# Chapter II

## Land Tenure Systems in Early Kerala: Travancore, Cochin and Malabar

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Land Tenure Systems in Early Kerala:

Travancore, Cochin and Malabar

The modern State of Kerala which lies in the extreme southwest of the Indian sub-continent was formed in the year 1956. Prior to its formation, the region was divided into three territorial segments namely, the Princely States of Travancore, Cochin and the British Malabar. These pieces of small states in the Indian sub-continent were amalgamated into a single state after India’s Independence. Accordingly, the Travancore and the Cochin states were integrated to form the Travancore-Cochin State on 1 July 1949 during its first phase. The British Malabar which remained under the Madras Province, during the colonial period was united with Travancore and Cochin as per the statutory norms of States Reorganization Act of 1956, to form the State of Kerala on 1 November 1956.

Both the former native States of Travancore and Cochin had similar geographical and social features but these features were dissimilar with the British Malabar. Even before Indian Independence, Travancore and Cochin maintained a different polity and relationship with the British. On the part of Travancore and Cochin, they made treaties with the English East India Company and became the subordinate allies of the British and thereby, privileged to retain their own Rajas and their form of internal government.¹
Malabar was annexed after the treaty of *Seringapatam* and later became part of the Madras Presidency.

The process of social transformation in early Kerala was almost similar to other parts of South India. But the antecedents of agrarian expansion in the erstwhile State of Kerala were remarkably different from the nearby regions of South India. The agrarian expansion in the region had far reaching effects on the land-based social order. The expansion in the agrarian sector necessitated the introduction of land reforms in the region. The variations in the relationship between the landlords and tenants in Travancore, Cochin and Malabar also necessitated the implementation of land reforms from the nineteenth century.

**The Agrarian Structure in Early Kerala**

The agrarian sector in Kerala had undergone rapid and uneven changes from time to time. In the early society of Kerala, there was no competition for the ownership of land. The private ownership of land began in Kerala long before the Sangam Age. The Sangam works allude to the existence of private property, but not to anything like the complex *jenmie* system or landlordism that evolved itself in the later years. The land was owned by those who tilled the soil and nobody restricted the *ryots* from cultivating the land they held. When there was excess production, it was exchanged to others. The population during that time was small and the cultivable land was proportionately large and food grains were initially produced on
subsistence basis but when they produced it in excess, the surplus grains were given to those who were not engaged in agriculture.\textsuperscript{6}

In the field of land relations, the extension of the Brahmin influence into the region paved for a new form of feudal landlord-peasant relationship. The advent of the Brahmins led to the construction of a large number of temples in Kerala. The early Brahmin settlements in Kerala were centred round such temples. The chief resources of the temples were the endowments given by the kings and the landed aristocracy. The extensive gift of land to the temples led to the development of an agrarian economy centred round the temples. The Brahmin settlements were growing in Kerala through the seven and eight centuries. Temple centred Brahmin settlements had become well established by the ninth century with extensive control over the fertile tracts of Kerala.\textsuperscript{7} Soon the Brahmins emerged to the position of exploitative leadership as they had the knowledge, institutional devices, ideology, historically contingent cultural powers of social control and magico-religious charisma.\textsuperscript{8} The Brahmins came to acquire the status of wealthy and powerful landlords or *jenmies*. It was the domains of the Brahmins that formed the *jenmom* property\textsuperscript{9} and the owners were called *jenmies*.\textsuperscript{10} This ascendancy of the Brahmins led to the feudalistic agrarian relations in Travancore.\textsuperscript{11}
The Brahmins were placed at the highest position in the caste hierarchy. The new Brahmin households of the period represented a new mode of agrarian organization. It was fundamentally different from the old holdings, which were kinship based. The new immigrants were not cultivators but the land held by them was cultivated by others and this led to the formation of two mutually antagonistic classes; the landed gentry and the landless farmers in the agrarian order, led by the Brahmins. With the agrarian expansion under the Brahmins, the period also witnessed the proliferation of new temples. There was no other class around the temple and the temple was synonymous with a Brahmin settlement. Every temple had huge wealth in land form. Because of their settlements around the temples, the Brahmins became the dominant elements in the society, hence all social groups came to look upon them as direct source of strength and sustenance. Soon the temples became the largest of the landed magnates of the time.

There was a change in the position of the cultivators with regard to their right on the land, with the coming of the Brahmins. The Brahmin *jenmies* controlled the ownership rights on the land. The cultivators had no option but to accept this ownership rights of the *jenmies* over land. The Brahmins were able to acquire land to the temples and later for themselves. In course of time, the Brahmins emerged as the largest section of land owners in the region.
The colonization of the Brahmins in Kerala as well as their hold on temples led to a new order in the society. The native people were ready to accept the *Nambudiri* Brahmins\(^{13}\) as their landlords and held land from them as tenants. These tenants paid the landlord some fee called *kanam* as a token of their allegiance. But with the advent of the Perumals they began to levy a simple tax on lands for meeting the expenses. This was the origin of *rajabhogam* \(^{14}\) or royalty or rent which became common during the later period. The advent of the Perumals saw an era which witnessed the control of more land under them as abandoned lands and the escheat properties as well as those captured through the various wars they fought. The *Nambudiri* chieftains also made land grants to the Perumals. Thus the area of land under the rulers increased from day by day and formed the nucleus of the *sircar* lands. Towards the close of the Perumal period the country was parcelled out among the several chieftains who became independent rulers of their respective areas. This state of affairs continued till the period of Marthanda Varma who conquered and consolidated several petty chieftains and ruled as the supreme lord of Travancore.\(^{15}\) These conquests however did not affect the rights of the Brahmin landlords. Thus, there emerged the two types of lands in Travancore namely, *sircar* and *jenmom* lands.

While the *sircar* lands belonged to the state, the *jenmom* lands denotes technically to the hereditary right to free hold lands subject
to no state tax at all. The *jenmom* lands are supposed to retain their normal condition as long as they remained under the possession of the *jenmies*. The character of that *jenmom* tenure ceased to exist at the moment when the land was transacted for money consideration. In that case, the land was liable to a light tax called *rajabhogam* in the case of garden lands and *kanapattam*\(^\text{16}\) in the case of paddy lands. Once this light tax is imposed on a land, it continues forever, even though the land was reclaimed by the *jenmie* at a later stage. The *jenmom* land was regarded as the private property of the owner. The *jenmies* leased their lands from a simple lease (*verumpattom*) to outright sale (*attiper*). The most important of such tenures was the *kanappattam* tenure. *Kanappattam* is a combination of a lease and mortgage lease which enables the *jenmie* (landlord) to rent or mortgage the land. Whether the *kanappattam* tenure in Travancore was a lease or a mortgage or a combination of the two, the law has declared that it was not redeemable, resumable or determinable except in exceptional circumstances. In this respect it differs from tenures of the same kind in Malabar and Cochin. It is periodically renewable on payment of a certain percentage of the mortgage amount.\(^\text{17}\)

The early stage of the agrarian expansion in the region was completed by the eleventh century A.D under the Brahmins and the expansion was centred on the temples. This expansion led to the creation of a strong hierarchical group which was both social and
economical. The Brahmins became the proprietors of the ‘ur’ or the village and they were called the urallor (temple trustees) and they owned their individual holdings and also the temple holdings, such as the Brahmaswom and Dewaswom respectively.

The power and authority of the urallors gradually increased when vast areas of fertile lands came under them. Various tenure rights came to be created to suit their interests. By the twelfth century A.D. the Nambudiri Jenmies had become a powerful community in Kerala. With this new development, the mode of customs and conventions which once regulated landlord-tenant relations weakened. There was a gradual process of conversion of temple lands into Brahmin lands. Since the Brahmins were the priests, advisers, law makers and tutors of the Kings, the rulers unquestionably favoured the trend. The kudiyans (tenants) who accepted the land from the Brahmins had to pay rent to the Brahmins. Some times the kudiyans on the Brahmaswom and Dewaswom lands were subjected to rack renting (the excessive raising of rent without any basis) eviction and other kinds of oppression. This pattern of land ownership prevailed in almost all parts of early Kerala, i.e., erstwhile Travancore, Cochin and Malabar. A study and analysis of this system that existed in all the three territorial segments of early Kerala would give a proper picture of the Jenmie-kudiyan relationship and the twist and turns in their relationship.
Travancore

The erstwhile Princely State of Travancore lies in the southernmost region protected by natural boundaries. The southern and western sides are bounded by the Indian Ocean and the Arabian Sea respectively, the east, by the ranges of the high ghats, and the northern parts being mostly covered with back-waters, rivers, and lagoons. Thus, the position of Travancore, being unfavourable for the march of horses and elephants that formed the important part of the army in those days, saved it from the hands of the foreign invaders. Travancore was perhaps the only kingdom in India which preserved its original caste, religion, customs, manners, and institutions. Travancore was pre-eminently an agricultural country with majority of the population depending on the land for their livelihood. A peculiar feature of the agrarian setup of Travancore was that the proprietors and tenants of the land lived and slept on the same tract of land.

Geographically, Travancore consisted of a long and narrow strip of land - one hundred and seventy four miles in length - with a medium breadth inland of about forty miles. This land, it was a belief that, it was reclaimed from the sea. It stretches from south to north and is locked in by the Arabian Sea and a high mountain wall, the Western Ghats. Although this tract of land was small in size it was famous for its vast stretches of paddy fields, rich forests and mineral sands. Geographically Travancore maintained
distinctiveness on its history and culture. There are mountain heights walling the state on the eastern boundary of the country undulate to the west over the hills of dense vegetation till it reaches the cultivated plains which skirt the back-waters and the Arabian Sea. The numerous streams and rivers flowing through the region made the land fertile.

Travancore was opened to contacts by sea with aliens such as Phoenicians, Arabs, Chinese and Europeans. As a result, most of the important towns emerged on the coast at the mouth of navigable rivers. The fertile area of land near the coastal region formed the village settlements. The fertile soil along with the abundant rainfall was favourable for the cultivation of rice, spices, coconut, palms and other crops. The various crops of the region especially, spices attracted the traders from outside to the region. The commercial contact with far away nations had its influence on the political and social life of the people also. The trade connections resulted in the entry of Christianity and Islam to the region. Christianity had firm footing in the region from the beginning of the first century A.D. and Islam established here long before the first Muslim Empire had been founded in North India. Hinduism, unmistakably was the dominant religion in the area. The native Kings who were mainly following the Hindu religion welcomed the traders who came with different religious background and made several land grants and conferred trading rights on them which facilitated a brisk trade.
The State of Travancore had its origin in the ninth century A.D from the petty kingdom Venad, lying to the south of modern Kollam and stretching to Kanyakumari. The rulers of this kingdom from whom the ruling family of the later Travancore descended claimed their descent from the ancient Chera kings. The society was of feudal nature, organized for war and administration. In theory the king was all powerful but in practice he was kept in check by his feudal nobles on the one hand and by the people or the subjects on the other. The ruler followed a practice that the people could approach the king directly with their demands and grievances.\(^21\)

**Tenurial System in Travancore**

A better understanding of the land tenure system in Travancore needs careful investigation in its origin as well as development. The land tenure system of Travancore was similar in some respects to those in the adjoining areas of Madurai and Thirunelveli on the east-coast, as well as to those of the neighbouring states of Cochin and the British Malabar, on the north. The nature of land holdings in Malabar, Cochin and Travancore must have had common origin and development in ancient times before Kerala was divided into separate kingdoms ruled by independent rulers.\(^22\)

The rulers of Travancore influenced the tenurial system that developed in the region. Many of the early rulers tried to have an effective administrative set up in the region. Among the earlier powerful rulers of Travancore, the name of Marthanda Varma is
more important, who is known as the ‘founder of modern Travancore.’ Marthanda Varma (1729-1758) came to power when
the state was facing adverse circumstances. The financial position of
the state was very weak due to the long standing refractory conduct
of the feudatory chiefs. There was no proper administrative
machinery for the transaction of government business. The general
condition was that the authority of the king or ruler was no where
respected. The pillamar and the madampimar 23 exercised undue
authority over the land and thereby they had established themselves
as powerful forces in the public life of the state. The feudal elements
enjoying the patronage of the priestly class had the upper hand in
the affairs of the state. 24 Marthanda Varma boldly faced the
situation with valour and sagacity with laudable firmness. He wanted
to suppress the feudal polity which was controlled by the Nair
chieftains. Through his policies of good governance, he could revive
the tradition of the ancient mother kingdom of the Cheras.

Marthanda Varma was a remarkable administrator, well-
known for his shrewd political moves and his stern measures for
consolidating his authority. His act of dedication of the state to the
deity of the great temple in Thiruvananthapuram, Sree Padmanabha
in 1750 was popularly known as Thrippadidanam. This dedication is
viewed as a method used by which the ruler declared to be only a
trustee of the lands of Sree Padmanabha, the deity. He surrendered
his sword to the deity and received it back from Him in trust. He
also transferred all his lands to the deity and declared that the State is not the possession of the ruler, but the ruler is heading it as a regent of Sree Padmanabha and used the title *Sree Padmanabha Dasa*. This event was one of supreme significance. It meant the collection of revenue from the land in the name of God and the expenditure of the same in the interests of the people. This measure of Marthanda Varma helped him to have complete control over the territory of Travancore and to start his policy of administrative reforms including land relations. This is viewed as a clear expression of the theocratic rule in Travancore. By a series of administrative measures Marthanda Varma gave undue privilege to the Brahmins in the State. These measures of the ruler made the position of the Brahmins in the society more powerful. The later rulers of Travancore also followed this practice of using a title along with their name. This dedication of the state to the deity and administering the state on behalf of the deity helped the ruler to be free from the threats of disturbances from the worshipers of Sree Padmanabha. This sort of acquiring the status of ‘servant of the deity’ made his word quite infallible and that major changes in land tenure relations were accomplished by the ruler.

A significant change introduced by Marthanda Varma after assuming office was that he reorganized the land revenue administration. The land tax which was not being collected for a long time was re-imposed in 1739. He gave importance to the land
revenue administration and for the proper collection of land tax surveys of the cultivated land was made and direct relations were established with the cultivators. The survey that took place helped the state to have a clear picture of the land and its area under cultivation. Marthanda Varma adopted various measures for improving agriculture by introducing a series of new agrarian practices. Great irrigation works, roads and canals of communication were undertaken and carried out. This type of modernization activities were absent in other parts of Kerala during the period under reference. Along with this, Marthanda Varma tried to control the authority of the powerful chieftains in the region, the pillamar and madampimar. The land revenue reforms of Marthanda Varma were a base for the later tenurial changes in the state.

The immediate successors of Marthanda Varma were not fully successful in continuing the momentum initiated by the ruler. Instead, rulers like Karthika Tirunal Rama Varma (1758-1798) entered into alliance with the English East India Company. The weakness of the rulers always affected the smooth functioning of the administration as well as the formation of ministries in the state. The later ruler, Balarama Varma (1798-1810) depended mainly on his ministers and Dewan for administration. The shifting of capital as well as imposing more revenue collection from the people made the ministers hostile to the people. The resentment of the people towards this additional revenue collection had its expression from
people like Veluthampi, who was the karyakkar of Thalakkulam. Finally the situation reached the stage of the suspension of the Dewan and Veluthampi, who took the lead in the opposition, was appointed as the new Dewan in 1801.

During the period of the Dewanship of Veluthampi, there was a revolt in the barracks and this forced Travancore to conclude a treaty with the English East India Company and to become a subsidiary ally. As per the treaty, Travancore had to pay a tribute of Rs. 80,000/- annually to the Company. It is evident that this amount has to be raised from the land. The increased influence of the British in Travancore naturally paved the way for administrative changes including changes in the land relations. In spite of the poor economic position, Travancore paid the amount promptly but later the so called interference of the Company in the internal affairs of the state irritated the Dewan Veluthampi. Veluthampi went to the extent of issuing a Proclamation urging the people to rally against the British through his Kundara Proclamation. The British crushed the uprising that eventually led to the suicide of Veluthampi in 1809. With the death of Veluthampi, Travancore practically lost its independent status. From this period onwards the British began to concentrate more in the administration of Travancore.

Rani Gauri Lakshmi Bhai, the successor to Balarama Varma, made an agreement with the English East India Company by which Colonel Munroe was appointed as the British Resident in India.
Shortly Colonel Munroe was appointed as the Dewan also. He reorganized the administration in the state and followed a centralized administrative system which was in practice in the Madras Presidency. The establishment of courts for the first time in Travancore was in 1811 by Colonel Munroe and it marks a distinct epoch in the history of legislation in the state. The reforms of Colonel Munroe influenced the later political life including land relations of Travancore. The Regency of Gaury Parvathy Bhai (1815–1829) and the period of the later ruler Rama Varma Swathi Tirunal brought about major changes in the administrative fields. During the period of the later rulers Ayilliam Tirunal (1860–1880) and Visakam Tirunal (1880–1885) significant changes took place in the land tenure systems in Travancore. Encouragement was also given for the growth of education in the state by introducing the English system of education and thereby introducing new parameters in Travancore culture. More privileges were given to the cultivators also. The period of Sree Moolam Tirunal (1885-1924) saw the emergence of political consciousness in the region. The inauguration of the Legislative Council, Sree Moolam Popular Assembly in 1904, which worked as a platform for administrative changes in the state, is an evidence for this. Later the Regency of Maharani Sethu Lakshmi Bhai (for Chithira Tirunal 1924–31) as well as the period of Sree Chithira Tirunal Bala Rama Varma I (1931–1948) also
witnessed a period of progressive, constitutional, administrative and social reforms in Travancore.

The political considerations in Travancore operated in a different direction as far as land relations were concerned. The rulers of Travancore tried to curtail the powers of the chieftains who were controlling the land for several decades in the region. As a result of this, a large part of the cultivated land came under direct state ownership. By the end of the first decade of the nineteenth century, the state owned lands accounted for about one half of the cultivated land in Travancore and their share rose to eighty per cent by the middle of the century as a result of the variety of policies followed during the intervening period. The remaining twenty per cent of the cultivated land was owned by few jenmies, enjoying them either as free hold or under a light assessment called rajabhogam. These jenmies were mainly Brahmins, Brahmin temples and madampis who were the descendants of some of the old chieftains.

The total population of Travancore in 1854 was estimated at 1.26 million and majority was depending on land for their livelihood. As per the census of 1901, nearly two thirds of the entire population (i.e., about 0.8 million) depended on land. The tenants formed the bulk of the agricultural population of Travancore towards the middle of the nineteenth century. The rights of the tenants who were cultivating the sircar and other lands had different tenurial patterns. The sircar lands were known as pandaravaka
lands with sub divisions *pandaravaka pattom* and *pandaravaka otti*. Those who were having the *pandaravaka otti* lands had more rights than the *pandaravaka pattom* land holders. Half of the cultivated land in the state belonged to the *pandaravaka pattom* category and the holders of these lands had no ownership rights or they did not have the freedom to transfer the occupancy rights. The state was considered as the *jenmie* and the tenants of the *pandaravaka pattom* lands were to pay tax or rent to the state.

The lands other than *pandaravaka* were popularly called *jenmom* lands. The condition of the holders of *jenmom* lands were in no way better than those of the holders of the *pandaravaka* lands. *The jenmies* of the *jenmom* lands harassed the tenants in many ways. There was always the threat of eviction. The state was quite alert to the interest of the cultivators and even as early as 1829, a royal edict was promulgated directing that “in all suits of this nature (for eviction) decided, filed or which may hereafter be preferred, the courts maintain the established usage in the country, viz., that the tenant should pay the *jenmie* his usual, ordinary and extra ordinary dues and that the *jenmie* receive the same and let the tenants remain in possession and enjoyment of the property.” This edict was a major step on the part of the ruler to protect the rights of the tenant who cultivated the land. This edict was also an earlier step towards the concept of social welfare of the State. The tenants mainly consisted of lower castes and the regulation to protect their rights
over the land was a moral boost for them. Though the regulation of 1829 did not solve the problems faced by the tenants, it was an attempt on the part of the rulers to encourage them in cultivating the land. The agrarian situation in Travancore was far better than the other neighbouring states and it was further improved by the later progressive measures followed this regulation. The opportunities offered by these favourable circumstances were utilized by enterprising groups, who were earlier in unprivileged positions on account of their inferior caste status to rise in the socio-economic ladder. As cited earlier, there were common features as well as glaring differences regarding the land tenure systems in all the erstwhile territorial segments of Kerala. Therefore, it is worth mentioning the nature and conditions of land tenure systems in both Cochin and Malabar vis-à-vis those of Travancore.

**Land Tenure System in the Erstwhile Cochin**

Cochin, the other Princely State was the smallest political unit in the region of Kerala. Cochin was a powerful kingdom in the years immediately following the disintegration of the Kulasekhara Empire. Later its power gradually weakened due to dissensions in the royal family. Rama Varma, popularly known as Sakthan Thampuran (1790 – 1805) was one of the prominent rulers of the region, who laid the foundation for a centralized administrative system. There were attempts by the state to subdue the chiefs and strengthen the State power, but not the same extent as in Travancore. One third of the
cultivated land was with the state, but a considerable portion of that was probably the private property of the Raja himself. In 1812, Colonel Munroe who was also the British Resident for Cochin State had initiated steps to establish control over the temple lands and other properties of about 179 temples in the state during the process of consolidating his authority.

With the coming of the British to Cochin, they embarked on new methods of administrative system. The reform introduced by Colonel Munroe in Cochin bears a close resemblance to those which he introduced in Travancore. The foreigners who came to Cochin before the British, both the Dutch and the Portuguese were interested in improving the trade relations with Cochin. But the British who came later wanted to have a permanent occupancy in the region and their administrative measures were aimed at it.

As a result, forty per cent of the cultivated land and the whole of waste lands came under the direct control of the State in Cochin. This was termed as pandaravaka or sircar and the remaining sixty per cent was under the control of private ownership. This was referred to as puravaka or jenmom lands. These lands were under private ownership and supposed to pay a fraction of rent collected from the peasants to the government, termed as rajabhogam. So long as the rajabhogam was given to the government, the state did not interfere in the affairs of the jenmom lands. The jenmom lands in the region were owned by the temples, Nambudiries, local chieftains
and a few families who were connected with the royal palace. The conditions of the actual cultivators in the land were deplorable as the jenmies were having unrestricted powers and the government followed a policy of non-intervention in the jenmies-tenant relations. The tenants had no recognized rights on the lands. In the sircar lands, the majority of the holders were pattom cultivators as in Travancore and they had neither ownership rights in the land they held nor rights of transfer.

The land area of Cochin was about one fifth of Travancore. The British demanded almost fifty percent of the state revenue for them. This revenue for Cochin was comparatively higher than the assessment in the British Malabar. The main division of tenants in Cochin was into pandaravaka tenants and puravaka tenants. The most privileged were the pandaravaka kanam tenants. There were also pandaravaka pattom tenants who were more in number than the pandaravaka kanam tenants. The pandaravaka pattom tenants were to pay more revenue to the government than the other category. They were better off in spite of high rent charged from them comparing with the puravaka or jenmom tenants. The puravaka tenants were to depend upon the mercy of the jenmies. The condition of tenants who were also the agricultural labourers, belonging to the lower castes were worse than that in Travancore. Although slavery was abolished in Cochin in 1854, slaves continued to be attached to their masters with semi-slave status.
Among the population of Cochin during 1857, half were engaged in agricultural activities. The number of land owners could have been only a few thousands and they included *jenmies* and holders of *sirca*, *kanam* and cognate tenures. The rest of the agricultural population consists of tenants and agricultural labourers. The state followed a policy of non-intervention in the affairs of *jenmies* and tenants, and as a result the cultivators were in a deplorable position. Because of the British demand for a huge sum, there was high rate of land tax on the cultivators. Thus, even by the end of the nineteenth century, there were no significant improvements in the position of the tenants holding either *pandaravaka* or private *jenmom* lands in Cochin.

The tenancy legislation that came up in Travancore had its influence in the Cochin State also. A major breakthrough in the land tenure relations in Cochin was initiated with the royal edict issued by the Raja in 1863. The purpose of this edict was to prevent eviction of *kanam* tenants before the completion of the term, of twelve years. The twelve years rule with regard to land tenure is said to have been fashioned upon the periodic celebration of *Mamamkam* which was held once in twelve years. This was a system followed in early Kerala. All tenures of land subsisted only for that period; all transactions, appointments, contracts, and tenures had to be renewed at the end of twelve years. But the royal edict was not strictly implemented. In the absence of any machinery for
implementation, this edict had very little effect, although the tenants clamoured for more reforms in the state.

**Land Tenure System in Malabar.**

As in the case of all the modern society, in Malabar also, land was valued above all other forms of wealth and control of the land became the basis of the socio-political set up. Before the British occupation of Malabar, the land comprised of numerous petty principalities. While tracing the history of Malabar, William Logan, suggested that earlier Malabar was under the mighty rule of Cheraman Perumal and after him the kingdom was divided among his kinsfolk. Logan further observed that between the ninth century and the arrival of the Portuguese in the late fifteenth Century A.D. the chieftains of the nadus reigned almost unchanged in the limits of their territory. Even during the advent of the Portuguese, as well as the period of the invasion of the Mysore rulers, the constitution of the Malabar society remained unchanged.49

One important aspect regarding the nature of land relations in Malabar was that the ownership right of the jenmies and landlords was quite different from that in other parts of the country. The land tenure system of Malabar has been far more complex than that of the other neighbouring states, Travancore and Cochin. Malabar had the highest percentage of tenancy, the most complex land system and the worst form of landlordism.50 The land tenure system here has been more feudalistic. The jenmies in Malabar possessed absolute
property rights on the soil. The tenurial system became more complex as large number of intermediaries existed in between the jenmie and the actual cultivator. The state never owned or claimed ownership of any land in Malabar except what it had acquired by escheat, purchase or land acquisition.

**Foreign Interlude into Malabar and its Effects.**

The Mysorian invasion of Kerala under Hyder Ali and Tippu Sultan during the second half of the eighteenth century decisively influenced the course of the later day events of the region. It brought about significant changes in the political, social and economic life of the people. Hyder Ali started the invasion of Malabar in 1766 and after him his son Tippu Sultan followed suit. The Mysorian attempt ended up in 1792 with the treaty of Seringapatam (the pact made between the British and the Sultan of Mysore) by which Tippu Sultan formally seceded Malabar to the British. The conquest of Malabar by the Sultans of Mysore had its impact on the land relations also. The Mysorian Sultans of Malabar wanted to extract as much revenue as possible from land and for this purpose they introduced for the first time in the Malabar region, a comprehensive land revenue assessment. The policy followed by the Mysorian rulers on land was also responsible for added cultivation of more areas. The English East India Company annexed Malabar in 1792 and it was made part of the Bombay Presidency.
During the time of the annexation of Malabar by the English East India Company, the state had the land tenure system initiated by the Sultans of Mysore. The Sultans of Mysore followed a policy of maximizing the revenue collection from the state. The cultivators were forced to pay more amount as tax which they could not afford. No proper assessment or land regulation was made for the purpose of land revenue collection in the state.57 The British policy was to encourage the peasants to maximize the production from the land in order to collect more revenue from them. The British authorities also wanted to reduce the personal influence of the ruling class and transform them to be the supporters of the British rule.58 For this purpose they recognized the rights of tenants on land. After the annexation of Malabar, the British started leasing lands to the Rajas of numerous principalities, who had rendered their support to the British against the Mysore Sultan.

The tenurial system of the British in Malabar was mainly based on certain factors like maximization of production as well as recognizing the right of land holders, who would act as supporters of the British rule in the region. This is evident from the minutes which were sent to the Court of Directors of the English East India Company by Sir Thomas Munroe.59 It is a clear evidence of the purpose of land policy of the British in Malabar. There were various tenures on the jenmom lands of Malabar. Some of the tenures of this region had no similarities with other parts in Travancore or Cochin.
As cited earlier, the land tenure systems of Malabar were far more complex than those of Travancore and Cochin. There has been more feudalistic nature than the other regions. Malabar was also marked by the existence of intermediaries between the owner of the land and the actual cultivator. There were many sub-tenants in between the actual *jenmie* and the actual tenant. There existed the *kanam-kuzhikkanam* tenures also. Under this category the landlord collected money from the tenant. The tenant or *kudiyan* was given the right of occupation as well as improvement of the land. There was also the *verumpattam* tenure which was generally for one year and can be for several years if it was the customary *verumpattam*. Another type of mortgage with full possession existed which was called *otti*. There existed *karazhma* tenures which were generally granted for services rendered in temple. There was also a tenure called *jenmom kozhu*, which had a fixed rent. The *jenmies* in Malabar have been the absolute owners of the land with absolute proprietary rights on the soil.

The occupation of Malabar by the Mysore rulers in the late eighteenth century embittered the relations between the *mopalahs* and the caste Hindus. Many *mopalahs* succeeded in shifting to their *jenmies* the entire burden of the land revenue assessment which was newly introduced. Changes in the land relations took place as a result of the fleeing of Nairs and *Nambudiries* from Malabar to escape religious persecution and forced conversion. This situation however
lasted only for a few years when Malabar came under the British towards the close of the eighteenth century; the jenmies rushed back and retained their lost lands. The Mysore rule created euphoria among the mopalahs and the new sense of freedom which they tasted lingered on and lent them the will to fight the system which they had until then passively accepted. While the Portuguese intrusion to Malabar produced a militant tradition among the mopalahs, the invasion of the Mysore rulers prepared the ground for an outlet to this tradition through the expression of agrarian discontent.

The British policy of land relations in Malabar offered the jenmie the right of eviction of the peasants at will and leave the peasant helpless. As early as the 1830’s there was discontentment among the cultivating mopalahs who were the most severely hit sections of the community due to the change in land relations. Among the population of Malabar during 1861, about two thirds were directly dependent on the land. All the jenmies who were an insignificant minority in the agricultural population enjoyed practically every right on the land. Other than the jenmies, the remaining agricultural population in Malabar was divided almost equally into tenants and agricultural labourers. Among the tenants there was a large section known as the customary tenants. The customary tenants enjoyed fixity of tenure, and paid only very nominal fees. Some times they paid nothing. The chief group among the tenants was known as kanamdar. The kanamdars were
considered to hold land on certain rights partaking the character of mortgage and lease, though as a matter of fact *kanam* originated as a feudal tenure with rights of perpetual occupancy.

The position of the tenants in Malabar was virtually tenants-at-will in law as well as in practice. This system continued for some time, but by 1856 the British civil court redefined the tenancies of the region and graded them in different divisions. The landlords were given right to extract rent as much as they wanted from the tenants at will. If the tenants were not able to pay the demanded sum, the landlord was given the authority to oust them. In case of tenants of garden land nominal compensation was given for the improvement they made on the land and for tenants of wet land no compensation was given. Further more, the land revenue assessment was also high during the period. The major burden of this high land revenue fell upon the actual cultivators. The amount collected as land revenue was about eighty six percent of the *pattom* (rent) for wet land, sixty three percent of the *pattom* for garden land and thirty seven percent of the gross produce in the case of dry lands.\(^{64}\) It was also said that the actual assessment rates even exceeded these rates. During this time the price of agricultural commodities increased and the rate of land revenue was not high compared with the income. The land revenue collected from the Malabar district was about one seventh of the gross produce.\(^{65}\) But this hike in the price of commodities never benefited the cultivators,
on the other hand, *jenmies* demanded more rent from the actual cultivators.

The changes in the tenancy system in Travancore and Cochin had their influence on the tenants of Malabar regions also. Other than this, there was an increased pressure of population on land which ultimately led to the competition for land. The result was that these factors led to the emergence of social tensions and clashes between the owners of land and the actual cultivators, for example, the *mopalah* riots in Malabar which culminated into the *Mopalah Rebellion* in the twentieth century. Crisis did not arise all on a sudden, but a long series of protests started in various parts of the region. It will not be out of place here to make a reference to the unrest in Travancore among the ryots in 1860’s, which paved the way for the Royal Proclamations.

**Impact of the Land Policies in Malabar**

The Hindu tenants were passive in their sufferings from the landlords because of their submission to and respect for traditional authority. But the Muslims (*mopalahs*) who had inherited a militant tradition and in whom the Mysore rule had instilled a new sense of freedom and hope could not tolerate the sufferings. This resulted in a series of protests led by them which started as early as 1836 and lasted nearly a century. These tensions, fanned by communal feeling, turned into what is called the *Mopalah Rebellion* in the later years. On the basis of these disturbances the British authorities
appointed Mr. T.L. Strange, a judge of Madras, as a Special Commissioner to enquire into the causes of the mopalah outrages and to suggest remedial measures. But Strange’s recommendations and the later actions related to land tenures were all in favour of the landlords. So this only resulted in the further deterioration of the situation of the region.

Owing to the continued disturbances in the region the government appointed Sir William Logan as Commissioner in 1881 to enquire into the land tenure systems and tenants’ rights. Logan studied the situation in detail and prepared a report which stated that the plight of the tenants is miserable due to the rack renting, heavy renewal fees and inadequate compensation for improvement made on the land. Logan suggested to rectify these defects in the tenancy system and recommended for permanent occupancy rights. On the basis of his recommendations, a bill was proposed and was passed as the Malabar Compensation for Tenants Improvement Act of 1887 and later it was modified in 1900. But even these acts were not powerful enough to check the arbitrary exercise of the power of eviction.

**An Assessment of the Tenurial System in Early Kerala**

The studies on the background of the land tenure systems in Travancore, Cochin and the British Malabar show that the tenurial rights on lands in this region varied with the passing of time and the agrarian structure that evolved in this region during the pre-colonial
period was different from that during the colonial period. The *jenmie* system of land ownership in the region was characterized by the tremendous concentration of ownership rights of land. As a result of both the population increase and the impact of western influence the caste structure began to decline. The decline of caste structure had its influence on the ownership patterns of land also. The traditional land structure and land tenure patterns in the region point to the direction that the private ownership rights of land were recognised.

During the early times the native states followed a policy of non-interference in the affairs of the *jenmies* and tenants. As a result of this the cultivators were in a deplorable position. Land revenue was collected from the land from the very early times. The coming of the English East India Company made matters worse, as the rulers began to impose more tax on land which they needed badly to satisfy the demands of the English.

The native rulers of Travancore followed a policy of land relations which was of a progressive nature. They tried to make an amicable settlement between the *jenmies* and the tenants through the various measures they undertook. The Proclamations were an example to this. A major breakthrough in this context was their policy of confirming the ownership rights of the tenant cultivator on the land. Further, the rulers were progressive enough to see that the tenants were not ill-treated by the *jenmies*. The impact of this attitude of the monarchy could be traced to the later land regulations
in the state and among the democratic rulers in the later united Kerala.

The State of Cochin also followed a similar policy like that of Travancore. They made attempts to subdue the chiefs and strengthen the state power, but not very severely as in Travancore. The exorbitant demand of revenue by the British from Cochin rulers had its impact on the agrarian sector. The condition of the agricultural class of Cochin was worse than that of their counterparts in Travancore due to the excessive collection of tax. Supportive mechanisms for the effective implementation of the land revenue reforms were absent in Cochin, although the Cochin rulers were keen to prevent any form of unrest connected with the tenurial system of the state.

The British Malabar followed a different system of land relations, when compared with Travancore and Cochin. The tenurial relation in the region was more complex than the other two nearby regions. The Mysorian invasion of the region decisively influenced the land relations here. The Sultans of Mysore followed the policy of maximization of land revenue collection which was the main source of their income. After the British annexation, they followed the policy of maximization of revenue supported with measures for maximizing production. Comprehensive land revenue assessments were made by them. As part of this policy and also to fulfil their political motives, the British followed a policy of showing undue importance
to the *jenmies* in the region. This policy gave birth to tenurial protests in the region fanned by communal feelings. The tenurial changes initiated and developed under the royal patronage had profoundly influenced the socio-economic and cultural scenario of the native state and in effect further paved the way for similar and deeper tenurial legislations in the succeeding phase.

The overall impact of the changes that took place in the tenurial systems in Travancore, Cochin and Malabar were different. In the case of Travancore, there were peasant proprietors, Cochin emerged into a tract of peasant proprietors–cum–absentee landlords and as far as Malabar was concerned, an absolute landlordism. The changes in the tenurial system in these regions had far reaching effects on not only land relations but on the economic and social change in the subsequent period. The Travancore system by all means seems to be unique with more progressive vision of the rulers related to land reforms. The scope of the present study therefore is mainly concentrated in the land tenure systems in Travancore and its impact over the region in the subsequent period.
Notes and References


2 By the Treaty of Seringapatam (1792) Tippu Sultan formally ceded Malabar to the British. This led to the establishment of the British supremacy in Malabar. Seringapatam is also spelt as Srirangapatnam. See, K.N.Panikkar, Against Lord and State, Religion and Peasant Uprisings in Malabar: 1836-1921, Oxford University Press, Delhi, 1992, p.75.


5 Ryot - One who owns land and pays tax directly to government


8 Ibid.
9  *Sircar* lands are lands owned by the government while *jenmom* lands are lands of the Brahmins in which they had absolute rights.


13 The term ‘*Nambudiri*’ as applied to Malayalee - Brahmins is a word of respect of office and dignity, dating its origin from the great reformer and teacher of Kerala – Sri Sankaracharya of Kalady; For more details see, K.N Chettur, “The *Nambudiri* Brahmins of Kerala,” in *Social Reforms in Nineteenth Century India*, ed. by Alok Ray, Cross Roads, Calcutta, 2005, p.77.

14 *Rajabhogam* - Royalty: A tax or rent calculated at 1/6 or 1/8 of the *Pattom*.


16 *Kanappattom* - A kind of tenure prevalent in Travancore.

18 *Brahmaswom* - belonging to Brahmins, *Dewaswom* - belonging to temples.
23 *Pillamar* and *Madampimar* were the local names for the feudatory chiefs.
25 Other than dedicating the kingdom to the deity, Sreepadmanabha (referred to earlier), many *oottupura* (dining halls) were maintained from *Sircar* funds for feeding Brahmins. During the newly instituted *Murajapam* and *Bhadradeepam* festivals, Brahmins were given donations lavishly (see the *Madras State Directory*, Cochin, 1934, No. VIII, p.3)
For the administrative convenience, Marthanda Varma divided the state into taluks and put them under the revenue jurisdiction of *karyakkar*. Veluthampi was the *karyakkar* of Talakkulam, a place at present in Kanyakumary District of Tamil Nadu.


32 At Kundra, in Central Travancore, Veluthampi issued this Proclamation on 11 January, 1809.


36 Varghese T.C., *op.cit.*, p. 44.


38 *Census of India*, 1901, Travancore, Report, p.390.


43 Pandaravaka – belonging to Sircar.

44 Puravaka – land other than government sort.


46 Cited in the Report of the Agrarian Problem Enquiry Committee of Cochin, Chapter, 2, p.50.

47 Mamamkam – According to tradition, it was a national festival held once in twelve years on the banks of Bharathapuzha.


53 Radhakrishanan P., op.cit., p.43.


In 1801, Malabar was transferred to the administrative jurisdiction of the Madras Presidency from the Bombay Presidency.


*Kanam* is a kind of land tenure under which the tenant holds land by paying a fixed sum or grain in advance or acknowledges the ownership of landlord; *Kuzhikkakanam* is a lease of waste land or land which could be improved in favour of a cultivator who has to make improvements in the land.

*Otti* is a mortgage of land.

Muslims of Malabar were called *Mopalah*.

The estimate of two thirds is approximate, derived from the 1891 census figures which give 62 per cent as the agricultural population of the district.


Radhakrishnan P., *op. cit.*, p.44.

