

LAND TENURES AND AGRARIAN PROBLEMS OF MALABAR DURING THE COLONIAL PERIOD

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Abstract

This paper seeks to review the background of the land tenure and agrarian problems of Malabar. In Malabar three main classes connected with the land-the *janmi*, the *kanakkaran* and the actual cultivator sharing the produce on an agreed equation. The British rulers introduced certain innovations in the land administrative system which led to a rude shock in this customary order. British financial and economic policy was characterised by the largest share of production was set aside for the state. This resulted in a serious of rebellion in the 19th century.

Keywords: *Janmi*, British, Malabar, Tenants, Brahmins, Courts, Litigation, Eviction.

The main cause of agrarian problems in Malabar during the early decades of the 20th century was infringement system. The three classes connected with land were *janmi*, *kanakkan* and the actual cultivator worked well by sharing products on the basis of an agreed equation. The new element of conflict in the agricultural relation created problems during the period. The total lack of familiarity with customary law made the situation worse in comparison with the pre- British period. The common Malabar law was described as *maryada*, *margam* and *acharam*. The relationship between land lord and tenant was determined by *kana janma maryada*. On account of changes, the ancient owner of land like pulayar was deprived of their ownership rights. The Brahmins who appeared in the early centuries of the Christian era in Malabar began to have great influence in the social, political, economic and religious life of the people. People of considerable wealth donated much of their land to temples to get spiritual comfort and also to get exemption from tax. Thus much of private property in Malabar was converted into temple ownership or *devasuam*. Since Brahmins were not interested in cultivating land, they began to hand over these lands through mortgage loans and rental contracts. In this connection relationship between landlord and tenant was known as *kana janma maryada*. Though *janmis* had unrestricted ownership right of repurchase was rarely existed.

Madhava Rao Commission noted that almost no *janmi* had launched *kudiyam* deportation until 1852. But after 1852, things changed which made the tenants property very uncertain. Gradually assessment of land management became a real obstacle to human well being. Failure to bring gifts to *janmis* satisfaction became a sufficient cause for eviction.

Malabar's infringement system was the main cause of agricultural problems in the early decades of the 20th century. The land ownership in Malabar was systematically systematized. The traditional system

worked in perfect order with least friction in the federal class structure, as long as every proprietor knew it was his position in relation to the higher and lower orders. The three main classes associated with land - *Janmi*, *Kanakkaran* and the actual cultivator attracted well in the arrangement by sharing the products on an agreed equation. But this usual order received a rude shock when British rulers introduced certain innovations in the country's administrative system. They changed the old order and *Kana-Janma Maryada* and the usual equation in the division of production by replacing the *Kanakkaran* government, which was referred to the site of a clean lease, introducing a new element of conflict in the agricultural relations in Malabar. The British were more concerned about the country's income because it seemed that it was better to arm *Janmis* with more rights and powers than to make the *Kudians* more secure in their positions. Thus recognizing *Janmis*'s right to absolute ownership in the country created the British a new and useless break in their relationships.

Due to their total lack of familiarity with customary law and the increasing need for political situation in Malabar, early British administrators had to adopt certain shift arrangements in political, judicial and revenue administration. Malabar, who was remarkably free of agrarian turmoil in the pre-British period, was destined to be the conflict on the front because of the misguided policies of these foreign rulers. At that time, they did not understand the complexity of social conditions in Malabar and the widespread property there.

Malabar's country system, with all its diversity and complexity, which tends to confuse the minds, that access when we examine to study it can not be taken as a historic accident. It's not the people's choice, made about a day or two, but is an inevitable result of the special circumstances, occasions, temperaments, dispositions and moral civic and social conditions of those people who only inform them about a long period of time. In the development of the country's native system, several factors have played their role as the geographical nature, sociological considerations and the interchange ability of political history and people's religious attitude.

The peculiarity of the Malabar law was that it was common. This was described differently in Malayalam as *Maryada*, *Margam* and *Acharams*, which governed each phase of the individual life in Malabar, family relationships and constitution, heritage and legacy and various aspects of agricultural conditions. During the British period, full recognition was given by the courts and legislation for customs and use. From earlier times, the relationship between the landlord and the tenant was determined by *Kana Janma Maryada* (rules on *Kanam* and *Janmam*, the country's agricultural law. There were in foreign currency local customs, class customs and family customs with regard to land possessions. It is one of the gloomy events in this story that the ancient owners of land like *Pulayas* were deprived of their ownership rights, unmistakable without the use of weapons and inhabited a few *Nambudiri* Brahmins, who lived under the shadow of a sacred nimbus.

The Brahmins, who appeared in the early centuries of the Christian era in Malabar, had great influence on the social, political, economic and religious life of the people. It was a time of great religious activity and the spread of Aryan culture in the south. As a symbol of this religious dynamic, numerous temples appeared throughout Kerala. In addition to this religious upheaval, there was an economic awakening that largely influenced people's cultural lives. Temples became the centre of all activities. As a result, almost all the major cities of ancient and medieval Kerala were built around these places of

worship. Emperors, *Rajas*, *Nadualis* and *Desavalis* built temples and bequeath vast tracts of land for their maintenance. The administration of this land property is known in a corporation of Brahmins known as *Urala Samiti*. As the number of temples increased over time, much of the property passed into the hands of these Brahmins.

Another important fact regarding the concentration of property in the hands of the Brahmins was that people of considerable wealth donate most of their lands to temples to provide spiritual comfort and also to be exempted from property taxes. Much of the private property in Malabar was thus converted into temple ownership or *Devaswam*. The donation generally indicated the names of the persons who were granted the right to farm the land. These legal heirs were known as *Karalars*. Usually the *Karaima* or the right to keep these temple goods was held by the grant holders themselves

The *Janmi* had full and unrestricted ownership, there was little doubt that the right of repurchase under common law was rarely exercised. In the past, continuity was the rule and change was an exception. Dr. Buchanan also testifies that the right to redeem was seldom exercised by the *Nambudiries* and that the same families have continued to hold land in mortgages for generations and that the tenant was not afraid of arbitrary evictions. The rights of tenants were thus recognized by customs and customs. The position was still anomalous. In the law he was little more than a tenant at will and susceptible to arbitrary evictions. In practice, as long as he was coping with his landlord, he had a permanent right of disposal.

Multiple causes were listed by William Logan for the debts of farmers. The reasons are excessive rent, agriculture, home improvement and land improvement, loss and purchase of shares, renewal costs, bad weather, accidents, family trades, marriages and other ceremonies, illnesses, family care, trade losses and others. Of course, the cost of rents and renewals allegedly collected by the owner can not be considered a major cause of agricultural debt in Malabar. It also caused the later social disturbance periodically in the nineteenth and twentieth centuries.

When William Logan said that Malabar was full of wrongdoing and that the courts were full of litigants, the general tendency of the clergy was to blame all the owners. Under the law, all these are expulsion garments and are classified as such in a list of civil courts. It is not appropriate to assess the character of the oppression of the owner of the trial numbers for evictions. The land tenure at Malabar is so complex and it is likely that there is a misunderstanding of *Janmi's* role in agrarian unrest.

In many of these cases, litigation was limited to resolving *Janmam's* rival titles or border disputes; but they are counted as trials of expulsion or redemption. In many cases, only intermediaries were reimbursed and the *Janmi* dealt directly with the tenant in case of possession. The only eviction here was an eviction on paper. In many cases, we find that the tenants were richer, more powerful, and more influential than the *Janis*, and they established hostile titles against them; they refuse to pay rent or renew. In these circumstances, costumes become inevitable. Mr. Innes pointed out that it is difficult to see what other path is open to the impoverished *Jenmi* that is defined by its tenants and that can not afford to evict itself.

As an important feature of the agrarian society of the 19th century Malabar monopoly of land and great landlordism are underlined by scholars. It is said that much of *Janmam's* land was concentrated in the hands of a few families, including the *Zamorians of Calicut*, *Raja of Nilambur*, *Kavalappara Nayar*,

Kottakkal Kizhakke Kovilakam, Raja of Kollengode and Poamalli Nabudiri. Of a total cultivated area of 1229216 acres, 628921 acres were occupied by 32 *Janmis*. The *Jamavandi* Report of 1924 shows that there were 220,650 *Pattadars* in Malabar. Given the size of the agricultural population here this number of *Pattadars* is not uncommon with respect to ownership concentration. Malabar compared favourably with all the other Madras presidential districts such as *Tanjor, South Canara, Trichinopoly* and *Madura*. In a village of 300 owners, 200 each had 2 acres and this is cited as an example of land concentration in the hands of a few

The major perverse effect of the Malabar *Janmi* system was emphasized: the *Janmis* did not commit to directly cultivating the land. Most of these tenants and sub-tenants were tenants of several *Janmies* and rented them to tenants at will by collecting higher rents than the *Janmies*. There were not only missing *Janmials*, but *Kanamdars* and *Pattomdars* absent from Malabar, most of whom had no direct involvement in agricultural production for any desire to improve the land. But these non-agricultural classes represent only 2.77 of the total agricultural population of Malabar. *Kanakkar* became a paid rent and received an economically healthier and intellectually more capable middle class than the *Janmi* class.

The British rulers introduced certain innovations in the land administrative system which led to the rude shock in the customary order. They changed the old order and the *kana-janma-maryada* and the customary equation in sharing of the produce. They were more concentrated about the land revenue than about the class harmony. The early British administrators had to adopt certain make-shift arrangements in the political, judicial and revenue administration because of their non-acquaintance with the customary law and the mounting exigencies of the political situation in Malabar. In the pre-British period Malabar was free from agrarian unrest. The rights and privileges of the *janmis* were clearly upheld by the British authorities through the agency of Courts and legislations. This resulted in many revolts and mass upheavals in the region.

References

1. Charles Turner's Minute, Madras, 1885
2. Logan William, Manual of Malabar, Vol.1
3. Elamkulam, Janmi Sambradayam Keralathil (Mal)
4. Pillai, K.K, The Suchindram Temple
5. Buchanam, A Journey from Madras through the Countries of Mysore Canara and Malabar, Vol. II
6. Walker Report
7. Report of the Malabar Tenancy Committee, 1927-28
8. Minute of the Board of Revenue, 5th January, 1818, Para 3
9. Report on the condition of Palghat and other divisions of Malabar, 19th March 1801
10. Visscher, J.C. Letters from Malabar (Major Duray's translation)
11. Wigram, Malabar Law and Customs
12. Strachey, J, A Report on the Northern division of Malabar, 7th March, 1801
13. Nair, E.G. The Malabar Tenancy Act, 1929
14. Maclean, A manual of the land revenue systems and land tenures of British India.