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Colonial Land Revenue Administration and Mappila Outrages in Malabar

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Abstract

Portuguese power in Kerala ruined the trade monopoly of the Arabs in Malabar Coast. Defeating all other colonial powers, the English East India Company established its authority and became the dominant political power in South India after the Sreeranga Pattanam Treaty in 1792. Malabar had a traditional land revenue system which was changed by the Mysore sultans, and ultimately by the British government. The company introduced the Western type of land reforms. All their reforms protected the interest of the Land Lords. Jenmis were recognized as the Lords of Lands. It weakened the relationship between Land Lords and tenants. The tenants were evicted with the support of colonial courts. The Mappila tenants in South Malabar lost their land and it led to outrages. Even though the British government appointed land reform committees, the complaints of the Tenants continued. It became the major reason for the nationalist movement in Malabar.

Keywords: Mappila Revolt, Land Revenue System, Agrarian Discontent, Land Lords, Religious Persecution

Introduction

The visit of the Portuguese initiated colonialism and thus is the genesis of colonial history in Kerala. During the time of their arrival, trade of pepper and spices had been monopolized by the Arabs. The rulers of Kerala, especially the Zamorin of Calicut showed favour to the Portuguese and began to repeal their support to the Arabs. Even though the Zamorin's naval chieftains of Kunjalis fought the Portuguese, they were outmatched by the Western War weapons.^[1] In 1595 Kunjali IV was captured by the Portuguese with

the support of the Zamorin. This incident put an end to the Arab resistance and the entire trade monopoly fell in the hands of the Portuguese.

Followed by the Portuguese, the other colonial powers like the Dutch, the French and the British reached the shores of Kerala in order to accomplish their economic interests. By defeating other powers, the English established their supremacy in Kerala. The political disagreement and the difference in economic interests among the rulers of Kerala was also in favour of the Englishmen. This scenario of sheer political chaos and jealousy among the rulers of Kerala invited Mysore Sultans to Kerala. Initially the British were not interested in a direct action against the Mysore rulers. They provided the rulers and the chieftains of Malabar with money and military and motivated them to revolt against the Mysore Sultans.^[2] But the Mysore rulers defeated the Malabar chieftains and established their unquestionable sway over the conquered territories. The weight of a better organized military power of the Mysore rulers was felt by the rulers and the chieftains.^[3] The rise of Mysore rulers as an unmatched power posed a threat to the British authority which eventually led to the Anglo- Mysore Wars. The war ended in 1792 according to the treaty of Sree Renga Pattanam and the English East India Company emerged as the dominant political Power in South India. The district of Malabar was ceded to the English East India Company.^[4] The administrative control of the area came under the Bombay presidency until 1800 and later was made a part of the Madras presidency.

Malabar had a traditional Land Revenue system that prevailed for a long time. Formerly the right of land laid with a few aristocrats which comprised of the temples, the Nambutiri Brahmins, the Chieftains and the Rajas. It was just a small fraction of the total population. The others held land under a medley of tenures known as 'Kanam', 'Kuzhikanam', 'Verumpattam' etc. The highest form of tenancy was Kanam.^[5] The tenants who had advanced a certain amount of money or grain or those who had pledged their service or loyalty for obtaining the tenure were called Kanam tenants. This tenancy was formerly confined to the higher caste Hindus and the wealthy Muslims. Such lands were relieved from paying 'Rajabhagam.'^[6] But the artisans and other professional castes were taxed. The Kanam tenants were supposed to renew their Kanam Deed after a fixed period. The renewal entitled the Janmi to a remission of a fixed percentage of his actual debt.^[7]

The practice of levying a periodical fine for the renewal of Kanam was really in the nature of a succession duty, 'Purushantharam.' The Fine was payable at the death of *Janmi* or Kanam tenant or once in a twelve years at the feast of Mamangham or Mahamaham at Thirunavai, which was known as 'Polichezhuthu.'^[8] Non- payment of the *Janmi's* share, non- payment of renewal fees, neglect of cultivation and the inability of the tenant to advance more amount on the demand of *Janmi* was considered adequate grounds for eviction. The Kanam tenants built their houses on their tenancy land. The name of the tenancy land was also given to their houses. Many families possessed the land hereditarily. Baden Powell writes, "he may be practically immovable intermediary, because he can't be redeemed

out”.^[9] ‘Kuzhikanam’ was a tenancy created with the exclusive purpose of planting trees. The ‘Verupattam’ tenancy could be under a *Jenmi* or a ‘Karanavar’ or directly under the government. The society built based on this structure had immense influence even on the culture.

For the first time in the history of Malabar, the Mysore Sultans introduced a land revenue administration. They tried to enforce tribute and direct revenue system. The land was measured and government share was fixed. The intermediaries between the government and the cultivators were removed from power. This fresh land revenue system allowed the tenants to maintain a high social status.^[10] The Mysore government established direct relations with the tenants. They allowed the tenant cultivators to enjoy their fruit of labour.^[11] During the Mysore invasion, the land lords and chieftains, who were mostly Nambutiris and Brahmins had fled from Malabar. Therefore, the Mysore administrative authorities were under pressure to make a settlement with the tenants for revenue collection and they were mostly Mappilas. As a result, the social hierarchy of Kerala inherited from time immemorial broke down and out of its ruins a new middle class developed in due course.^[12] Thus a new social class was created by the land reforms of Mysore rulers. Several tenants acquired land ownership and became *Jenmis*. The land revenue administration introduced by the Mysore sultans created new agrarian problems between the Hindu land Lords and Muslim tenants and also introduced administrative disorder between the government and the people.

When the English East India Company took control of Malabar territory, all the rulers and the chieftains were compelled to accept the British sovereignty and were not treated as tributaries, but as revenue farmers. With the establishment of the British administration, the rulers and the chieftains who had fled to other parts during the Mysore invasion returned to Malabar. The first problem handled by the British was the land owning rights of the different classes. The British government appointed William Farmer, a senior merchant of Tellichery commandant as commissioner to assess the nature of Malabar land tenure. It was the first commission which studied the Malabar land ownership system. They considered the *Jenmis* as lords of the land and Kanam tenants as lessee of the land Lord.^[13] After a conference with the *Jenmis*, the government share of the produce was fixed. It was foreign to the customs of the people.^[14] The government was entitled to 40 percent of the net produce of wet land and 1/3 of garden crops. The tenant farmers share was 1/3 of the produce both from wet and garden land. The remaining produce was left to the *Jenmis*.^[15] They completely neglected the customary rights of the intermediaries and settlement was made with the new class of *Jenmis*. The scheme did not provide any share to the Kanam tenants. The claim of the *Jenmis* as Lords of the soil was recognized. It is understood that the British protected the interest of the minority land lords, who were only 2 percent of the population of 17.1 lakh people in the district.^[16]

In 1793, the British government renewed the lease for a period of five years. The land lords were armed with the power of evicting their tenants at the expiry of the lease. The land Lords used power and *Kanam* tenure was given by auction. This method of auction was called 'Melcharth.' This was directly against the 'Kanakars' especially the Muslim tenants, who had enjoyed ownership of the land during Mysore rule^[17]. It was the root cause of all agrarian unrest in Malabar.

The land revenue reform of the British in Malabar was making a negative impact on the positive coexistence of the land lords and tenants. *Jenmis* as lords of soil began to strengthen their claims with the support of the colonial courts. The traditional arrangements of sharing crops collapsed when the civil courts dispersed the unwritten customary law 'Kanam Janmam Maryada.' It ruined a system already endangered by the erroneous idea that a *Jenmi* was really a dominus.^[18] The *Kanam* tenant's advance was treated as a mortgage of the soil and he was liable to return the tenancy of payment of the full advance amount.

The land revenue scheme introduced by the British in Malabar was firstly opposed by Mappila Muslims. By raising the taxes and influencing the civil courts, the land lords began to evict a large number of tenants. 70 percent of the cropped areas were in Eranad, Valluvanad, Palghat, and Ponnai, in South Malabar. North Malabar was based on garden cultivation.^[19] The crop cultivators had to pay roughly double the tax when compared to the garden cultivators. It was 66 percent and 32 percent of the production respectively.^[20] The rent which he had to pay was more than what the land could yield, and the burden of debt accumulated around him and his position was no better than that of a slave. If he incurred his land lord's displeasure, decree for eviction and arrears of rent followed and his means of livelihood would disappear forever.^[21] The insecurity and helplessness of the tenants were reflected in the fanatical outrages.

In 1852 the British government appointed T.L. Strange, a judge of Sadar Adalat, to ascertain the causes of the outbreaks and to make a special enquiry into the questions of agrarian disputes. By rejecting the agrarian, Strange found their causes to be religious. Agrarian discontent and agrarian cases continued to increase. Suits of eviction went up in the later periods. During 1862-66 there were 2039 cases filed, from 1867 to 71 it was 2547 and from 1872 to 76 it went up to 3974.^[22]

By about 1880, the British began to change their policy and tried to save their direct agrarian problems through some reforms. Such a sudden change in their policies were effected because the government received an anonymous petition from Muslims, Nairs and other inhabitants in Malabar. The petitioners asserted that the demolition of Mosques, religious persecutions, cruel oppressions and the ejection of Muslims by land lords were the causes that led to the outbreaks in Malabar. They also requested to depute an efficient and impartial commissioner to enquire in to the complaints against the land lords.^[23] The Madras government appointed William Logan as the special commissioner to investigate their

complaints. He was asked to investigate on tenure of land and of tenant rights in Malabar and the alleged insufficiency of compensation offered by the land lords for land improvements made by tenants. ^[24]

In June 1882, Logan submitted a detailed and comprehensive report. He opined that the Mappila outrages were designed to counteract the overwhelming influence, when backed by the British courts, of the *Jenmis* in the exercise of the novel powers of ouster and of rent raising conferred upon them. A *Jenmi*, who through the courts, evicted, whether fraudulently or otherwise, a substantial tenant, was deemed to have merited death, and it was considered a religious virtue, not a tenant, to have killed such a man and to have afterwards died in arms fighting^[25] against an infidel government which sanctioned injustice. Logan in his study of land tenures of Malabar had clearly shown how the British authorities had made the *Jenmi* the owner of the land, mistaking his real position in the ancient system.

Logan's report was circulated among officials and non-officials for comments. In 1884 a special commission was appointed, under T Madhava Rao as the president, to suggest legislative remedies. The other members of the commission were William Logan, Herbert Wigam, C. Sankaran Nair and P. Karunakara Menon. In 1886 the government appointed Malabar Land Tenures committee under the chairmanship of C.G. Master to suggest immediate measures for the relief of the tenants. The special commission members could not reach a unanimous decision. Majority of the committee members were of the opinion that the legislative recognition of an occupancy right in the tenants of Malabar was not justified either by historical considerations or in view of any political necessity.^[26]

The government, at last, took initiative and decided to ameliorate the conditions of the evicted tenants by giving them compensation for the improvements they had made in the tenancy land. The Malabar Compensation for Tenant's Improvement Act was enacted in 1887. Under the customary law of Malabar, improvements were classified under three heads, *Kushikkur*, *Chamayam* and *Kilchamayam*, *Kuzhikkur* was related to the cultivation of fruit bearing trees, timber trees, pepper, wines etc. while *Chamayam* was related to the construction of houses, tanks and wells. The *Kilchamayam* was for the conversion of waste land in to gardens or paddy fields and included clearing of waste, construction of irrigation Canals etc.^[27] It was the first land tenure right won by the agrarian class in Malabar. The act created a hope that it would check on the arbitrary exercise of the power of eviction. But even this hope did not materialize as the courts stuck to the decision that compensations are to be determined on the basis of the cost of making the improvement rather than what price it would fetch in the open market.^[28] Above all the toil of the *Verumpattakars*, who had never invested the money in the soil, was neglected.^[29] So the Act was amended in 1900.

The grievances of the tenants continued without a permanent solution. The agitations for tenancy reforms became the part of the nationalist movement in Malabar. It echoed in the non-co-operation and Khilafat movement and paved way for dangerous situations. In 1930 the Madras Legislature passed the Tenancy Act XIV, which provided permanent occupancy right to all the tenants. It was the last piece of legislation brought by the British government to minimize the grievances of the tenant cultivators in Malabar.

The colonial administration, from the very beginning, tried to protect the interest of the land lords. Most of the Tenancy committees appointed by the British government tried to protect the interest of the tenant farmers. But the British alliance with the land lords prevented them from introducing progressive land reforms. This unsympathetic attitude of the British towards the tenant farmers, especially to Mappila Muslim tenants tanned religious fanaticism and wounded the friendly Hindu- Muslim relationship in Malabar.

[1] K. V. Krishna Ayyar, *The Zomorine of Calicut*, Calicut, 1938 p. 146.

[2] Thellichery Factory Records, Diaries, Vol. 1499, p. 70.

[3] Francis Buchanan, *A Journey from Madras through the Countries of Mysore, Canara and Malabar*, Vol. II, London, 1870, p. 190.

[4] *The History of Freedom Movement in Kerala* State Archives Kerala, Vol.III 2006, p. 286.

[5] D. N. Dhanagare, *Peasant Movements in India*, Madras, 1970, p. 57.

[6] S. Rama Chandran Nair, *The State and Economy in Colonial British Kerala*, Trivandrum, 1998.P. 19.

[7] Report on the Land Tenure. 1815. Madras. p. 15

[8] Eric J. Miller, "Caste and Territory in Malabar," *Anthropologist*. 56. 3, 1954, p. 412.

[9] B.H. Baden Powell, *The Land System of British India*, Vol III Delhi, 1974, p. 176.

[10] For more details. C. K. Kareem, *Kerala under Haider Ali and Tipu Sultan*, Ernakulam, 1973, pp.147-213.

[11] S. Ramachardran Nair, *op.cit.*, p.20.

[12] K. M. Panikkar, *History of Kerala*, Annamalai 1959, p.156.

[13] Report of the Joint Commission, Madars, 1862, p. 185.

[14] Herbert Wigrams, *A Commentary on Malabar Law and Customs*, Madras, 1882, p. 109.

[15] *Ibid.*

[16] T.C. Varghese, *Asian Changes and Economic Consequences, Land Tenures in Kerala*, Calcutta, 1970. p.39.

[17] Conrad Wood, "The Moplah Outbreaks: A Discussion, Contribution", *Journal of Asian Studies*, Vol. XXXVI, No.2, 1977, p. 392.

[18] William Logan, 'Malabar' (reprint) 1981, p. 97.

[19] Conrad Wood, 'Malabar Kalapam,' *Adivemkal* (Mal. Trans) T.V.K. TVM. 2000, p.82.

[20] William Logan. *op.cit.* P.690.

[21] 32 out breaks were occurred between 1836 and 1919. Out of these 22 happened between 1836 and 1853. For more details, Stephen Dale, *Islamic Society on the South Asian Frontier*, New York, 1980, pp. 150-165.

[22] William Logan, *op.cit.* P. 695.

[23] Malabar Land Tenures, Memorandums and Official Correspondence, 1885, pp.14-15.

[24] *Ibid.*

[25] William Logan *op. cit.* 656-93.

[26] Report with Appendices of the Malabar Land Tenures Committee, 1887.

[27] S. Rama Chandran Nair, *op. cit.* p. 23.

[28] Madras Legislative Proceedings, No 80, Dec. 10, 1898, p. 28

[29] K. N. Panikkar, "Agrarian Legislation and Social Classes," *Economic and Political Weekly* May 27, 1978, pp. 882-883.

