Preface

The customary laws of Union Territory of Lakshadweep islands are a challenge for judicial institution as well as administrative machinery. With the peculiarities of socio-legal institutions, Lakshadweep system stands apart from the mainstream of legal systems in India. How far do the charismatic modernisation trends flowing into the Lakshadweep society affect the people already protected by the uncodified laws of the past? Many are the issues at this stage. This study analyses them. It examines the growth, evolution and development of the legal system in the islands vis-à-vis the administrative mechanism imposed by the mainland ethos and culture.

The first chapter is introductory. Chapter II examines the role of caste and religion in the growth of island customs and their influence on social relations. Chapter III analyses the impact of property concept based on trees on land tenure and socio-economic scenario. According to the nature of legal institutions and its working, the Lakshadweep legal system can be classified into four periods. (1) Period of Obscurity (2) Period of Rajas (3) British Period (4) Post Independence Period. Chapters IV to VI are the highlights of the socio-legal currents and crosscurrents of these periods. Chapter VII examines the working of various institutions and authorities under Marumakkathayam. Chapter VIII unravels the evolution of maintenance arrangement and partition. Chapter IX examines inalienability and impartability of Friday properties with special reference to judicial decisions. Chapter X is on the status of women. Chapter XI verifies
customary legal profession – Mukthyars. Chapter XII contains conclusions and suggestions.

In the study, the data have been collected through questionnaire and interviews from the old and the aged who had been the observers of the socio-legal transformation in the islands. The Mukthyars, politicians, social workers, civil servants, judicial officers and women were interviewed. Besides, the old records kept in Amin Kacheries - the old judicial institutions of the islands- and mainland Archives were verified.

Professor P. Leelakrishnan, presently UGC Emeritus fellow in the School of Legal Studies in the Cochin University of Science and Technology supervised my work. His assistance and guidance stood me in good stead in the course of my study and research. I had all the assistance from Professor G. Sadasivan Nair, Director, School of Legal Studies. I also acknowledge the advice and assistance rendered by other Professors of School of Legal Studies, Dr. N.S. Chandrasekaran, Dr. K.N. Chandrasekara Pillai, Dr. A.M. Varkey, Dr. D. Rajeev and Shri. V.S. Sebastian.

The helping hand of Lakshadweep Administration during my field study requires particular mention. I also acknowledge the courtesy and benevolent help from Messers B. Amanulla, the Districts and Sessions Judge Lakshadweep and K. Haripal, Munsiff, Amini.
Many in the judicial and administrative hierarchy of Kerala High Court were a source of inspiration to take up and complete my research work. The assistance of Kerala State Legal Aid and Advice Board is acknowledged.

The ready mind to help in many libraries is a memorable experience. I am grateful to those people in the libraries of Cochin University School of Legal Studies, Indian Law Institute, Lal Bahadur Shastri National Academy of Administration and National Law School. I have also got materials from libraries of Kerala and Madras High Courts and Supreme Court of India. People in Madras Archives and Central Library at Kavaratti and Amini Island Library also were kind to this research programme.

Messers Anu Engineer, Zakeer and Saiju were responsible for the data entry of this study, whose work is acknowledged.