exceptions were Ceylon, the Cape Colony, and New South Wales, which also had split legal professions. [Bedwell (part 1), 210.]
were barristers. In Bombay, being called to the Bar in London required more funds but less skill than qualifying as a solicitor or as a vakil, a less prestigious category of litigator whose education was entirely India-based. For colonial students, being called to the Bar at an Inn was arguably less about academic rigor than it was about maneuvering through a larger experience in socio-cultural adaptation. This was by design: the social aspect of “keeping terms” at an Inn was largely the point of Anglo education for colonized peoples.

What did it take to be called to the Bar? One first had to apply to and be admitted to an Inn, a process that required passing a preliminary entrance examination and submitting two certificates of “good character” from barristers of at least five years’ standing. From the early twentieth century, candidates had to obtain a BA before joining the Inns. Admitted students then usually spent about three years in London, keeping 12 terms at an Inn. Candidates had to be at least 21 years old. There was an academic component: students had to pass exams in particular fields, but attendance at lectures was optional, and exams could be retaken. “The curriculum of study was easy,” reported Gandhi in his autobiography. “Everyone knew that the examinations had practically no value.”

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18 On the problems created by having an entire profession of barristers with no solicitors in West Africa, see Gower, 108.
19 See Sharafi, Law and Identity, 109-11. Bombay was one part of British India where the legal profession was split between solicitors and litigators. The latter were called advocates, and consisted of barristers and vakils.
21 A. J. C. Mistry, Forty Years' Reminiscences of the High Court of Judicature at Bombay (Bombay: Author, 1925), 42.
22 Bedwell (part 1), 210.
23 A set of 1893 figures for "Hindu and Mahommedan Law" and "Roman Dutch Law" respectively reported very low attendance rates: “At first there was a fair attendance. But the attendance soon fell off, and seldom exceeded 5 or 6, and sometimes it was even less.” Out of 49 students taking the first course and 27 taking the second, the average number of students was 9.3 and 6.5 respectively. ["Report by the Council of Legal Education to the Inns of Court," 3 in Bench Table Orders (hereafter B.T.O.) (12 Jan. 1892-24 Nov. 1896) (BEN/1/30), Inner Temple Archives.]
students could also gain exemption from the requirement that they pass the preliminary Latin exam.25

Just as important as the exams were the dinners. Students at the Inns had to attend a minimum number of formal dinners (usually six per term) at their Inn.26 One American account of the Inns described the meals thus:

Four long oak tables, with primitive, backless benches, each accommodating about one hundred, and a shorter table in a dais for the Benchers, are arranged for lunch, and again at 6 o’clock, when many Benchers, barristers, and students, in their white wigs and black robes, assemble for dinner—[… from Africa,” the Hindoo, the Mohammedan, the West Indian, the Egyptian, the Boer—children of the Empire, who congregate in London, “the stony hearted stepmother,” imbibe a little legal and perhaps other knowledge, and scatter to the four quarters of the globe.27

These dinners were as grand and intimidating as “formal hall” at the Oxford and Cambridge colleges. Rules of etiquette specific to the Inn (as to the college) had to be learned and mastered. As Gandhi described them in his autobiography, vegetarian meals usually meant “bread, boiled potato and cabbage.” He often ate nothing at the dinners, but had to go along in order to fulfil the six-dinner requirement.28 Gandhi did not drink alcohol either, and was particularly in demand at special “grand night” dinners when the allotment of alcohol per four-person group was larger than usual.29 For Muslim students, pork and alcohol had to be

26 Bedwell (part 1), 210. When large numbers of West Africans went to the Inns in the 1950s, the Inns were criticized for accepting more students than they could provide for at the dinners. Many of these students had to simply sign a book rather than attend a dinner, an alternative that gutted one of the core activities of Inn life. See Gower, 109.
27 “Gleanings. The Bar of England” (quoting from the American Lawyer), Bombay Law Reporter vol.6 (1904) (journal section), 24. A term from the title of a Rudyard Kipling poem about the Soudan Expeditionary Force (1892) has been edited out. See Rudyard Kipling, Barrack Room Ballads and other poems (London: Methuen, 1892), 10-12.
28 Gandhi, 67.
29 Gandhi, 67.
avoided to prevent religious problems.\textsuperscript{30} Smoking after dinner was also a custom that forced some students to choose between violating religious norms and feeling socially excluded.\textsuperscript{31} The Inns were as much a finishing school for colonials as they were inculcators of technical legal knowledge.

The Inns of Court had some lodgings available, but by the turn of the twentieth century, most students lived outside of the Inns in private accommodation. Asian and African students were often lodgers or boarders known as “Paying Guests” (PGs) in British homes in London neighborhoods like Holborn and Kensington.\textsuperscript{32} Many colonial students found that socializing with elite Britons, particularly in the latter’s homes, was an infrequent occurrence. Their British PG hosts were generally from the working class.\textsuperscript{33} Many of these hosts provided rented accommodation to a string of colonial law students over the years. In some cases, the law students (or their relatives) married the daughters of their landladies.\textsuperscript{34} But by the 1920s with the rise of Indian student organizations and the independence movement, the criticism that colonial students only mixed with each other seemed to overshadow the social interaction with Britons that occurred in these paying homestays.\textsuperscript{35}

\begin{footnotesize}
\begin{enumerate}
\item \textsuperscript{30} Intoxicating substances were central to life at the Inns. Inner Temple had “Wine” and “Cigar” committees, for instance. See B.T.O. 1908-11 (16 Nov. 1909) (BEN/1/33).
\item \textsuperscript{31} Smoking violated the purity laws of the Zoroastrian religion, although many Parsis chose to be part of imperial smoking culture. See Sharafi, 311.
\item \textsuperscript{32} Even before the rise of the current online “gig” economy, the term PG and the practice of taking in lodgers continued in India. For a fictional depiction of what can go wrong, see Rohinton Mistry’s short story, “The Paying Guests” in his collection, \textit{Swimming Lessons, and other stories from Firozsha Baag} (Boston: Houghton Mifflin, 1989).
\item \textsuperscript{33} Mukherjee, 57-8.
\item \textsuperscript{34} I thank R. P. Vachha (now deceased) for sharing with me the story of how his own cousin married the daughter of Vachha’s English landlady, Mrs. Appleby. Vachha was a PG at Mrs. Appleby’s while a student at the Inns in the mid-1940s. Other Bombay Parsi friends and family of Vachha’s also stayed at Mrs. Appleby’s over the years as student PGs. (Conversations with R. P. Vachha, Mumbai, 8 March-24 March 2004).
\item \textsuperscript{35} Mukherjee, 78, 82-89.
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The first South Asians came to the Inns in the early 1860s. A cluster of students from West Africa first appeared in the late 1870s. This was comparatively early. Non-white individuals from the white settler colonies of Canada, Australia, New Zealand and the aspiring settler colonies of southern and eastern Africa were prevented from becoming lawyers until well into the twentieth century. A search of admissions records for non-European students at the Inns between 1861 and 1964 yielded over 5,000 names. Most of these students were coming from British colonies. These records contain gaps, most

36 The Middle Temple admissions register includes this entry for 27 April 1863: “Budroodeen Tyabjee, of Highbury New Park College, Middx., (17), fifth son of Tyabjee Bhoymeah of Bombay, Empire of India, gent. Called 30 April 1867.” [H. A. C. Sturgess, eds. Register of Admissions to the Honourable Society of the Middle Temple. From the Fifteenth Century to the Year 1944 (London: Butterworth, 1949), II, 539.] Tyabji (as the future Bombay High Court judge’s name was usually spelled) is generally considered to be the first Indian student at the Inns. However, it is worth noting that Johannes Herapiet Wise Arathoon, an Armenian student from Calcutta, in fact predated Tyabji. Arathoon was admitted to Inner Temple on 22 October 1861 and called to the Bar on 6 June 1864 (Inner Temple Admissions Database: http://www.innertemplearchives.org.uk/detail.asp?id=15008; accessed on 24 Sept. 2018). There was also a Telugu-speaking South Indian Christian named Kasturi Venkataramayya who wrote to his brother in 1860 that he had “entered my name at Lincoln’s Inn, where I am to attend the lectures.” However, neither Lincoln’s Inn nor any of the other three Inns have any record of him. See Carl Towers and Alex Miller, eds., The Diary of Kasturi Venkataramayya: An Indian in Victorian England (Wigan, UK: Wigan Archives Service, 2012), 142, 155.

37 The admissions entry for the earliest West African student at Inner Temple includes the following information: Christopher Alexander Williams, age 21, from Freetown, Sierra Leone, admitted 8 Sept. 1876, called 17 Nov. 1879. Eldest son of Alexander Charles Williams, merchant, of Freetown, Sierra Leone. (Inner Temple Admissions Database: http://www.innertemplearchives.org.uk/detail.asp?id=17122; accessed on 24 Sept. 2018). I am assuming that most students from West African colonies were of African descent, even with Christian names.

38 The racialized barriers to entry into the legal profession were less pronounced in colonies with very small white populations. See Mitra Sharafi, “A New History of Colonial Lawyering: Likhovski and Legal Identities in the British Empire,” Law & Social Inquiry 32:4 (2007), 1079; and Sharafi, Law and Identity, 103-4.

39 I thank Bennett Cross for the painstaking compilation of this database, which contains 5,327 entries for the period 1861-1948 (on file with author). In addition to using the Inner Temple Admissions Database (link below), it draws on the published or printed admissions records of Inner Temple, Middle Temple, and Lincoln’s Inn, namely: P. V. Baker, ed., The Records of the Honourable Society of Lincoln’s Inn. The Black Books, VI (1914-65) (London: Lincoln’s Inn, 2001); Inner Temple Archives: Alphabetical Index of Members (1851-1929, showing dates of Admission and Call) (London: n.p., 1997); The Records of the Honourable Society of Lincoln’s Inn (London: Lincoln’s Inn, 1896), II (1800-1893) and (London: Lincoln’s Inn, 1981), III (1894-1956); and Sturgess, II (1782-1909) and I (1910-44). For lists of South Asian students at the Inns, 1864-1947 (not including Gray’s Inn and including Inner Temple entries only up to 1929), see my South Asian Legal History Resources website: http://hosted.law.wisc.edu/wordpress/sharafi/south-asian-law-students-at-the-inns-of-court/ (accessed on 24 Sept. 2018). For a searchable database of all students at Inner Temple, 1547-1940, see the Inner Temple Admissions Database: http://www.innertemplearchives.org.uk/search.asp#date (accessed on 24 Sept. 2018).

40 Note that there is some uncertainty surrounding the racial identity of students with Christian names coming from Caribbean and African colonies. There were also some non-European students from beyond the
notably the absence of any records from Gray’s Inn, so it is likely that there were several thousand more non-white students from the empire during this period. The highest concentrations of students came from South Asia, namely British India (including Burma) and Ceylon; and from West Africa, particularly Sierra Leone, Gold Coast, and Nigeria. Only a tiny handful of these students were female, but there were probably several dozen women (mostly Indian) who studied at the Inns

Law courses and exams at the Inns were overseen by the Council for Legal Education. All other aspects of life at the Inns were the domain of the Masters of the Bench (known as benchers) of each Inn. The benchers were a group of senior barristers (including some judges) in charge of Inn governance. They exercised a disciplinary power over all of the Inn’s members, and could expel any student, disbar a barrister, or disbench one of their own group for conduct “unbecoming” of their profession. Most disbarments at Inner Temple followed criminal convictions, and some had an imperial element. Among the 47 files of disciplinary proceedings at Inner Temple (1821-1938) are cases of barristers convicted of fraud in Canada, perjury in British Honduras, and forgery in England leading to transportation for life (probably to Australia). More unusual were cases involving fistfights

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41 This estimate may be conservative in light of Gower’s claim that after World War II, there were approximately 2,000 African law students in London at any one time. See note 3.
42 Of the 14 readily identifiable women in our database of over 5,000 Inn members (see note 39), nine were from South Asia (British India and the princely state of Hyderabad), two from West Africa (Sierra Leone and Nigeria), and one was from Penang. On Parsi female students at the Inns, see Sharafi, Law and Identity, 108 at note 140 (and accompanying text). For a fictional account of a Parsi female lawyer in 1920s Bombay, see Sujata Massey, The Widows of Malabar Hill (New York: Soho Crime, 2018).
43 Halsbury, 361, 364.
44 Halsbury, 361-2.
45 See the cases of A. C. J. Boulton (1895, DIS/1/B2), Abraham Malory Dillet (1885, DIS/1/D2), and James Townshend Saward (1857, DIS/1/S7), Inner Temple Archives. The 1885 case involved the probably drunk
in the courtroom, the indecency and insanity of a barrister, the impersonation of a Ministry of Munitions employee during World War I, and a seditious libel conviction for socialist publications in the *Workers’ Weekly*. There were five disbarments of South Asians from Inner Temple, plus Ghose’s case, in which he withdrew and was later readmitted. Aside from the case of Krishnavarma (discussed shortly), Nasarwanji Framji Bhandara was disbarred in 1901 for “unprofessional conduct,” Shapurji Kavasji Sanjana in 1903 for forging a will, and Syed Khelafat Husain in 1915 following a criminal conviction in India for “cheating.” And of course, there was the 1922 disbarment of M. K. Gandhi following his conviction for sedition in India. He was re-admitted posthumously in 1988, forty years after his assassination and one hundred after his admission as a student. From Africa, there were two cases with disbarment files. Both were from West Africa, and involved disbarment following a criminal conviction.

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46 See the Privy Council case of *In re Abraham Mallory Dillet* (1887) Law Reports Appeal Cases XII, 459-70.
47 For some reason, there are no files on Bhandara, Sanjana or Husain in the Inner Temple Disbarment Proceedings. However, there are references elsewhere in the Inner Temple records to their disbarments. See entry of 22 Nov. 1901 (Bhandara) in B.T.O. (1897-1902) (BEN/1/31); entry of 21 April 1903 (Sanjana) in B.T.O. (13 Jan. 1903-22 Nov. 1907) (BEN/1/32); and entry of 18 June 1926 (Husain spelled Hussain in this instance) in B.T.O. (12 Jan. 1926-25 Nov. 1930) (BEN/1/38). On Sanjana’s trial, see “Bombay Criminal Sessions. Alleged Will Forgery,” *Times of India* (17 Feb. 1905), 4. Sanjana and Bhandara were members of the Parsi community, which had extensive involvement in the colonial legal system. See Sharafi, *Law and Identity*.
49 In addition to the Aladé case discussed below, there was the disbarment case of Isaac John Roberts following “irregularities in the Gambia” and proceedings of the Supreme Court of the Gold Coast (1893-6, DIS/1/R2).
The case of A. K. Ghose was unusual among the Inner Temple records. Unlike the other two cases explored here, it involved neither a criminal conviction nor a hostile relationship with Europeans. On the contrary, Ghose’s withdrawal from Inner Temple (technically not a disbarment) and his petition for readmission emerged out of unusually close links with Europeans. In particular, the case revolved around his relationship with Miss Frances Henrietta Müller, a Chilean-British figure who was well known for her work in the women’s movement before she met Ghose. Müller and Ghose met in India in 1893 when he was 21 and she, about 45. Müller was then a Theosophist, part of a spiritual movement that borrowed heavily from Hindu and Buddhist mysticism and that counted elite Britons, Hindus, and Parsis in Eurasia and North America among its members. Theosophy was a version of what we might call “new age” religion today. By Ghose’s description, Theosophists believed that through “‘yoga’ meditation,” they could be “in direct communion with invisible spirits called Mahatmas—invisible beings who are from the point of view of the Theosophists masters of the world.” They also believed in reincarnation. The Theosophists implicitly rejected the racial prejudice of most Britons in India, and one of the movement’s leaders, Annie Besant, was elected president of the Indian

53 Dixon, 3, 227-33.
National Congress in 1917-18. Theosophists believed “in relationships between existing people in a past state of existence and in communication with the spirit world.” They were also “in the habit of imposing on one another with communications and letter purporting to come from the spirit world.” Miss Müller started receiving from one Ram Linga Deb, a “Mahatma” existing in “another plane.” These letters were in fact written by Ghose. His aim was to convince her that they had been related in a former life and so “to endear myself to her the more.”

Miss Müller was already on her way toward asceticism. When Ghose met her, she wore the robes of a sannyasin or female Hindu ascetic and was “living upon fruits.” She “took a great liking for Mr. Ghose” and decide that he had been her son in an earlier life. Müller adopted Ghose, publishing announcements in the press in India and in the Women’s Herald in England. He took the surname Ghose-Müller, and together the new mother and son traveled through India and back to Britain multiple times.

Ghose’s spirit letters encouraged Müller on her path toward enlightenment. They also urged her to have her new son educated in England. Ghose had been studying to become a pleader or vakil in India when he met Müller. Their connection made it possible for him to think of becoming a barrister at the Inns. Müller first sent him to Trinity Hall

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55 Annie Besant was a leader of the Theosophical movement from the 1890s until her death in 1933.
56 “Report of the Committee appointed to consider and report on the Application of Mr. A. K. Ghose to be readmitted as a Student of the Society, and to have his former terms and standing allowed” (13 January 1902), 1 in file of A.K. Ghose (DIS/1/G1), Records relating to Disciplinary Proceedings: Disciplinary and Professional Conduct Case Papers (1821-1938), Inner Temple Archives.
60 Letter from Ghose to Inner Temple (21 Oct. 1901), 3-4. It is not clear that this was an adoption recognized by law, as adoption as a legal device was not yet recognized in many Anglophone jurisdictions in the late nineteenth century. See Sharafi, Law and Identity, 285 at note 60.
College in Cambridge in 1895, where he pursued undergraduate study. It was during his Cambridge days that he wrote many of the letters. At this point, Miss Müller had shifted away from Theosophy and become a devotee of Swami Vivekananda, a Hindu mystic who brought yoga and other Hindu traditions to the western world. The worst spirit letter (written in 1896) encouraged Miss Müller to become an ascetic and leave all her property to Ghose:

Your best course would be to go to India with Swami [Vivekananda] and establish the Math (Monastery) with him, purely from contributions and collections gathered in India from rich people and princes...Your son should either be your sole successor, or he and the property be left in the hands of trustees composed of the McLarens [Miss Müller’s sister and brother-in-law], and they be instructed to defray his and your expenses there...and re-transfer it to him when he finishes his education there.61

Later in his Cambridge time, Ghose had a change of heart and confessed all to his adoptive mother, “being seized with remorse for having fooled his benefactress and committed a great wrong.”62 Miss Müller was “very much annoyed,” but later forgave Ghose, writing that “you have my entire forgiveness and I have no bitterness in my heart against you.”63 She cancelled the adoption and he dropped the name Müller. But after pulling him out of his Cambridge College, she then sent him to Inner Temple, still paying all of his expenses.64 In a letter dated 1897, Ghose wrote:

I am deeply touched by your ready forgiveness of my diabolical treachery. My conduct has been...a long series of treachery and wicked plans...Before forming the plans I ascertained from Roi Loliere (a Hindu residing at Ludhiana) first in a casual way all about the Theosophists, about their credulity in believing everything. I had at this time no idea of forming the pan. It developed in me since then...In the beginning I had no desire to be the sole possessor of all your property. This desire grew in me subsequently. I will no more make any concealments or hesitations, so

63 Letter from Ghose to Inner Temple (21 Oct. 1901), 5.
64 Letter from Ghose to Inner Temple (21 Oct. 1901), 5.
tell you everything. I will say nothing but frank and honest truth, no quibble, no evasion. Believe once more. Give me one more chance, the last chance.\(^{65}\)

Although Müller said she forgave Ghose, though, she changed her mind a few years later in 1899 when Ghose was just one term away from being called to the Bar. She pulled all support and ordered Ghose to return to India within 24 hours on the next available steamer. It was not entirely clear what brought about this change. The effect was that Ghose had to abandon his chances of becoming a barrister when he had almost completed his program at Inner Temple. He withdrew from the Inn, probably fearing disbarment if he did not.\(^{66}\) Miss Müller had written to Inner Temple with a detailed account of Ghose’s actions, calling him “an extremely slippery person.”\(^{67}\) But as soon as he had returned to India, she wrote again asking the Inn to drop the matter.

After abandoning his London studies, Ghose took up a position in Baroda, a princely state in western India and rose to the post of Superintendent of Opium Customs and Abkari, “a position of considerable trust and responsibility.”\(^{68}\) He married the daughter of a barrister. Then in 1901, he asked Miss Müller to withdraw her complaint to Inner Temple. She did so (again), but before Ghose could be re-admitted, the Inn had to re-investigate the

\(^{65}\) Letter from Ghose to Müller (1897) in Appendix II to “Report of the Committee,” 20.

\(^{66}\) At this point, there was an Inner Temple committee that investigated Miss Müller’s accusation that Ghose had “written letters to obtain money by false pretenses.” It concluded that Ghose should be permitted to withdraw, but left to some future committee the question of whether to issue him with any kind of certificate for the terms he had kept. Ghose wanted a certificate so he could migrate to another Inn, probably Gray’s. Migration to another Inn was prohibited if one had been disbarred from one Inn. [“Report by Masters Poland and Cooper Willis, Members of the Committee appointed to consider and report on the Application of Mr. A. K. Ghose to be readmitted as a Student of the Society, and to have his former terms and standing allowed” (13 Jan. 1902), 5, 7 in Ghose file (DIS/1/G1)].

\(^{67}\) Letter from F. H. Müller to Sir Henry Lawrence (1 or 2 May 1899), 1 in packet of letters (1899-1901), Ghose file (DIS/1/G1).

charges made earlier. Out of this came a majority report by three members and a dissenting report by two.

According to Müller’s initial allegations, a police inspector had recognized Ghose on the boat they were all traveling on from India to Britain, and that Ghose was “known” to police in Calcutta and Simla as a forger. Inner Temple’s committee found this claim to be unsubstantiated. The case against Ghose came down to the spirit letters. The minority report took a harsh view. Ghose deliberately deceived Miss Müller “with the view and intent that she should adopt him as her son, that she should pay for his education and support and that she should make over certain property to him.” These benchers considered his conduct to have been “fraudulent and criminal,” although he was never convicted (unlike in Aladé’s case, below). Despite Ghose’s good conduct since and the many character references he provided, these two benchers considered him to be unfit for admission to their “honorable profession.”

Things looked different to the majority of the committee. It was Müller who had suggested that Ghose was her son in a past life, and the adoption had been her idea. She had offered to give him her house at Maidenhead as a gift so he could have the rental income, but Ghose had declined. He only wanted “a good education.” And although Ghose’s 1896 letter was “very bad,” Miss Müller had already decided to lead an ascetic life and give her property to some monastic institution when Ghose wrote it. Even the passage about handing over her estate to Ghose (quoted above) had included a provision for a trust, and the trustees would have been Müller’s relatives, who would have managed it with good

69 “Report by Poland and Cooper Willis,” 8-9.
sense. Ghose had confessed to his letter-writing ruse voluntarily and of his own accord, not long after the Maidenhead house offer, in fact. And he had expressed remorse and regret many times for acting with youthful foolishness. He had reformed since then, and provided the committee with 15 letters of reference from Britons like his former Cambridge tutors and Miss Müller's accountant (one Miss Gradwell), South Asian barristers in India, and high-up members of the Baroda government. These letters characterized Ghose as honest, trustworthy, and responsible. The majority also realized that the future of Ghose and his family were at stake. He was the eldest child in his family and had to support an elderly father and three sisters, and to educate two brothers. “My whole future depends upon the decision of the Masters of the Bench,” pleaded Ghose, “and I hope they will not think it necessary to inflict a lifelong punishment upon me for the foolish wrongdoing of my youth.” Ghosh was readmitted, but only by one vote.

The committee’s decision can be understood in several ways. Ghose may have succeeded because his narrative meshed well with the imperial civilizing-mission agenda, along with Christian and capitalist values. His was a story of sin followed by a guilty conscience, confession, forgiveness, redemption, and reform through hard work and the taking of personal responsibility. Other parts of the file noted that Ghose made “expressions of penitence and regret.” The fact that he voluntarily told Miss Müller the truth would have struck the benchers as hopeful. Anglo education of colonial subjects was meant to replace “native mendacity” and dissimulation with honesty and directness, values

73 For instance, “Report by Poland and Cooper Willis,” 9.
most Britons of this era believed were not valued in South Asian culture. The majority report and letters used phrases like “honest,” “truthful,” “straightforward” and “trustworthy” to describe Ghose. Perhaps the acculturative aims of an English education were being realized in Ghose’s case (the benchers may have thought) despite the trickery and dishonesty of his earlier offence. Ghose said that he had written the spirit letters not out of greed for Müller’s wealth, but out of hunger for “a good education,” which meant an English one. To the committee’s mind, Anglo education may have been both a source of temptation and of redemption.

Racial difference played a role in the case, too. As a Theosophist, Miss Müller began her interactions with Ghose with an unusual openness to social mixing between South Asians and Europeans. Most Britons in India socialized in racially restricted zones like the club, and “England-returned” Indian students noted that the rare friendship they made with Europeans in England cooled as the friends approached India. One British couple who met Miss Müller socially in Calcutta learned that she had adopted “a young native” who had then “dropped her name when she stopped supplies.” That “it should have ended thus” was no surprise to them. This would have been a common attitude among Britons

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75 For example, see “Report of the Committee,” 3, 8; letter from S. M. Moses of Bombay (5 July 1901), 26; and letter from Justice M. G. Ranade, Bombay High Court (16 Feb. 1900), 27; all in “Report of the Committee” booklet.


77 See Benjamin B. Cohen, *In the club: associational life in colonial South Asia* (Manchester: Manchester University Press, 2015). For heart-breaking stories of Britons withdrawing from friendships with Indians “after Suez” (i.e., on the boat returning to India), see Mukherjee, 56.

78 Typed version of letter from C. A. Elliott to Sir Henry Lawrence (28 April 1899) in “Report of the Committee” packet, 16.
residing in India circa 1900. What was less expected was that Miss Müller's sudden U-turn that forced Ghose to withdraw from Inner Temple was also racially motivated. The Inner Temple report was convinced that racial animus accounted for her change of heart: Miss Müller seems to have taken "this cruel and arbitrary action," of reporting Ghose to Inner Temple several years after forgiving him, "not by any dislike to Mr. Ghose personally, but because she had at that time changed her mind as to India and Indians generally, and had taken a dislike to the country and the race." In readmitting Ghose, the benchers were thus countering the newly discovered racism of his once-adoptive mother. That said, there can be no question that the letters of support from Europeans bolstered Ghose's chances. These letters came more broadly from two cultures that must have felt familiar and "secure" to the benchers: Europeans, on the one hand, and barristers, on the other. Ghose had close relationships of mentorship and support in the domains of education, housing, and employment with Britons in positions of authority and with barristers and judges (all Indian) in India.

Finally, while the benchers may have found Ghose's spirit letters troubling, they may also have found the mystical movements involved in the case faintly ridiculous. This probably tempered their sterner impulses. The Inner Temple report referred to Theosophical communications with spirits as "absurdities" that had been exposed as a sham in the British press. A British woman who met Müller socially in Calcutta thought her "a good & interesting person only rather cracked about her Deism or Theosophy."
Ghose’s letter to the Inn also mentioned details that highlighted the movement’s eccentricities. When he started at Cambridge, for instance, Miss Müller told him she had reached the highest level of Theosophical meditation (the fourth plane of the “Raja-yoga”) in which a person could see the future and “make events happen according to his will.”

Theosophy’s perceived wackiness may have helped tip the balance in Ghose’s favor.

“Barrister-Outlaw” Shyamji Krishnavarma

There was nothing comical about the second South Asian case featured here. Shyamji Krishnavarma was a radical Indian nationalist branded an extremist and terrorist for his advocacy of the violent overthrow of British rule. His strain of the anti-colonial movement contrasted with the constitutionalists who led the Indian National Congress in 1885-1919 and the Gandhian advocates of non-violence who came to dominate the movement from 1920 until Indian independence in 1947. Both Krishnavarma and Gandhi were trained as barristers at Inner Temple. Both advocated extralegal methods to combat colonial rule in India. And both would be disbarred for endorsing these methods, namely non-violent mass protest, boycott, and hunger strikes for Gandhi and targeted violence for Krishnavarma.

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83 For the most recent scholarly biography, see Harald Fischer-Tiné, *Shyamji Krishnavarma: Sanskrit, Sociology and Anti-Imperialism* (London: Routledge, 2014). See also the “Making Britain” entry (accessed on 23 August 2018): [http://www.open.ac.uk/researchprojects/makingbritain/content/shyamaji-krishnavarma](http://www.open.ac.uk/researchprojects/makingbritain/content/shyamaji-krishnavarma)
85 Only Gandhi was re-admitted to Inner Temple posthumously, as noted above (see note 49). There has been at least one request to re-admit Krishnavarma. See letter from Bombay High Court advocate Ankit L. Shah to Inner Temple (1 January 2015) in file of S. Krishnavarma (DIS/1/K2), Records relating to Disciplinary Proceedings: Disciplinary and Professional Conduct Case Papers (1821-1938), Inner Temple Archives.
Krishnavarma was originally from the western Indian princely state of Kutch, a fact he emphasized to stress that technically he owed no allegiance to Britain. He studied at Balliol College Oxford, having first arrived in Oxford as a Sanskrit scholar and assistant to Professor Monier Williams, one of the leading Orientalist scholars of the time. Krishnavarma was called to the Bar at Inner Temple in 1884. He returned to India and practiced briefly at the Bombay High Court, before taking up the more prestigious position of Diwan or Prime Minister in the small princely state of Rutlam in central India. He married a woman whose wealth helped fund many of his future political activities, and together they returned to London in 1897. In 1905, he established India House in the Highgate neighborhood. India House provided housing to Indian students. It soon became a gathering place for Indian revolutionaries, and was linked to bomb-making and the assassination of a British official named Sir William Curzon Wyllie in 1909. One British newspaper called India House “the temple of treason at Highgate.” Krishnavarma also published the radical publication, *The Indian Sociologist*, and fled to Paris in 1907 to avoid arrest for his articles. It was these writings that were at the heart of his disbarment proceedings at Inner Temple in 1909.

Shyamji Krishnavarma's disbarment proceedings were triggered by a two-sentence letter published in the *Times of London*, asking whether the Inner Temple benchers were prepared to take any action against him. In response, Krishnavarma was called to appear in person or put in a written statement at Inner Temple “to show cause why you should not

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be disbarred.” Now living in exile in Paris because he feared arrest in Britain for his political activity, he submitted a long letter to Inner Temple along with a generous sample of *Indian Sociologist* issues containing some of his most hard-hitting critiques of British rule.

Krishnavarma’s writings inverted the standard colonial narrative about truth-telling and corruption among “natives.” The fact that A. K. Ghose had decided to tell Miss Müller the truth about his spirit letters worked in his favor; his was a story about the dissimulating colonial who did the difficult but noble thing and chose honesty. Another colonial stereotype intertwined with the idea of that “natives” lied was the idea that they were corrupt. Krishnavarma took both ideas and turned them on their heads. It was not Indians who lied and dissimulated. British imperialists like Lord Morley in fact were the liars and hypocrites for pretending to be champions of press freedom and the parliamentary system while strangling both in India. Krishnavarma would surely have regarded “corrupt” Indians working for the colonial state as subverting an illegitimate regime from within. He argued that all laws in British India were void for Indians, “they not being made by the Indian people,” for instance. The real corrupting influences were all of the British treats like royal jubilees (and presumably jobs and honors) that “hypnotized” Indians and prevented them from acknowledging the many horrors of British rule.

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89 “British policy of reform as an outcome of nationalist agitation and action. Tables turned—charge of dishonesty brought home to the Secretary of State for India,” *The Indian Sociologist* V:2 (February 1909), 1 in Krishnavarma file.

90 “The Educational Adviser of Indian Students.”

To counteract all of the incentives for colonial collaboration, Krishnavarma created scholarships for young Indians to come study in England and stay at India House. Recipients were prohibited from working for the colonial government once they returned to India. He also created positions for several “political missionaries” who would work in England to spread the anti-colonial message. Beyond Britain, Krishnavarma fed the growth of a global diaspora of radical students: “my young countrymen now sojourning for study in Europe, America, Japan, and elsewhere are the rising hopes of the Indian nation.” He covered the postage “to all parts of the world” for all Indian Sociologist subscribers.

Similarly, Krishnavarma inverted colonial characterizations of good character. In 1908, a planned assassination of a British magistrate in Muzaffarpur, India went wrong, and two British women (a mother and her adult daughter) were killed instead. The murders of Mrs. and Miss Kennedy were held up in the British press as evidence of the cruelty of extremist radicals, who commemorated with monuments and scholarships “even the murder of defenceless Englishwomen.” Krishnavarma countered that while their killing had been “quite accidental and incidental,” all Europeans who chose to live in British India were risking their lives. Krishnavarma warned his British friends and acquaintances “against the risks they run of losing their kith and kin by allowing them to go to India in these troubled times, since every Englishman who goes there for exploiting that country directly or indirectly is regarded as a potential enemy” by Indian nationalists.

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92 “The Educational Adviser of Indian Students.” On links between the US-based Ghadr party and India House, see Mukherjee, 98.
93 See the front page of The Indian Sociologist V:2 (Feb. 1909), 1.
95 Untitled excerpt from The Indian Sociologist V:3 (March 1909), 11 in Krishnavarma file.
In the London press, the Kennedy attackers were described as cold-blooded killers and *The Indian Sociologist* as “largely devoted to the glorification of murder.”96 By contrast, Krishnavarma saw radicals who took action as brave and self-sacrificing for the good of the Indian people. Those who were caught, tried, and executed by the colonial state were martyrs. Krishnavarma was referring especially to four radicals, three of whom had been executed for the Kennedy killings (the fourth committed suicide before he could be taken into police custody). In honor of the men, Krishnavarma proposed additional scholarships, a memorial plaque at India House, and payments (“tokens of gratitude”) to the mens’ relatives.97

Durba Ghosh has shown how powerful the language of martyrdom became for Bengali “gentlemen terrorists” of the radical extremist movement, particularly through executions. Krishnavarma turned his own disbarment into a kind of for martyrdom. He relished the attention and celebrated the rejection: “it would be a signal and unique honour conferred on a humble Indian like myself if the Benchers of the Inner Temple decide to disbar me for the expression of my political opinions.” It was no punishment for him to be disbarred, Krishnavarma continued, as he stopped practicing 16 years earlier and would not practice in India until and unless it became independent.98 He rejoiced “at the prospect of persecution in England,” as nothing would help his cause more than “Englishmen’s open hostility to freedom of speech and writing.”99

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96 “Indian Anarchism in England.”
97 The men were Prafulla Chaki, Khudiram Bose, Kanailal Dutt, and Satyendra Nath Bose. [“Indian Anarchism in England” (letter to the editor by “Corruptio Optimi Pessima”), *Times of London* (13 Feb. 1909) in Krishnavarma file.
As much as he rejected legal methods for defeating colonial rule, Krishnavarma framed his case in a rule-of-law manner when speaking to lawyers at the Inns. He requested to know the precise charges made against him. Specifically, he asked the benchers to identify particular passages of his writings and explain why they were objectionable. The benchers did not comply with this request, and the general vagueness of their position suggested possible discomfort in articulating their politics explicitly.100 The legal profession was supposed to be apolitical, and Krishnavarma noted that Afrikaaner students at Inner Temple fought against Britain in the Boer War (1899-1902) and were permitted to return to the Inn afterwards. They were not disbarred.101 Yet somehow criticizing British rule in India was different. In an uncanny foreshadowing of the Second World War, Krishnavarma asked “whether an Indian is not entitled to plead for the independence of his own country just like an Englishman, supposing Germany or France conquers England and governs it despotically.”102

Krishnavarma also martialed the language of rights and freedoms. He asserted that he had a right to express his political views in “England, which is a free country as opposed to British India.”103 Krishnavarma’s newspaper was banned in India, but not in Britain, for instance.104 Indian students often commented on the liberty they observed in the imperial metropole, in stark contrast to the despotic rule they knew in British India.105

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100 “Indian Anarchism and the Inner Temple” (letter to the editor by Shyamji Krishnavarma), Times of London (7 May 1909) in Krishnavarma file.
101 “Indian Anarchism and the Inner Temple.”
105 Mukherjee, 90-2, 97.
Macaulayan project of creating loyal colonized elites through education in Britain backfired in this way. Here again Krishnavarma pointed out that it was Britons, not colonized subjects, who were the liars and hypocrites: they celebrated liberty as an inherent feature of Britishness and provided it to the population in Britain, but denied it to their subjects in India.

After setting up his right to express radical political views, The Indian Sociologist gave voice to these views. The most controversial was the defense of violent methods. Krishnavarma reminded his readers that polities had been founded in Britain and America through violence. With his revolutionaries, George Washington—“the arch-enemy of England”—had established the United States of America through violence. Washington was now celebrated even by British ambassadors:

Let it always be remembered that it was George Washington who, in 1769...made the emphatic declaration that ‘no man should scruple or hesitate a moment to use arms in defence of freedom’...and [that] the representative of the British Government in America now openly holds up this successful arch-rebel—the first President of the United States—as a model man!\textsuperscript{106}

In England, the “Archtraitor” Oliver Cromwell and his puritans, including the “regicide John Milton,” killed the king to establish their government in the mid-seventeenth century. Cromwell and Milton were now honored with tombs in Westminster Abbey, and Milton was celebrated as “a pioneer of democracy” to whom “the English race [largely owed] constitutional government.”\textsuperscript{107} Even the barons who extracted the Magna Carta of 1215 from King John did so not “by peaceful argument, but by an array of armed barons who

\textsuperscript{106} Letter to the editor of the Times of London by Shyamji Krishnavarma, reprinted in The Indian Sociologist V:3 (March 1909), 10-11, in Krishnavarma file.

\textsuperscript{107} Letter to the editor by Krishnavarma in Indian Sociologist (March 1909), 10.
imposed it on [King John] by threats of force.”\textsuperscript{108} The British claim that the use of violence was an unacceptable form of resistance was thus belied by the history of the Anglosphere. Krishnavarma implied that it was only wrong to use violence if one lost.

Krishnavarma had Indian opponents as well as Britons for his advocacy of “violence if necessary.” A number had previously been his allies or followers. They broke with him over his endorsement of violence, and published letters in the \textit{Times of London} insisting that Krishnavarma was a marginal figure who had long lived outside of India and did not represent Indian nationalists.\textsuperscript{109} “Secret assassinations have no sanction in our political philosophy,” wrote Bipin Chandra Pal, “and are repugnant to the moral instincts of our race.” Krishnavarma countered that violence was hardly antithetical to Indian tradition. In Hindu scripture, Rama and Krishna were best known for killing the tyrants Ravana and Kansa, and Manu, the author of the classical Hindu law text, included a “long list of tyrannical rulers who were extirpated.”\textsuperscript{110}

Krishnavarma’s case was an easy one from the perspective of the Inner Temple benchers. Unlike the cases of Ghose and Aladé (explored shortly), there was no split or ambivalence among benchers. Krishnavarma showed no regret or remorse for his writings, and continued to propagate his views. His institutional work and writings threatened to spread his violent opposition to British rule like a contagion. The “barrister-outlaw”

\textsuperscript{108} “India must use force. Advice to Indian flunkeys,” \textit{The Indian Sociologist} V:2 (Feb.1909), 8 in Krishnavarma file.
\textsuperscript{109} Letter from Virendranath Chattopadhyaya to the editor, \textit{Times of London} (1 March 1909), noted in “Ethics of Indian Nationalism,” \textit{The Indian Sociologist} V:4 (April 1909), 14 in Krishnavarma file.
\textsuperscript{110} “Ethics of Indian Nationalism,” 15-16.
(Krishnavarma’s own term) could be no barrister at all.\footnote{In Krishnavarma’s words, “it is a distinction by itself to be a Barrister-outlaw instead of Barrister-at-Law...” [“The English Press and Ourselves,” 1.]}

He was disbarred on 30 April 1909, trailing others in his wake.\footnote{One week after Krishnavarma’s disbarment, two Indian students at Gray’s Inn were prevented from being called to the Bar until allegations of links with the former barrister and India House could be investigated. [“Calls to the Bar Postponed,” \textit{Times of London} (7 May 1909) in Krishnavarma file.]

\footnote{Letter from S. A. Kapadia to Inner Temple Treasurer (13 Jan. 1902) and Committee recommendation against Kapadia proposal (Ralph Neville, chairman) (16 July 1903), both reproduced in B.T.O. (4 Aug. 1903) in B.T.O. 1903-7 (BEN/1/32). Relatedly, see Mukherjee, 15-17.}

\footnote{“By means of this agency it is hoped that the Educational Adviser will be able to obtain all information regarding individual students which may be desired by the University and other authorities in this country, and thus to meet what is understood to be a need which has made itself felt for detailed and trustworthy information as to the position, means, and character of Indian applicants.” [Letter from [Colin] Campbell, India Office, Whitehall to Inner Temple benchers (2 July 1909) reproduced in B.T.O. (27 July 1909) in B.T.O. 1908-11 (BEN/1/33).} Krishnavarma’s case had institutional consequences for future Indian students in England. For several years prior at least, the suggestion had made that Indian students should have some kind of advisor to help them meet the considerable bureaucratic requirements of English institutions, including the Inns. The idea was also proposed to prevent the use of fraudulent references. In 1903, a Parsi barrister named S. A. Kapadia had written to Inner Temple with this proposal. The benchers rejected the idea because of its potential to be used in an inquisitorial and oppressive manner.\footnote{Six years later, after Krishnavarma’s disbarment, the Educational Advisor to Indian Students suddenly became viable, as did a new Bureau of Information for Indian Students. Both would be created by the Secretary of State for India. Gone were concerns about unfairly monitoring or harassing South Asian students. The Advisor would help Indian students gather their document bundles together, but more importantly, he would watch for radicalization.} Six years later, after Krishnavarma’s disbarment, the Educational Advisor to Indian Students suddenly became viable, as did a new Bureau of Information for Indian Students. Both would be created by the Secretary of State for India. Gone were concerns about unfairly monitoring or harassing South Asian students. The Advisor would help Indian students gather their document bundles together, but more importantly, he would watch for radicalization.

\footnote{In Krishnavarma’s words, “it is a distinction by itself to be a Barrister-outlaw instead of Barrister-at-Law...” [“The English Press and Ourselves,” 1.]}
Krishnavarma’s disbarment was thus a catalyst for the creation of a surveillance machinery that would make Indian students feel monitored and mistrusted in the decades to come.\textsuperscript{115}

The conviction of O. Rotimi Aladé

Olusomoka Rotimi Aladé was a barrister from Lagos, Nigeria who had practiced for 17 years in the Gold Coast colony when he was disbarred following a conviction for the misappropriation of funds.\textsuperscript{116} His case was the most mundane or unremarkable of the three analyzed here: its facts related to a lawyer’s everyday work, rather than a mystical or revolutionary movement. Among the three, this feature made Aladé’s case the most representative of Inner Temple disciplinary cases. The most common scenario in this archive involved lawyers disbarred after being convicted of crimes like perjury and theft, committed during the course of their professional dealings. A criminal conviction provided the Inn with an administrative shortcut. Because the benchers could rely on the work done by the earlier court, it enabled disbarment without effectively retrying the case. But what about a situation where there were serious irregularities in the earlier legal process? Aladé’s case tested the limits of the Inn’s deference to the criminal courts.

O. Rotimi Aladé practiced in Lagos and the Gold Coast colony after being called to the Bar at the Inner Temple in 1888.\textsuperscript{117} At Axim in the Gold Coast, Aladé claimed to be a leader of the Bar. His father was a chief at Obo and Ayade and a judicial assessor (for a colonial

\textsuperscript{115} See Mukherjee, 25-6, 87, 95, 97, 102, 104, 110.

\textsuperscript{116} One reference in Aladé’s file states that he was a native of South Africa. This claim must be in error, given his family’s deep ties to West Africa including his father’s status as chief.

court) in Lagos.118 “My family and myself are well known and respected at Lagos and are in [an] affluent position,” Aladé wrote in his petition to Inner Temple, continuing that he had an extensive practice and “important Clients not only in the said Colony but also in England, Germany, France, and the United States.”119

Aladé’s case arose in the context of a gold mine leased by a British man named Captain Wyatt from Chief Borsan Yankunsu and his family. The heart of the criminal case against Aladé came down to one transaction within a larger web of dealings, and only involved African actors. In 1901, Chief Yankunsu gave his lawyer Aladé £100 to pass on to the chief’s creditors, Bosum and Egei, once Yankunsu had raised another £65 and given it to Aladé.120 Two years later, though, Yankunsu sent a message to Aladé that he would not be able to raise the remaining money, and that Aladé should return the £100. By this time, Aladé had done a considerable amount of legal work for Yankunsu and had not yet been paid. He suggested that Yankunsu let him keep the £100 in part payment of his legal bill, which totaled £150. Aladé claimed that through an intermediary, Yankunsu agreed. Aladé provided a written receipt, the counterfoil for which was submitted as evidence in his criminal trial. Yankunsu claimed that he did not agree to let Aladé keep the money.121 No court seems to have regarded the counterfoil as a forgery.122

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118 Judicial assessors were used instead of juries in many parts of the British empire. They advised the judge, but in many colonies their opinions were not binding on the judge. See Sharafi, Law and Identity, 197-8.
120 The records are not clear on whether this sum was in GB pounds or a West African currency also called the pound.
122 That said, there were references in the Inner Temple file to how the only evidence of a receipt came from Aladé, not from Yankunsu.
Aladé was tried in a Gold Coast colonial court on two charges: theft of £165, and fraudulent misappropriation of £165. He was acquitted of the first, and technically of the second. However, he was convicted instead of misappropriation of the smaller sum of £100 through fraudulent breach of trust. The judge (who was probably British) instructed the jury of Africans that when Aladé had agreed to hold the £100 and later pay it to Bosum and Egei, a trust had been created. Aladé made a written label for the bag in which he put the money, and the judge considered this label to provide the writing necessary to create a trust. When Yankunsu changed the plan, Aladé was obliged to gain the consent of the beneficiaries of the trust, Bosum and Egei. Because Aladé did not tell or ask them, he had wrongly retained the money—no matter what the purpose. Bosum and Egei knew nothing of Yankunsu’s initial payment to Aladé.

The Inner Temple barrister and his counsel contested the idea that a trust had been created. Instead, they argued that Aladé was an agent, not a trustee, in which case it would not have been necessary to gain the consent of Bosum and Egei. Furthermore, they argued that the statutory provision being used by the judge was inapplicable. However, they had focused their defense on the specific charge that Aladé had misappropriated £165, not £100, so the trustee-or-agent question was not a major focus of their case. When the judge then told the jury that it could convict on a charge other than the one initially made, Aladé

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123 Section 32 of the Gold Coast Ordinance No.12 of 1892 should only have been applicable to property owned by Aladé, not to property that he was holding for someone else. Aladé also argued that the label on the bag was a mere memorandum of receipt, not a declaration of trust. According to s.32, “Where a person, being the owner of a thing in his own right and for his own benefit, undertakes to hold or apply the thing as a trustee for another person, he shall not be deemed thereby to become a trustee, within the meaning of the provisions of this Code relating to fraudulent breaches of trust, unless he has constituted himself such trustee by an instrument in writing executed by him and specifying the nature of the trust and the persons to be benefited thereby.” Emphasis added. [William Brandford Griffith, ed., Ordinances of the Gold Coast Colony and the Rules and Orders thereunder in force 31 March 1903 (London: Stevens and Sons, 1903), 690.]
and his lawyer were caught off guard. When Aladé was convicted, they argued that a miscarriage of justice had occurred.124

Aladé appealed his case to the Supreme Court of the Gold Coast. He claimed that the issue was improperly framed in that court.125 The two British judges, Justices Brandford Griffith and Purcell, upheld the conviction. Another Inner Temple disbarment case, the 1887 Dillet case from British Honduras, had involved an appeal to the Judicial Committee of the Privy Council. Dillet had been acquitted because of irregularities in the lower court trial.126 This case created the following test: “Her Majesty will not review criminal proceedings unless it be shewn that by a disregard of the forms of legal process, or by some violation of the principles of natural justice, or otherwise, substantial and grave injustice has been done.”127 Somehow, the Supreme Court of the Gold Coast found that Aladé’s case had not produced serious injustice. An Inner Temple committee would later think otherwise. Aladé then appealed to the Privy Council, but it declined to take his case.128

Now came the disciplinary phase at the Inns. Aladé desperately tried to delay the Inner Temple disbarment proceedings as he appealed to the Privy Council, but once that court refused to grant certiorari, the benchers moved forward. The committee that prepared the report had serious doubts about Aladé’s criminal trial. The majority felt that

125 “But when the Full Court sat, the Case stated by Mr Justice Smith was not the Case I moved the Court to state, and which the Court agreed to state. It had never been submitted to my Counsel for approval in accordance with the usual practice, although they had applied to see it before the Sitting of the Full Court. The Full Court expressed itself unable to consider any other Case not before it, and the Conviction was confirmed.” [“Statement by R. Aladé to the Treasurer and Benchers of the Honorable Society of the Inner Temple” (12 June 1909), 3-4 in Aladé file.
126 See note 45.
127 In re Dillet, 459.
128 On the JCPC’s imperial appeals, see Ibhwoh; Sharafi, Law and Identity, 53-6.
“the summing-up of the Judge was erroneous on the vital point of the case, and we are of opinion that there may very probably have been a grave miscarriage of justice.”\textsuperscript{129}

However, Inner Temple’s Bench Table Order 105 was clear: a member convicted of a crime should be disbarred; he could then be reinstated later.\textsuperscript{130} Correspondence between Inner Temple and Gray’s Inn reflected that disbarment was the practice at other Inns, and that there was no distinction made between a conviction in England and abroad.\textsuperscript{131} The benchers seemed obliged to disbar Aladé, but they left the door open for re-admission.

There was, however, a dissenting opinion. Sir Harry Poland wrote a separate memo in which he argued strongly against going behind the conviction to effectively retry the case. He felt that the benchers should not “express any opinion as to whether the conviction was or was not well founded,” but that they ought to respect the authority of the earlier conviction.\textsuperscript{132}

When Aladé re-applied, the benchers declined to readmit him, and it seems that Poland’s view had won them over. Aladé then tried one last appeal, this time over the head of Inner Temple, but this attempt also failed.\textsuperscript{133} Aladé’s file provides no clear reasons for either rejection.

\textsuperscript{129} “Report of the Committee,” 3.
\textsuperscript{130} “When it has been proved to the Bench that a Member of this Inn has been convicted by a competent Tribunal of any offence, which in the opinion of the Bench disqualifies him from continuing a Member of the Inn, his name shall be removed from the books; but the Bench shall be at liberty to reinstate such person, on such cause being shown as they shall deem satisfactory.” (Bench Table Order 105 in "Report of the Committee appointed the 22\textsuperscript{nd} day of June to consider the case of Aladé," 2 in Aladé file.)
\textsuperscript{131} Letter from D. W. Douthwaite, Under-Treasurer, Gray’s Inn to W. G. Wrangham, Sub-Treasurer, Inner Temple (21 July 1909), 1-2 in Aladé file.
\textsuperscript{132} “Memorandum by Sir Harry Poland for the consideration of the Bench” (undated) in Aladé file.
\textsuperscript{133} This time, Aladé appealed to the Lord High Chancellor of Great Britain, the Lord Chief Justice of England, and “the other Judges of His Majesty’s High Court of Justice.” ["In the Matter of Rotimi Aladé. Petition on Appeal from...Inner Temple” (26 Feb. 1910), 1-4.]
Throughout this process, Aladé was depleting his resources. He had hired top senior barristers known as King’s Counsel or “silks,” along with a solicitor, for the disbarment proceedings.\footnote{Montagu Lush, KC and George Elliott, KC represented Aladé during the disbarment phase of his case.} When he applied for reinstatement, he retained the same two barristers, but could no longer afford a solicitor: “I am now without means, having been completely ruined by the proceedings.”\footnote{“In the Matter of Rotimi Aladé. Petition on Appeal from...Inner Temple” (26 Feb. 1910), 3.} By the time he tried to appeal the negative readmission decision, he could no longer afford legal representation.

How should Aladé’s case be understood? Part of the case was about personal conflict within the Gold Coast legal profession. Aladé seems to have been unpopular among his peers. At one point during the criminal trial, a prominent African barrister involved in the case named Hutton Mills had said loudly within earshot of the jury in the Accra language (which Aladé did not understand), that Aladé was guilty and should be convicted.\footnote{Statement by R. Aladé to Inner Temple (12 June 1909), 7. This barrister was probably Thomas Hutton Mills, who was called to the bar at Middle Temple in 1894.} Aladé had also requested that his trial take place in Accra, not the more natural location of Axim, “as the feeling of many persons in Axim, likely to be on the Jury, had been poisoned against me.”\footnote{Statement by R. Aladé to Inner Temple (12 June 1909), 5.}

Aladé had also made enemies with some British colleagues, particularly a judge in Axim called Pennington. Pennington had presided in an initial civil case over the conflict, which he had stopped in order for the criminal trial to proceed. Nonetheless, Pennington traveled about 160 miles from Axim to Accra to sit in on Aladé’s criminal case. Pennington behaved improperly at the criminal trial. Although he was attending纯粹 as a member of
the public, Pennington sat “not in robes—with Mr Justice Smith on the bench, and shook and otherwise moved his head” during Aladé’s defense. Aladé’s lawyer complained, and Pennington moved off the bench but then observed the proceedings from “the Judge’s room.” Pennington expressed his negative views of Aladé’s chances to two of Aladé’s lawyers.\textsuperscript{138} According to Aladé, Pennington had taken a dislike to Aladé earlier. Implied was a racialized lack of respect. Aladé had been a lawyer in Pennington’s courtroom when opposing counsel, a Briton named Edgar M. Robertson, made a number of insulting remarks to Aladé, including “That I grunted like a pig.” Stunned, Aladé “took no active objection, but followed the precedent of the Native Bar, and bowed with deference out of respect to the Bench and left the Court, as I was so upset it was impossible for me to proceed with my Case.” Subsequently, Pennington reported Aladé to the Chief Justice of the Gold Coast for submitting an “inflated and untrue Bill of Costs.” Pennington subsequently informed Aladé that he (the judge) had been misinformed.\textsuperscript{139} The judge’s personal ill-will toward Aladé may have combined with racialized disrespect and created irregularities in Aladé’s trial.

Across the British empire, colonial subjects appealed to authorities in the imperial metropole for relief against the often more explicit and brutal racism of Britons in the colony. Mithi Mukherjee’s work shows that the distant and “impartial” figure of the monarch in London was an idealized authority, and similar views of the Privy Council from British Africa appear in Bonny Ibhawoh’s study of African appeals to the court.\textsuperscript{140}

\textsuperscript{138} Statement by R. Aladé to Inner Temple (12 June 1909), 5.
\textsuperscript{139} Statement by R. Aladé to Inner Temple (12 June 1909), 6. Emphasis added.
case, however, the center deferred to elites in the colony, and not without racial undertones. Sir Poland’s memo against readmission suggested that not disbarring Aladé would undermine the authority of the two British judges who had rejected his appeal in the Gold Coast.

The desire not to “embarrass” British authorities in the empire warped many facets of colonial life. From the provision of luxury housing for British High Court judges in Bombay (and use of eminent domain to achieve it) to the rule that the Privy Council could issue no dissenting or concurring judgments (unlike the highest court of appeal for Britain) to the argument that British officials should not be imprisoned alongside Indians, the fear of racial embarrassment threaded itself through the fabric of colonial life.\textsuperscript{141} With the note that two English judges had already dealt with the complexities of the case on appeal, racial dynamics crept into a case where the Inn’s own majority report suggested violations of the rule of law.

Finally, there was precedent. Across the Inner Temple disciplinary archive, criminal convictions usually led to disbarment without readmission. If the rule of law was a key theme in Aladé’s case, there were competing strands. On the one hand, the Inner Temple committee found that the judge’s instructions to the jury were in error— one could not be convicted of a crime for which one was not charged, and Aladé was probably not a trustee. But on the other, criminal convictions normally led to permanent disbarment in past cases.

Precedent and its notion of fairness—treating like cases alike—eclipsed the irregularities in Aladé’s trial, and with them, substantive justice.

**Good character, Race, and the Rule of Law**

For colonized peoples, education at the Inns circa 1900 was intended to produce professional elites who would maintain legal systems across the empire. It did not always work as Macaulay would have envisioned it in the 1830s. One aim of colonial education was to train the “native deceptiveness” out of colonial subjects through the inculcation of “good character.” Ghose’s case was a success story in this way: an early fall from grace led to truth-telling and acceptance of fault, following by personal reform through industry. As we know, Ghose remained a member of Inner Temple, and he went on to have a successful legal career in India. Aladé’s case had a less happy ending. His alleged wrongdoing may have become packaged as a criminal conviction through a lack of due process at his initial criminal trial. Aladé never accepted that he had done anything wrong, and spent all his money trying to appeal to the highest levels in the metropole. Sir Harry Poland doubted Aladé’s honesty.¹⁴² Shyamji Krishnavarma could have been regarded as another “failure” of colonial legal education. Here there was dissimulation at one level, but honesty at another. Krishnavarma declared very openly his rejection of British rule and colonial values. He published his views in the *Indian Sociologist* and used the publicity surrounding his Inner Temple disbarment process as a stage to communicate with a larger audience: the imperial public. At the same time, he noted that his movement had to operate in secrecy and in exile.

¹⁴² Unlike some of his Inner Temple colleagues, Sir Harry did not lean in Aladé’s favor in his assessment of the evidence at the criminal trial. He commented that “the evidence was of a most conflicting character.” [*Memorandum by Sir Harry Poland for the consideration of the Bench* in file of Rotimi Aladé (DIS/1/A1), Inner Temple Archives.]
because it had been branded as terrorist. In fact, he argued, it was “British terrorism in India” that was “fast driving underground all those forces which make for a secret revolution in India, and which no power on earth can stop.” Krishnavarma represented the most frightening potential of colonial education in England, from the Macaulayan perspective: the production of an anti-colonial radical. The creation of the Educational Advisor to Indian Students soon after Krishnavarma’s case reflected the rise of a surveillance machinery that would monitor South Asian students in the decades to come.

What do these three cases tell us about the standard of “good character”? A barrister of good character was honest and trustworthy in his professional and personal dealings. He admitted when he had acted improperly (as Ghose did and as Aladé did not, some would say), and worked to make things right. He also espoused a particular politics: he was loyal to British imperial rule. As much as Krishnavarma’s case focused on his advocacy of violent methods, Gandhi too would be disbarred thirteen years later despite his espousal of non-violence. Aspiring to sustain the appearance of apolitical professionalism, the Inns were in fact deeply implicated in the politics of empire at the turn of the twentieth century. The elements of “good character” that were required from students made this clear.

The role of race in these cases had more unexpected twists. The Inner Temple benchers readmitted Ghose in part to counteract Miss Müller’s sudden turn to racism. Yet the refusal to readmit Aladé was informed by the wish not to embarrass or undermine the authority of white judges in West Africa, despite the impression that the rule of law had not been upheld in Aladé’s criminal trial. Krishnavarma’s perception of the world was one

143 “Indian Anarchism.”
144 “Effects of British Terrorism in India,” The Indian Sociologist V:3 (March 1909), 11 in Krishnavarma file.
divided sharply along lines of acceptance or rejection of British rule. Although this usually aligned with race, it did not always. Krishnavarma had European and American allies and associates. He frequently quoted British anti-imperialists like Herbert Spencer, who called the British “sociophagous”—a society-eating nation that privileged Europeans “in the East, [who] tacitly assume that Indians exist for the benefit of Anglo-Indians.”

When the Inner Temple benchers disbarred him, they were arguably rejecting his stance on British rule in India more than a race-based position he was taking.

Finally, these three cases shed light on the internal tensions between different strands within the rule-of-law ideal. There was no engagement from Inner Temple with Krishnavarma’s claim to have certain substantive rights—namely the right of political expression. A more procedural notion of the rule of law, however, did receive serious consideration from the benchers in Aladé’s case. However, the due process that they admitted may have been absent in Aladé’s criminal trial was outweighed by another strand of the rule of law: the duty to treat like cases alike. The adherence to precedent, namely the Inn’s long record of denying readmission to former members with criminal convictions, pulled ahead, not least of all to avoid embarrassing British judges in Africa.

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145 “Indian Anarchism and the Inner Temple.” In this context, “Anglo-Indians” refers to Britons in India, rather to the population of mixed European and South Asian descent. Krishnavarma also often cited Edmund Burke (who called the English in India “birds of prey and of passage”), Robert Wallace (who said that Indians would “never be civilized men, or men at all, until they pick up courage and kick you [Britons] out of doors”), and Richard Congreve (who believed “the cause of the English in India to be unjust”).
Conclusion: After the Inns, After Empire

A.K. Ghose had a successful legal career in India after his readmission. In 1904, already with "considerable experience" with small causes work, he was appointed Registrar of the Court of Small Causes in Calcutta. By 1907, he was a faculty member (probably at Calcutta University) and a member of the National Council of Education for Bengal. His cases were occasionally reported in the press, including a 1906 case in which he represented railway strikers and one in 1914, when he defended a man accused of murdering an Indian magistrate. Both of these cases may have had anti-colonial valences. In this way Ghose may have worked in the service of the nationalist cause, although in a very rule-of-law way. Frances Henriette Müller died in 1906 at the age of about 60, in Washington DC. Her will left an estate of considerable value, £12,750 to her sister, Eva McLaren. It made no mention of her former son, Ghose.

Shyamji Krishnavarma continued to further the radical anti-colonial cause from Paris. He published the Indian Sociologist from 1905 until 1914, and then revived it between 1920 and 1922, publishing this time from exile in Geneva. Surprisingly, Krishnavarma died a natural death in 1930. His life and work have been commemorated in post-colonial India (fig.1), where the distinction between violent and non-violent freedom fighters has been blurred.

146 Untitled article, Calcutta Weekly Notes vol.8, no.19 (28 March 1904), 149.
149 “(Frances) Henrietta Müller.”
Aladé faded from the records after losing his case at Inner Temple. The experience must have ruined him. But in a multigenerational twist of fate, Aladé’s nephew would become a pioneering barrister and towering legal figure in early independent Nigeria. Frederick Rotimi Alade Williams (1920-2005) was born after his uncle’s disbarment and was named after him. This nephew became a student at Gray’s Inn—not Inner Temple—in the early 1940s.

Being disbarred or not created a major turning-point in the lives of Aladé and Ghose. Krishnavarma’s path remained unchanged by his disbarment, and indeed he used the experience to generate publicity for his cause, turning its intended stigma into a badge of honor. As empire unraveled in South Asia and West Africa in the 1940s-50s, the numbers of colonial students from these parts only surged at the Inns, seemingly divorcing an English legal education from British rule.\(^\text{150}\) This article has suggested that this distinction was hard to sustain. Within a decade of South Asian and West African independence, these waves of colonial students must have fallen to a trickle.\(^\text{151}\) Today, it is the English Heritage blue plagues that dot London’s streets (fig.2), along with portraits of Gandhi and Jinnah now adorning Inn walls, that remind us of this century-long experiment in global legal education. Less clearly

\(^\text{150}\) “After [World War II, African students] came in floods and far outnumbered the English students. The facilities of the Inns...were inadequate to cope with these numbers...” (Gower, 108-9.) On South Asian students, see Mukherjee, 48-9.

\(^\text{151}\) However, it is worth noting that aspiring Bangladeshi lawyers continue to study at the Inns today. I thank Cynthia Farid for alerting me to this phenomenon.
remembered is the fact that studying law at the Inns was hardly a politically neutral act, but required endorsement of the imperial project and its value system. As Inns of Court chronicler C. E. A. Bedwell observed in 1912, “the Bar is a bond of empire.”

— Bedwell (part 1), 209.