

CHAPTER II

CONSOLIDATION OF BRITISH POWER

IN MALABAR

The expansion and consolidation of British power in Malabar in the first half of the eighteenth century was not on a predetermined pattern. Being a commercial enterprise, the aim of the English East India Company in this period was to make it a gainful endeavor and to take advantage of the colonies for the benefit of its shareholders. However, even during the initial phase the activities of the Company were not confined to trade but also to expand its power through war and diplomacy. The absence of a competent centralized political authority in Malabar was the hallmark of the eighteenth century which made this region a centre of mutual conflicts between local chieftains and it provided enough space to the foreign intruders into the political body of Malabar. The foreign political powers had crept into the secured places in the political arena and stayed disguised as merchants and became active when chaos reached its zenith. The English East India Company gained an upper hand over their counterparts in trade and adopted multifaceted strategies to gain the overlordship of the Company, through a number of treaties, administrative restructuring, generous financial assistance, military support, mediation and creating conflicts which paved the way for the emergence of new socio-political and cultural patterns in the subjugated regions. This chapter tries to expose the process of political consolidation of the British and subsequent changes effected in the life of

women in colonial Malabar. It is an attempt to trace the history of the domination of the British, their administrative and legal measures and its impact on the society as a whole and women in particular. This chapter concentrates on the structural change in the power relations and subsequent efforts to rearrange the existing social relations. Along with it, due effort is taken to examine the changes in the status of woman in Malabar in the background of European contact.

There is lack of seminal studies on the position of women in Malabar, almost all following a pattern of Euro-centered analysis. Even the word 'woman' reflects a male-dominated society. It comes from old English 'wifman', wife +man.¹ But the Malayalam words – *Ann* and *penn* (purush, stree) reflect an environment where two separate entities existed. Man and woman were independent in their respective spaces, and areas of interdependence had been clearly demarcated. This was a time when they enjoyed unquestioned authority in their social roles. There were highly respected women scholars, priestesses and social reformers. The worship of mother goddess is still prevalent, which had instilled in society a sense of adoration for mothers, though the dominant culture and power structure might have degraded women to suit their interests.

¹ *Oxford English Dictionary*, Vol.IV.p.468

Such a concept is absent in the European mental makeup. Incessant wars and invasions were the formative agencies in Europe. Industrialization and geographic explorations enabled them to dominate the world and women stamp it with their outlook.² The first traders from Europe were criminals released from prisons for the purpose of strenuous voyages across the vast oceans.³ They were unaware of a multicultural and permissive society and so imposed their laws and regulations, and culture and education on the colonies. Almost self-sufficient village communities succumbed to European invasion and their stagnant economies became alive once again. Although colonialism had its own contradiction of construction and devastation in an old social order, the society, which sustained to survive, had conserved many of the medieval institutions.⁴

The English East India Company faced opposition from other companies in its monopolistic trade. The political condition that prevailed in Malabar was favourable to the intervention of foreigners. The English East India Company had to compete with other European powers in Malabar for the establishment of trade monopoly, especially in spices. Their commercial rivalry was very strong in Malabar so that the Dutch, the French and the

² Geraldine Forbes, *Women in Modern India*, p.13

³ See for more details Sanjai Subramanyam, *The Career and Legend of Vascodagama*

⁴ K.K.N. Kurup, *Nationalism and Social Change: Role of Malayalam Literature*, p.45

English struggled to gain supremacy over each other in diplomacy and strategy. One of the earliest instances of the English relation with a Kerala kingdom was when Captain Keeling arrived at Kozhikode in 1615 and signed a treaty with *Samuthiri*.⁵ He was allowed to open warehouses at Ponnani and Kozhikode.⁶ Malabar was abundant in spices and because of its increasing demand in the European market the English Company started a factory at Thalasseri by 1694.⁷ The very establishment of the factory at Thalasseri brought out its commercial rivalry with other European powers like the French and the Dutch. Without conducting a major battle against any one of the native chieftains in Malabar, the Company succeeded to protect their interest and its influence in Malabar.

Instead of a direct confrontation with the Dutch, the shrewd diplomacy of Robert Adams, the chief of the English trade on the Malabar Coast, supported the *Samuthiri* to re-capture the ceded territory by providing huge financial assistance. Besides, Adams supplied financial assistance, arms and ammunition and even sent troops under the English flag. For this timely assistance, the *Samuthiri* permitted the English to build a warehouse at

⁵ The text of this treaty is given by Francis Day in the *Land of Perumals*, p.177

⁶ *Ibid.*

⁷ The time of the establishment of the trading post is uncertain. Logan assumes that it happened around 1694/95 or later, at any rate before 24th October 1699. William Logan, *Malabar* Vol.I,p.341

Chettuva and keep a person there to buy pepper.⁸ The Dutch destroyed the warehouse immediately in order to secure the pepper trade and they captured Chettuva. However, the English assistance was fully recognized by the *Samuthiri* and on several articles of trade the English were exempted from paying customs duties. The English found that the supply of war materials was a profitable trade, while it was a good way to secure the favour of *Samuthiri*. Because of this policy of financial assistance and supply of military stores, the *Samuthiri* was considerably indebted to the English Company.⁹

In this contest local rivalries also played a role¹⁰. A local chief of Tellicherry was in rivalry against the Company, which ended by a treaty in which he admitted that "At Punhole (Punnole) and other places belonging to me, if anyone save the Honorable Company, buy pepper to deal in, you can seize and take it."¹¹ The second provision says "On the pepper which the Honorable Company may buy and convey from my country, no duty need be paid."¹² This agreement was aimed at a policy of monopoly of the trade in pepper along with the tax free trade. As the French Company had also been

⁸ William Logan, *A Collection of Treaties, Engagements and other Papers of Importance Relating to British affairs in Malabar*, p.3.(here after *A Collection of Treaties*,)

⁹ *Tellichery Consultations 1727-28*, Vol.III, p.86.

¹⁰ A Portuguese manuscript cited in *A Collection of Treaties* mentions Corongotto Nair as the local chief.

¹¹ *Ibid.*,p.5

¹² *Ibid.*,p.6

negotiating for a factory at Mahe (near Thalassery) since 1718, the English were more eager to protect their trade interests through mutual agreements. To withstand the competition of the French, the English further negotiated for trade privileges with Kolathiri, the king of Kolathunadu. The royal grant given by him to the English denied the trading right of others save the privileges already granted to the Dutch Company in Kolathunadu.¹³ The royal agreement with Kolathunadu stated, "If any other European or any other stranger came to this country, the English Company can in our name, punish, prevent and drive away."¹⁴ The English knew that such a grant from a king whose authority was increasingly circumscribed by the power of the junior and collateral princes would not serve their purpose. Therefore, they obtained another confirmation of these privileges from the prince regent and governors of two local chieftains.¹⁵ In the following year, the English obtained another grant from the southern regent of Kadathanadu, the hereditary governor of Kolathunadu, excluding all other Europeans from the trade in pepper and cardamom.¹⁶ The agreement of Kolathiri granted the English Company some kind of political responsibility "to punish, to prevent, to drive away" other interested foreigners from the trade except the Dutch. In Kadathanadu, the

¹³ *Ibid.*, p.6

¹⁴ *Ibid.*

¹⁵ *Ibid.*, p.7

¹⁶ *Ibid.*, p.13

southern regent permitted complete trade monopoly with effect from January 1726. This endeavour to monopolize the pepper trade was the first stage of the British colonial expansion in Malabar.¹⁷ They have to counter other imperial powers like the French and the Dutch in their effort to consolidate their power.

However, the Company had no sufficient administrative and political power to enforce its authority. When the French started a factory at Mahe they offered a higher price for pepper.¹⁸ It was often smuggled to their warehouse and even native chiefs were not exempted from the desire to do so. Therefore, it became a necessity for the English to keep down the price of pepper by a mutual agreement with the French at Mahe.¹⁹

The further expansion of British power was based on the policy of substantial financial assistance to the native rulers, which had been simultaneously adopted, with the acquisition of monopoly of trade through agreements. The political atmosphere was also much favourable to the

¹⁷According to Francis Buchanan 15,000 kantis of pepper were produced in the Malabar in the years 1764/65. At the beginning of the nineteenth century, in Malabar 8,000 kantis of pepper per year were harvested in Malabar, of which 4,000kantis were from Kottayam. The most productive pepper gardens were situated in the principality of Kottayam. See for more details Francis Buchanan, *A Journey from Madras through the Countries of Mysore, Canara and Malabar*, Vol.II,p.530

¹⁸ In 1725, on the Malabar coast , the French captured Mayyazhi, which was renamed Mahe after the French general who was victorious here.

¹⁹ *A Collection of Treaties and Engagements*, pp.15-18

English as there was a tussle between the Kolathiries and the Ali Rajas of Kannur in which the former requested the assistance of Somasekhara Nayak II of Ikkeri, the ruler of Bednur, to subdue the latter. These military affairs created an urgent need of money and military stores to the prince regent. He requested through the Raja of Cochin for Dutch help. His intention was to hand over the Island of Dharmapattanam to the Dutch, which would be detrimental to the English trade. The English feared that it would bring the Dutch very close to their factory and decided to help the prince regent. The prince who met the chief at the English fort at Moylan granted in his own handwriting several privileges to the English.²⁰ This grant denied the right of trade or establishment to the Dutch and the French in the pepper territories like Iruvanadu and Randattara. The English were also given the right to hoist their national flag in these places if encroached by other Europeans.

In order to establish their power in the initial phase they resorted to various measures. For this purpose they adopted the strategies of financial assistance, military support and mediation in local conflicts which enabled them to gain superiority. The financial assistance was made with a view to contract trade monopoly and other privileges in Kolathunadu and to check the establishment of the French and the Dutch supremacy. But in 1732, the

²⁰ *Ibid.*, pp.15-16

Canarese invaded the northern portion of Kolathunadu. An agreement with the Kolathunadu prince made them the sovereign masters to the north of the river Balliapattam. By February 1735, the Canarese army under General Gopaljee had pitched their camp at Dharamapatam. The General wrote to the English that the Island would be the property of the Company as he had only intended to invade the territory of Kottayam. After this, the company immediately arranged for the absolute possession of the Island from the prince. The royal writ of the prince with his 'good will and pleasure' transferred the absolute right of the Island to the Company. Before obtaining this title of possession, the English obtained permission from the king of Kottayam to hoist their flag, to possess and to fortify the Island to safeguard it from the Canarese intervention. Therefore, by strategy and diplomacy the English executed their policy of territorial expansion in Malabar by fishing in the troubled waters.

The French at Mahe chalked out a confederacy for expelling the Canarese with *Vazhunnor* of Badagara, Kottayam and the English. However, such a confederacy was not acceptable to the English, as they desired the exclusion of the French from such attempts. The English record states, "When we are actually contriving their overthrow, saviors of the greatest treachery

and deceit, but humane policies are not always governed by open and fair dealings".²¹ The possession of the Island was considered as a major success of the English East India Company and the chief reported to Bombay:

The situation of this Island by being in the centre of the pepper countries, surrounded with rivers which afford a proper conveyance, for bringing it promises a better security to the trade, than any other place, exclusive of the advantage that may be made through its becoming the immediate property of our Hon'ble Masters, and encouraging a resort to people to settle there who in all times may be useful in defending it.²²

While exploiting the political situation in Malabar, the British were trying to expand their power over Kolathunadu. Simultaneously attempts were made by the English to reconcile with the Canarese interests in Malabar.²³ The British colonial policy of expansion had begun to function in Malabar even during the first half of the eighteenth century as a matter of commercial necessity and political exigency created by the territory in which the factory was situated. The British settlement at Malabar Coast marked the beginning of the gradual subjugation of the country, initially by western ideas of trade and economy but increasingly also in political and administrative

²¹ *Dairy* 10 March 1735, p.63

²² *Letters from Tellichery: 1734-36*, Vol.IV, Stephen Law to Bombay, 17 November, 1735

²³ *A Collection of Treaties*, pp.31-32

regard, which ended in the territorial appropriation of the country by the British. Furthermore, the British were largely able to drive back the influence of other European powers, above all the Dutch and the French.

An excellent opportunity was provided by the Mysorean invasion of Malabar to set the grip of the Company on the local Rajas and chieftains.²⁴ The attempt of Haider Ali and Tippu Sultan by conquering Canara and Malabar and trying to subjugate Cochin and Travancore was to cover both flanks of the Carnatic and thus squeeze the English eventually out of south India. The English, who had realized this serious threat to their security, took early steps to canvas support from local rulers, and make alliances with a view to counter the expansion of Mysore and if possible overthrow the power of Haider Ali and Tippu.²⁵ At the time of the siege of Thalasserry fort by the Mysore forces the local chieftains rushed with their troops to rescue the British soldiers. Being one of the contending political powers for supremacy in Malabar politics the Company officials were eager to maintain their friendship and with the help of the chieftains the Company forces repulsed the attack of Haider Ali.

²⁴ K.M. George. *The Malayalis the People, Their History and Culture*, p.325.

²⁵ Government of Kerala, *Kerala Through the Ages*, p.68.

Tippu Sultan, continued the hostile attitude towards the company and after defeating the Malabar chieftains one by one he occupied their territories. In the war that ensued between the Company and Tippu Sultan the chieftains as 'friends' and 'allies' of the English supported the Company. The chieftains expected that in return for their support to the Company in the war against Tippu Sultan, they would be restored to their ancestral kingdoms. The Company recaptured all the principalities overrun by Tippus's army, but refused to restore the kingdoms to former chieftains. The treaty of 1792 legalized the British claim on Tippu's territories in Malabar and Cochin.²⁶

Because of these agreements with the English, the native rulers were forced to pay exorbitant revenue with a singular purpose of getting the right of their age-old privileges. Many of them failed to pay such huge amounts. At the beginning of the eighteenth century, the Company had to realize the arrears nearly of Rs.4, 50,000 from the total revenue of something more than Rs. 14, 0000.²⁷ On these arrears the Company charged a penal interest at the rate of 12 percent for the first 8 days, 24 percent for the next 20 days and 36 percent for the next 30 days,²⁸ In the whole history of colonial administration,

²⁶ See for more details of the provisions of Sreerangapattanam Treaty, *A Collection of Treaties*, pp.39-46

²⁷ William Logan, *op.cit.*, Vol.I. p.505

²⁸ *Ibid.*

it would be difficult to find a revenue policy more merciless than this adopted for the conquered province of Malabar. It shows the inhuman nature of colonialism and their merciless exploitation.

Before the Mysorean occupation, the Nairs of Malabar, enjoyed a high status, and did not pay any revenue to the native rulers. The holdings belonging to the temples (*Dewaswam*) and Brahmins (*Brahmaswam*) were also exempted from taxation during this period. The British were not the first outsiders with a radically different cultural tradition to conquer India. But significant changes that affected the lives of ordinary people first came with the British rule. Traditional Hindu society was 'decentred' and previous challenges from foreign invaders had allowed it to remain so. The local chieftains collected rents and dues and demanded obeisance but did not interfere with the social order. But the British, pursuing commercial aims, introduced new relationships.

However, the Mysorean Government brought all landed properties under assessment and the Company conveniently followed the same.²⁹ In settling the revenue agreements, they had reflected some of the valid claims of former chieftains. For example, the revenue agreement regarding the

²⁹ *A Collection of Treaties*, part II, No.XIII,30 July 1792, p.158.

country of Kottayam was made with the Raja of Kurumbranad.³⁰ Ultimately this mistaken revenue settlement led Pazhassi Raja into an open revolt against the British.³¹ Such revolts of disgruntled chieftains in Malabar destroyed the tranquility of the province for several years. The increasing discontent and dissatisfaction paved the way for renewing revolts in Malabar.

After the British had taken control of Malabar in 1792, by the peace settlement of Sreerangapattanam, they intended to provide the recently won province with institutions capable of government according to British standards. In this they were partially able to fall back on the structures that had been created in Malabar by Haidar Ali and Tippu Sultan. The primary aim was to turn the province into a prosperous source of income.³² The British paid little attention to traditional structures in Malabar, which they considered to be outdated, and their disregard aroused the displeasure of both the population and the Rajas.

Colonialism viewed Indian society in ethnic terms and based its strategy of control on an elaboration of administrative practices and political management on such divisions. Caste and communities not only became

³⁰ *Ibid.*

³¹ See detail in Richard's report regarding Kottote Rebellion, 19 January 1798 and correspondence regarding to the Pazhassi Rebellion 24 December 1800-1806.

³² Pamela Nightingale, *Trade and Empire in Western India 1785-1806*, p.113

categories to comprehend reality but also weapons in the colonial arsenal to ensure the perpetuation of political power. India, in this view, was constituted by a conglomeration of warring groups, held apart by the intervention of colonial rule.³³ It is observed that collaboration was very important in the establishment of imperial authority.³⁴ What determines that a country will eventually be colonized and when it will be decolonized is the collaborative mechanism. Colonization occurs when the initial collaborative mechanisms fail, but colonial rule depends on new forms of collaboration whose subsequent failure determines when colonialism is to be dislodged.³⁵ In this regard, colonialism is viewed as an alliance between imperial and local forces, an alliance which is dictated by the small number of "the men on the spot", and the tendency by the imperial factor to economize its efforts which were nonetheless meager.³⁶

One of the most important aspects regarding the establishment of administration in Malabar was the British government's intention to direct

³³ K. N. Panikkar , 'In Defense of 'Old' History' *Economic and Political Weekly*, Vol. 29, No. 40 , October. 1, 1994, pp. 2595-2597

³⁴ B R Robinson and J Gallagher see the establishment of colonial power in terms of the failure of collaborative mechanisms which calls forth the establishment of new ones. See their book, *Africa and the Victorians*, New York, 1961. Eric Stokes attempts to summarize the thesis of this book in his *Traditional Resistance Movements and Afro-Asian Nationalism: the context of the 1857 mutiny rebellion*", *Past and Present*, 1970. See also R Robinson, *Non-European foundations of European imperialism: sketch for a theory of collaboration*, and Anil Seal, *The Emergence of Indian Nationalism: Competition and Collaboration in the Later Nineteenth Century*, Cambridge, 1968.

³⁵ Robinson, *op cit.*, p. 62

³⁶ Stokes, *op cit.*, p. 165

along well-ordered paths the affairs within the province which they viewed 'as anarchic'.³⁷ The Company's view that the Malabar Rajas would not continue for long as independent was only a statement of this changed policy. The system of appointing a Board of Commissioners vested with the powers to establish the temporary scheme of eternal administration, which might operate until the Governor-in-Council should possess a permanent system in India by the Company.³⁸ It was very useful for the Company to ascertain the conditions of the new acquisitions and to design the system of administration to suit the financial betterment of the Company. The system of appointing a Commission was a new measure, which served as an instrument to fulfill the colonial ambitions of the Company.

A chief characteristic of this policy was to regard the Malabar rulers in the sense of Bengal Zamindars, i.e. to strip them of their sovereignty and to seal with them appropriate treaties on tax.³⁹ The aim of the treaties was firstly, to refute all claims to sovereignty made by the Malabar rulers and to ensure their long-term dependence on the Company, secondly, to guarantee their tax collections by restoring the strength of Malabar's economic production

³⁷ Margret Frenx, *From Contact to Conquest*, p.99

³⁸ B.B.Misra. *The Central Administration of the East India Company, 1773-1834*, pp.141-42

³⁹ Pamela Nighitingale, *op.cit*, p87

through its primary good of pepper, and thirdly, to create an administrative and legal structure.⁴⁰

However, the Rajas were not willing to give up their sovereignty to the British that easily. In their first set of negotiations with the British they assumed that they would be regarded as allies of the British, and therefore insisted upon being returned their principalities. In the end, however, the Rajas were forced to give in to British demands: Furthermore, the British endeavoured to countermand a large part of the Malabar Rajas' basis of legitimating by depriving them of their traditional rights underlining their sovereignty. For example, they forbade the Rajas to accept gifts from the people at the festivals of Onam and Visu and in doing so they struck at one of the fundamental pillars for the basis of legitimation within the redistributive system. The Raja of Kadathanadu refused to forfeit his right to collect tax to the Company, since this constituted one of the most important sovereign rights in Malabar.⁴¹

The Company viewed pepper in terms of revenue and forbade the benefits of a high market price to its new subjects in Malabar. Even after becoming the administrators of a province, the Company was following the

⁴⁰ Margret Frentz, *op.cit*, p.100

⁴¹ *A Collection of Treaties*, p.187

earlier policy of traders who purchased in a cheap market and cherished the concept of monopoly. If the commodities, including spices, had been given the market price, it would have indirectly helped the flourishing of agriculture and gradually brought considerable revenue to the Company. However, it was still clinging on to the old policy of mercantilism even in a new era of colonial expansion.

Regarding the civil administration of Malabar, the first significant administrative act to be passed by the Commissioners were the guidelines for the new government of what was known as the 'Malabar Province' on 11 March 1793. At the head of the government was the 'Supervisor' (or General Magistrate) to whom two Superintendents were assigned. The administrative structure of the newly organized government was an attempt that the Company had made in Bengal Province. B.B. Misra says, "The appointment of supervisors none the less was an important landmark in so far as it made a beginning in the reconstruction of the revenue records, which in turn furnished positive evidence of the need to take over the direct management of revenue." ⁴²

⁴² *Ibid.* p.113

In spite of this attempt to fix the revenue at least for a period of five years and ensure a recurring income from the province, the Company faced a difficult situation in Malabar and its subjects were put to miserable condition. The main reason for such hardships was the revenue policy of the Company, which was motivated further by colonial ideas. Their revenue policy was mainly aimed at not only to collect more revenue but also to fix their authority over Malabar.

Analyzing the levels of administration introduced by the British, it has to be noticed that they did not take into account the structures that had developed previously in Malabar, apart from the retention of their names. The old *desams* were brought together into larger administrative units, the *amsams*.

⁴³ In this way the figure of just over two thousand *desams* was reduced to 429 *amsams* by the middle of the nineteenth century.⁴⁴ At the head of the *amsams* were *adhikaris*, administrative officials, who were appointed by the British government. The British frequently recruited employees from the numbers of old *desavazhis* and *naduvazhis*, who had lost their privileged position due to the new British administration.⁴⁵ The primary function of the *adhikaris* was to collect taxes for the British. They were thus the most important people in

⁴³ William Logan, *Malabar*, Vol.I,p.490

⁴⁴ *Ibid.*,p.89

⁴⁵ E.K.Santha, *Local-Self Government in Malabar1800-1960*,p.6

British eyes for passing on information to the population and for carrying out orders. In return the *amsadhikaris* were afforded the status of powerful men and were more feared than respected by the local people. The British always strove to satisfy the *adhikaris* so as to receive their loyalty and subordination, The British also benefited from using them as 'middlemen' in communications with the local population; the *adhikaris* were well acquainted with the land and its people, which meant that administrative costs could be kept low and that pressure would not be put on the already limited finances of the British.

Another major step was the establishment of their Head Quarters at Calicut. One of the purposes of this institution was to impress the locals with the establishment of a system that guaranteed those rights and property.⁴⁶ In cases of dispute the population could choose whether to turn to this court or to the Rajas for judgment. The British, however, reserved the right to amend judgments made by the Raja in those cases where the parties concerned were not satisfied with the result.

In 1792 when British took over Malabar they conceived the idea of leaving the administration of justice in the hands of the rajas. As part of it seven local courts were established in different parts of Malabar including

⁴⁶Joint Commissioners Report, CLVI

Cannanore, Palakkad, Thirur and Ponnani in July 1793.⁴⁷ An important step in advance was made in the separation of judiciary from the executive administration. The district was divided into two districts judgeship of north and south Malabar with head quarters at Thalassery and Kozikode. In the north district there are a subordinate judge's court at Thalesery and district munsifs' court at Vatakara, Cannanore, Kuthuparamba, Nadapuram, Payyoli, Quilandi, Taliparamba and Thalassery. In the south district there were sub-courts at Calicut, Palakkad, and Ottappalam and district munsif's courts at Alathur, Chowgat, Manjeri, Parappanangadi, Pattambi, Ponnani, Thirur, and Perinthalmanna.⁴⁸

Village headmen (adhikaries) were empowered under the village Courts Act of 1889 to try petty suits where the value of the cause of action did not exceed Rs.20/- and the system of trial by Bunch Court under section IX of the same act was in force in certain areas. But the Village Courts were not popular, and did not appreciably lighten the burden of the civil courts. More than a quarter of total numbers of suits in the Madras Presidency in 1903 were

⁴⁷ C.A.Innes, *Malabar*, p.384

⁴⁸ *Ibid.*, p.385

filed in the village courts; but in Malabar the proportion was only one-eleventh.⁴⁹ The volume of litigation in the Malabar district was immense.

Litigation was a luxurious activity and the accepted explanation of the constant report to the courts in Malabar was the general prosperity of the district and the immunity from famine. Other causes were the complexity of the existing land tenures and the inevitable dispute as to the value of improvements on the termination of *kanam* or other demises. Intimately connected with the civil courts, the Registration department had equally heavy work, and of all the documents presented for registration in the presidency in the latest years for which figures are available no less than one sixth were registered in Malabar.⁵⁰

The effect of the Malabar Wills Act, 1898 which placed the testamentary disposition of self-acquired property by persons subject to *Marumakkathayam* law on a secure basis, was beginning to make itself felt, the number of wills registered in 1901-02 being more than double those registered three years before. The Malabar Marriage Act 1896 for the registration of *sambandham* is on the other hand almost a dead letter and since the passing of the Act 1898 husbands

⁴⁹ Ibid.

⁵⁰ Ibid., p.359

have been able to make provision for their wives and children without registering their *sambandhams*.

All village magistrates had the usual powers in petty cases arising in their jurisdictions but rarely exercised them. Panchayat courts which had been established in several villages under the Madras Village Court Act of 1888 were also sometimes invested with criminal powers. Such Panchayat courts replaced the court of the village magistrates and the election to the court is open vote and members elect their own president. All *thahasildars* had second class powers but they tried only cases which were transferred to them for disposal by the district and divisional magistrates. The district magistrates, divisional magistrates and the treasury deputy collector had the usual first class powers. The jurisdiction in these courts followed the Code of Bengal. Within these seven local judicial administrations, the British also employed local people as policemen and court administrators.⁵¹ The employees had to swear an oath that they would meet their obligations and not abuse their positions to make financial gain in any way.⁵²

With the establishment of British courts and the orientation of jurisdiction towards Anglo-Saxon customs, local law was almost entirely replaced by codified law. Traditional institutions were consequently ignored

⁵¹ T.K.Ravindran, *Malabar Under Bombay Presidency*, p.8

⁵² This oath was known as *muchalka*

and replaced by the British system without any thought as to whether this would be suited to the customs of the region.⁵³ The British government found it impossible to bring about 'law and order' to their satisfaction, since the new system was not efficient enough in British eyes—the population trusted neither the courts nor their staff and the operation of the system entailed very high costs for the Company.⁵⁴

A modification was made to the Civil Code in October 1797; this was partially designed to keep in check the growing influence of the Rajas, while at the same time establishing British supremacy and enabling a reduction in the expenditure of the Company.⁵⁵ At the end of 1797, civil servants and tax assistants who had been sworn in were employed across the entire district.⁵⁶ The British regulations made in the initial years following the takeover of administration did not actually enjoy any real success, but they did lay the foundations for a modern legislature based on the Western model.⁵⁷

In ancient time the *Naduvazhis* and the *Desavazhis* supported by their armed Nair retainers maintained law and order. With the Mysorean invasion the system broke down and in 1801 the irregular and undisciplined *sibbandi*

⁵³ T.K.Ravindran, *op.cit*,p.24

⁵⁴ T.K.Ravindran, *Institutions and Movements in Kerala History*,p.85

⁵⁵ T.K.Ravindran, *op.cit*,p.85

⁵⁶ William Logan, *op.cit*,p.522

⁵⁷ T.K.Ravindran, *op.cit*,p.62

crops were disbanded and their place was taken by force of 500 armed policemen raised by Captain Watson, mainly for the purpose of collecting the revenue. During the time of the Pazhassi rebellion their number was increased up to 1200. This force was disbanded in 1810, and since that date the Malabar police have followed normal lines of development. By the regulation II of 1816 the police force was renewed. The Mappila rebellions which had periodically disturbed normal life of the district since 1836 compelled the British authorities to take serious steps to prevent the disturbances.

The Malabar rebellion of 1921 showed that the existing Malapuram Special Police was too small, inadequate and ill-equipped to quell armed disorder of a serious and widespread character. The special force was disbanded in 1921 and the Malabar Special Police, six companies strong and organized and trained on military lines was constituted. The Special Police was armed with 303 Magazine rifles, Lewis guns and grenades and was equipped with motor transport and hospital arrangements. Later the MSP became the synonym of brutal oppression and notorious for uncountable cruelty.

Imprisonment was not a common form of punishment in olden days, and jails were a British innovation. The central jail at Cannannore was built in

1869 on the association block system with accommodation for 1062 prisoners. This jail received long-term convicts from South Canara. There were special wards for juveniles and women and an up-to-date hospital and a school for youthful offenders. The introduction of law and order system and a network of judicial courts on universal jurisprudence was a special feature of British rule in Malabar. The new legal system and its machineries included police and supplementary laws.

With the introduction of an administrative structure characterized by British conceptions changes and breaks occurred in the traditional structure of society. One of the most striking examples of these changes was the restructuring of the Nair *tarawad*. The British did not recognize their major function and importance within society; they stripped the Nairs of their political freedom, their right to share in decision-making and also their economic independence. As a result the Nairs were denied their traditional responsibilities, i.e. the management of the land and its people, and the leadership and implementation of local self-administration. The British also mistrusted the family organization within the Nair *tarawad*. The women within the *tarawad* were hit especially hard: due to legislation introduced by the British they were only allowed to hold the post of *karanavati* if a court acknowledged their right to have this position. Furthermore, the

authorization to hold this post could be taken away from them at any time.⁵⁸ The *tarawad* was not actually destroyed in physical terms, but they were broken as a political, social and ritual unit through the fundamental redefinition of its appearance and functions.⁵⁹

The British policy—marked on the one hand, by persistent ignorance of existing social structures in Malabar and on the other hand by visions of a state modeled on European bureaucracy—increasingly countermanded the traditional structures in Malabar, which had already been undermined by Mysorean occupation. This ultimately resulted in the widespread elimination of handed-down traditional structures within the systems of society and state in Malabar, and in their replacement by more British forms of state control. Yet it was not only the changes forced by British policy but also its methods which found little favour with the local population. This is exemplified in the dissatisfaction caused by the British restructuring of administration. The aim of British policy was to achieve greater control over the land and its people while also attaining the most effective economic exploitation possible in the form of trade monopolies and tax collections—and all this at the lowest possible cost. Therefore, in the course of negotiations with the British, the

⁵⁸ G. Arunima, 'Multiple Meaning: Changing Conception of Matrilineal Kinship in Nineteenth and Twentieth Century Malabar' in *Indian Economic and Social History Review*, Vol.33, Issue 3,1996,pp.283-307 www.jstor.org

⁵⁹ P.V.Balakrishnan, *Matrilineal System in Malabar*,p.187

Malabar rulers must have detected that the concessions which were wrested from them were intended to weaken their position and to strengthen that of the British. Some Rajas who did not consider it acceptable for the British to slowly take away their rights of sovereignty took a stand against them.

The political consolidation of British power was a landmark in the history of Malabar. The colonial expansion as elsewhere in the world badly affected the life and culture of the local population. The colonial policy was not aimed at the development of the subjugated people but was led by their profit motives. They looted indigenous resources indiscriminately and taught the people how to become loyal to their colonial masters. Women irrespective of caste and religion suffered its consequences. The restructuring of social fabrics created new anxieties, which were not properly accounted for by the ruling colonial authorities. At the time of the British conquest of Malabar it had a social structure evolved through the centuries following a tradition of delineation of power. There had been a considerable increase in the population of peasants and large tracts of land were brought under cultivation. There were various power centres with military, administrative and judicial responsibilities. The existence of a large number of territorial units enabled the people to manage their own affairs without much

intervention from above. The rigid caste structure was a law in itself till the increasing trade and commercial activities drew the people into a vortex of change. Those who were at the height of political hierarchy had nothing to do with the economic activities at lower levels. As William Logan notes, there was neither land revenue in Kerala nor any revenue collecting mechanism prior to the Mysorean invasion.⁶⁰ It was Tippu's officers who made the 'Rajas' responsible for their own collection of revenue.

It is interesting to note in this context that the bestowing of powers or responsibilities on the head of the state, and in turn, on the heads of households had played a crucial role in restructuring the cultural and social élan of families, at least, families directly involved in running the affairs of society. It saw the rise of male authority within the households themselves. In households which had been following matriliney with women exercising a certain power it marked a profound change. By the middle of the nineteenth century the authority of women came to an end.

Arunima observes:

The steady singling out of the *Karanavan* or the eldest male in the *tharavad* as the figure to make settlements with the Company in the early decades of the nineteenth century created a 'sexual contract' between the state and men. . . . The colonial state, treating 'headship' as

⁶⁰ William Logan, *op.cit.*,p.600

a gendered right available normatively to men altered the existing equation of right among the matrikin.⁶¹

The British introduced an elaborate administrative system in Malabar to extract the revenue. In the context of a decentralized local governance, the responsibility of collection was vested in the hands of Joint Commissioners appointed by the British government. It has to be noted that the administration did not confine itself to the collection of the revenue. It penetrated the whole social structure as well.

With the introduction of legal procedures modeled on the practices in Britain, even a brief survey of the treatises and engagements would reveal the extent of colonial influence. For instance, in a proposal signed by the Commander-in-Chief of Tellichery in 1761 it was stated that "all persons, civil and military, as well as soldiers, white and black shall have their moveable effects and domestics preserved without molestation, and the English are to but safeguard for the security thereof as they may desire-granted, understanding it to mean wearing apparel and household furniture"⁶². Another article of the same proposal allowed "all the private inhabitants, both white and black, that shall be found to have possessions of lands and tenants

⁶¹ G. Arunima, *op.cit*, p.122

⁶² *A Collection of Treaties*, p.27

are to be suffered to enjoy them quietly with liberty to each of them to remain or remove as they think proper."⁶³

Later we find a number of legislations directly affecting the management of households, like the Malabar Compensation for Tenants Act 1887 and the Wills Act 1898. It is to be noted that these legislations reflected the changing social values. Every affair of the society tended to be brought under a centralised legal framework. It can be argued that these changes, though not directly liberative, brought every individual including the women, to the limelight of social transformation. In such caste and social groups where matrilineal practices were followed, much of women's rights and status they enjoyed were curtailed. But this trend was reversed when joint families broke up as evident from the presence of women in social movements everywhere.

The British rule curtailed more and more the traditional power relations within the household through inflexible legal principles. The eldest male of the household was invested with supreme authority. As has been observed, "It resulted in the most significant changes in matrilineal kinship under colonial rule."⁶⁴ Earlier women could establish separate branches or household. It was possible because they had access to their own separate

⁶³ *Ibid.*,p.31

⁶⁴ G.Arunima, *op.cit.*,p.137

revenues and properties. They had properties set apart for themselves. But the British intervention totally changed this situation depriving women of their distinct rights to the property.

Another significant impact of the colonial rule was the change in property rights. The uppercastes who had enjoyed almost a monopoly over landholdings found themselves confronted by Thiyyas and Mappilas. These communities could now possess landed property whereby they had increasingly become ineligible social forces. They could now engage in land trade. Therefore, it inevitably follows that social discourse would be possible on a large scale. The courts provided a common platform where the question of property, family and authority could be discussed. It had repercussions in the whole society towards the formation of the individual. Society became more and more porous to allow fresh ideas and concepts to percolate among various strata.

Along with these changes there is another factor which played a significant role in the consolidation of colonial power. It was the spread of education among the masses with the traditional village school giving way to government schools and colleges. The British administrators aimed to create

a civil society through education. As Lord Minto, Governor General, from 1807 to 1812 observed,

The ignorance of the natives, arising from the want of education, is generally acknowledged. This defect not only excludes them as individuals from the enjoyment of all those comforts and benefits which the cultivation of letters is naturally calculated to afford.⁶⁵

It is also necessary to discuss the reason why the Malabar Rajas were not treated as tributaries. In fact they were relegated to the position of revenue farmers. At a later stage, they were deprived of this right to collect revenue and pensioned off. On the other hand, the Rajas of Travancore and Cochin were allowed to exercise administrative functions.⁶⁶ The most important reason for this was the absorption of Malabar into the Mysorean dominions. In fact, the social and political fabric of Malabar was destroyed beyond repair by the Mysorean conquerors. The Nair nobility had been dispossessed. Almost three decades of anarchy had created a wide gulf between the old claims and actual realities of the situation.⁶⁷ At this juncture in the interest of trade the Company was finally led to exercise its sovereign rights in Malabar. The northern Rajas, the most important pepper producers, were told bluntly

⁶⁵ N. Rajendran, *op.cit*, p.275

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

that all the rights of sovereignty which Tippu had exercised were transferred to the Company, and that henceforth the Rajas could act only as agents of the company.⁶⁸

The women in colonial Malabar during the period of British political consolidation faced serious threats from different quarters of the society. The harassment of the male-dominated society and the anarchical political situation further increased their problems. During the period of Mysorean invasion the women and children were the largest victim group affected by the casualties of war. The policy followed by the Mysorean invaders to conquer their enemies was brutal and illegitimate. The later developments also shows that the local rulers and colonial authorities had not paid due attention to the matters of women and their social position. Some of the larger households, like the Vengayil and Kalliattu, were the beneficiaries of this search for monarchs since the settlements gave them almost absolute authority over land. At a later stage, as Arunima has shown, it became important to settle with 'male' authority within the households themselves whereby the earlier fluidity within matrilineal households where women

⁶⁸ Michel H.Fisher, *The Politics of the British Annexation of India 1757-185*, p.142

could succeed to headship was brought to an end by the middle of the 19th century⁶⁹

The activities of Christian missionaries also are a matter of heated discussion among the scholars owing to the stakes and intention behind the social restructuring initiatives of the missionaries. Under the colonial regime the efforts of Christian missionaries did not make any serious attempt to better the position of women. The colonial administrative reforms and procedures to bring the rulers under their direct control was not a matter of appreciation because their motive was not to perform a better rule in this colony but to acquire maximum benefit. To expect such a policy from an imperialist commercial firm is absurd. The local rulers had their own agenda of social action which was directed by the ageold customs and practices because they were conservative Hindu rulers and the pillars which support the degenerated social system. The European colonial domination had been a decisive epoch in the social life of women in Malabar. The women's space was determined according to the caste relations and practices within the feudal structure. The European world view and their social life made drastic changes

⁶⁹ G. Arunima, 'Multiple Meanings: Changing Conceptions of Matrilineal Kinship in Nineteenth- and Twentieth-Century Malabar', in *Indian Economic and Social History Review*, 33, 3, pp 283-307.

in the status and life of women. As the Europeans came from a monotheistic society they could not understand the plural culture and its internal structure. The foreign domination of Malabar in different periods strengthened the moves to transform the society on western lines.

The characteristic feature of Malabar as elsewhere in India was an agrarian economy. The society remained as settlement units and received its structure along social customs and practices. These units later came under local power centers and as such they were in sense larger households. These households had provided enough space for women to function in society. The various chieftains and their families in Malabar had a tight control over the agricultural resources. Kottayam in Malabar was foremost in the production of pepper, Kolathiri and Arakkal and Chirakal families had established trade relations with Arabs and they were the nerve-centers of the economic activities in Malabar. The womenfolk in these royal families were influential inside their families as well as outside. Almost all royal families were interconnected through female lineage. But the Europeans were far superior with their modern outlook and production relations. In course of time they became the dominant force with numerous treaties and engagements with local rulers.

The union of colonial exploitation and reactionary custodians of

degenerated social systems made lethal consequences in the life of native women in Malabar. The pitiable plight created during this period was not able to be overcome easily. Colonialism provided better opportunities to men to dominate over the female by the teaching that men were superior to women in all spheres of social life and it continued even during the early phase of the twentieth century. The history of women during the period of colonial expansion is the history of the transforming phase of women in Malabar. The land became a readily saleable commodity. The introduction of cash crops like coffee tea and rubber and increasing value of Kerala's ancient spice and coconut trade steadily monetized the economy.

As they became a dominant force in the region they tried to probe into its cultural history in order to manage their affairs smoothly. Thus they conducted regional studies countrywide and formed a Gazetteers Department. It was in these circumstances that they tried to prepare district-wise Manuals. These Manuals reflected the colonial outlook which mostly depended on the ruling classes of the time. Naturally, much of the life and culture of the downtrodden classes as well as women were left out. As mentioned elsewhere the de-centred power structure, cultural identities and customs and manners had allowed every strata of society certain freedom which was quiet unknown to the Europeans.

The advent of British power in Malabar paved the way for the drastic change in socio-political and economic spheres. They gradually stopped the trade and occupied the status of administrators of the region; instead of profit from trade they realized that revenue farming is the safest and profitable endeavour in Malabar. For the maintenance of power and prestige they introduced a number of measures which included administrative re-organization, law making and maintenance of law and order system, policing, network of courts and modern militia, hospitals and schools etc. on western standers. The entire concept of crime and punishment were re-defined and everything legalized on the basis of rule of law. Thus the political consolidation completed and the local chieftains and native rulers were either suppressed or yielded and British paramount power was established. There were emerged numerous sites on women issues but they were centered on the depiction of eulogy or mourning of women's position in the society and denying them complex personalities and agency.