PREFACE

The focus of the present Thesis is on the momentous role played by the judiciary in its capacity as one of the most important administrative organs of the British Colonial government in India that attempted and succeeded in restructuring of an out and out custom-ridden, overly conservative and near static society in Malabar into one vibrant and throbbing society in tune with the values, ideals and criteria of a modern society. The salient features of this topic of study, notwithstanding its specific value as providing valuable light for a closer and insightful understanding of the aspects of past history of Malabar and its steady evolution into one based on the foundation of modernity, has not been properly recognized so far. Despite the fact that many scholars have been sincerely seeking to chart out the diverse social currents and historical stimulants that collectively exerted its influence in shaping Malabar as it is today, they could not precisely pin point the predominantly positive role played by the judiciary in this historical transformation. This is the situation, in spite of the easy and extensive availability of earlier legal records preserved at archives which are of immense value in understanding social and historical changes that took place in Malabar during the particular period.

During the period of British colonial rule in India, Judiciary was identified as an essential part of the British colonial government. It was widely perceived that the customary function of the judiciary was to work in tune with the demands, designs and ideology of the colonial
government. But the striking fact to be clearly noted was that in spite of the introduction of judiciary as part of the colonialism and inspired and driven by colonial administrative machinery, the function of judiciary in India was not in total subjection to the colonial power structure. In a positive sense, without creating much ado, the judiciary gradually turned out to be the agency of radical social changes through which Malabar was passing when the region came face to face with the western system of social practices and western world view as part of colonial intervention.

Rudimentary reflections related to this theme passed through my mind when I read through occasional judicial references that form part of history books related to the social and legal transformation in Modern Malabar. Since many extensive research works in this area are yet to appear, I did not have very great confidence when I chose the title of the topic. At the same time there was the refreshing and challenging awareness that the topic offered a relatively fresh and unexplored area for research and enquiry. While undertaking the research, it appeared to be a challenge to read through the judicial records which are of highly practical and authoritative character in order to find out whether it would be possible to create a historical reconstruction of the bygone culture and the norms and practices of the social life of the people of Malabar solely based on the information available from such records. That challenging work assumed the dimension of a task of considerable difficulty demanding the sweat and labour of much pains. But on completion, it was found out that the research work provided the seeker with rewards and dividends in the form of intellectual gains and insightful pleasures related to the topic and area of study.
The research work is not the sole result of my individual endeavor alone. Many kind and erudite minds helped me in many ways when I undertook the arduous task of historical enquiry. I deem it a real blessing and a notable fortune to get the scholarly and enlightening help of Dr. G. Premkumar, Director, Directorate of Archaeology, Tiruvananthapuram, as my guide and research supervisor whose encouraging and inspiring attitude and timely and patient guidance at every stage of my enquiry helped in immeasurable ways to overcome areas of difficulty which I encountered as part of research work. His willingness to spend time and energy for the detailed discussion of every aspect of the topic gave a boost to my mind which inspired me to complete the project with perfect naturalness and ease. Hence, am deeply indebted to Dr. G. Premkumar, for his incomparable and enlightening guidance and encouragement.

Also I place on record my heartfelt thanks and warm regards to the faculty, Dept. of History, University of Calicut, office and library staff of the same department for the generous and benevolent help they were ready to provide me in my attempt to complete and submit my thesis.

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I had the immense good fortune to receive the warmth and benevolence when I went to the Revenue reference Library, Tellichery, and Regional Archives Calicut, Azad Memorial Library, Tellichery in connection with my research for records and data.

I will be failing in my duty if I don’t acknowledge with gratitude the guidance and help which I had the fortune to receive from some personalities and friends during my research work.

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Also I acknowledge the exemplary service provided by the staff members of I.C.H.R. Library, National Archives and Nehru Memorial Museum and Library, New Delhi, Dept. of History Library, University of Calicut and C.H. Muhammed Koya Central Library, University of Calicut
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