

## Early Colonial Tenancy Reform and Agrarian Change in Malabar

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**Abstract:** Evidence from colonial Malabar shows that attempts to explain long-run agrarian economic change in terms of the introduction or modification of land tenures alone – without reference to the production process and the political configuration of land-controlling groups – have been unsatisfactory. The article attempts to show that the specific impact on the economy of state intervention by means of tenurial reform was determined by the system of social production – in the case of Malabar, by garden and wetland paddy-dominated regimes and their different production requirements and class configurations.

After examining a series of unsuccessful piecemeal tenurial reforms through the course of the early twentieth century, the paper goes on to argue that only from the 1930s, when small cultivators and agricultural workers under Left leadership became the main force of the organised agrarian movement, could landlordism and its concomitant politics begin to be weakened substantially. The long struggle against landlordism culminated in the passing of the Agrarian Relations Bill of 1958 and finally the Kerala Land Reforms (Amendment) Act in 1969.

**Keywords:** Land tenures, reform, agricultural production regimes, Malabar, colonialism.

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### INTRODUCTION

The Malabar Compensation for Tenants Improvement Act of 1887, and its subsequent amendments (hereafter MCTIA), was the first piece of tenancy reform legislation enacted to mitigate landlord-tenant tensions in the history of colonial Malabar. Though the MCTIA failed in its objective to insulate the tenant from landlord exploitation and provide protection from tenurial insecurity, its repeal had to wait

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for more than half a century, when it was replaced by The Kerala Compensation for Tenants Improvement Act of 1958. Very soon after the enactment of the MCTIA, the Act was seen as inadequate in addressing the problem of landlord excesses, especially in respect of the eviction of tenants. After much prevarication, the colonial state enacted the Malabar Tenancy Act of 1930 under sustained *kanamdar* pressure.

Evidence from colonial Malabar shows that attempts to explain long-run agrarian economic change in terms of the introduction or modification of land tenures alone – without reference to the production process and the political configuration of land-controlling groups – are unsatisfactory. The article attempts to show that the specific impact on the economy of state intervention by means of tenurial reform was determined by the system of social production – in the case of Malabar, by garden and wetland paddy-dominated regimes and their different production requirements and class configurations.

This essay begins by charting the hesitant and inadequate attempts of the colonial state in Malabar to intervene in landlord-tenant conflicts. The historical data provided on the working of the MCTIA and the historical context when it was superseded by the Malabar Tenancy Act of 1930 are then used to make broader generalisations on the need to view tenurial relations as an overlay on contemporary agrarian relations, mediated by different agrarian production processes, agrarian class configurations, and the determination of the state to maintain law and order.

A theme in Indian economic history that has attracted continued interest since as early as the eighteenth century is land tenures. The origins of various tenurial arrangements were speculated upon, and the impact of these tenures were debated by political activists and economic historians (Baden-Powell 1974; Dutt 1960). Colonial officials debated the subject of the most appropriate and effective tenurial arrangements as soon as new territories were conquered; nationalist publicists and Indian historians of the twentieth century attempted to describe and explain how these were inimical to development; and most recently, development economists have returned to colonial Indian land tenures to provide institutional explanations for present day development disparities in the country (Banerjee and Iyer 2005).

Studies on the tenurial aspects of Malabar's agrarian history have emphasised mainly the exploitation of the peasantry by the colonial state through high taxes and pro-landlord policies and peasants' oppression by the *janmi* and later the *kanamdar* using both legal and extra-legal methods. Panikkar's excellent work on the relationship of the Malabar peasant with the state and the landlord does discuss the conditions of production, but does not relate variations in agricultural practices, land use, prices, and productivity to developments in the sphere of agrarian relations and tenures (Panikkar 1992). A recent work by Malayil has argued convincingly for the existence of numerous market transactions involving the

outright purchase of *janmam* in the late pre-colonial period.<sup>1</sup> In this context, Washbrook's remark that the transfer of assets had no implications for increased production and served to reinforce hereditary privilege serves as a cautionary comment on the historical consequences of redefinitions of property titles in South India.

### THE IMMEDIATE HISTORY OF THE MCTIA

Late nineteenth and early twentieth century witnessed recurrent occurrences of militant Mapilla resistance. British officials vigorously debated on the nature of Mapilla "outrages," attributing varying significance to agrarian discontent, poverty, and "fanaticism."

Alarmed by the spread of Mapilla violence to North Malabar, the failure of repressive measures, and this latest ominous warning of large-scale agrarian unrest, the Government decided to refer the petition to the District Judge of South Malabar, Wigram, and the District Magistrate, William Logan. Both of them were of the opinion that while there was no immediate threat of an uprising, agrarian discontent was undoubtedly the root cause of these outbreaks.

William Logan was then appointed as the Commissioner to enquire into land tenures, tenancy rights, landlord exploitation, and the problem of acquiring land for mosques and graves by the Mapillas. Logan was also charged with recommending remedies to correct the present agrarian malaise. Logan's Report is a very rich source on the agrarian situation in Malabar, containing information on a vast range of related subjects such as eviction, indebtedness, money lending, landlord-tenant relations, and their relation to the cropping pattern (Government of Madras 1882a). After examining 14,034 "pieces" of land (by "piece," Logan probably meant a separate block of land) and the existing conditions of production on them, Logan reached the conclusion that though the *kanamdar* may have had lost out substantially to the *janmi* because of a misrepresentation of his status in pre-colonial Malabar by the British administration, the person who needed state protection most was the actual cultivator.

In reaching this conclusion, Logan appears to have grasped the essential difference between the tenurial hierarchy and the stratification of the peasantry based on economics and power. It is unfortunate that neither the colonial administrators nor

<sup>1</sup> Malayil's research finding of numerous *attipēru* transfers of *janmam* titles to land does fit in with the historically documented expansion of commercialisation and monetised transactions in late pre-colonial Malabar. However, his assertion that this was "instrumental in creating a substantial class of parvenue landowners, and also an equally significant social class of sharecroppers and wage earners whose emergence characterised the early modern Malabar experience" requires more than scattered evidence to be accepted. Further, it has been historically established in feudal Europe and pre-colonial India that market transactions in the land, product, and labour markets did develop within feudal and precapitalist modes of production without necessarily effecting any major change in the production system. See Marx (1887), Dobb (2007), Habib (1995), and Malayil (2023).

subsequent historians of Malabar's agrarian relations understood the significance of Logan's conclusions of 1880.

Towards this end, Logan proposed the curtailment of the landlord's right of distraint and that the tenant be given the full value of his improvements at current prices on the expiry of his tenure. To provide security to small cultivators, Logan prepared a statutory tenure for small holders whereby cultivators operating holdings less than 25 acres (or 5 acres of garden land) would be given permanent occupancy at a rental of not more than two-thirds of the gross produce without the right to mortgage and sublet, but with the right to sell and transfer. The other proposal included the creation of a class of small gardeners, the setting up of an experimental garden, a rule compelling the landlord to give rent receipts, the creation of a body of "responsible practitioners" to settle matters out of court, and finally, a survey and subsequent preparation of a Land Register. *Marumakkathayam* was sought to be so amended that all adults could dispose of their property at will.

In January 1884, a Special Commission was appointed to look into the whole question of tenures and suggest to the Government the lines on which legislative action was to be taken after Logan's Report was circulated in 1883. In July 1884, the Commission submitted two of the four acts: a draft "Malabar Marriage and Succession Act" for Hindus, following the *Marumakkathayam* law and a draft "Places of Public Worship Act" dealing with numbers 7 and 8 of Logan's proposals. These were favourably received by the High Court.

The two other draft acts were the Stay of Execution Act and the Malabar Tenancy Act. The former was proposed as an interim measure, to maintain existing relations between landlords and tenants pending the revision of the law regarding this by the Legislature. It suggested the staying of evictions of tenants by the *janmi* for the period of the Act as long as all rent arrears were paid to the Court and securities of future payments given.

The latter did not incorporate all of Logan's proposals but agreed with him on the point that the British had misinterpreted the *kanamdar's* rights assigned to the *kudiyar* or occupant as well as the hereditary right of the *ryot* who first clears the land, and the rights of the ruler to a claim on a share of the produce to the *janmi*.

The High Court, however, rejected both these draft Bills. Sir Charles Turner, the then Judge of the High Court, wrote a long Minute on this subject. While sympathising with Logan's concern for the actual cultivator and the need for some legislation to protect this class, he was of the opinion that the draft Bill still left them unprotected and would only serve to increase the number of intermediaries (Turner 1888). He also opposed the Bill on the grounds that it was not expedient with rights which had been in force for more than a century (Turner 1888).

After the rejection of the draft Tenancy Bill by the High Court, a committee was formed under the presidentship of a Mr Master to review the whole matter again, because some High Court judges had felt that the interests of the *janmi* had not been given enough consideration. The Committee submitted its report in March 1886 and unanimously proposed the need for legislation to secure compensation of the full value of improvements made by the tenants on the latter's eviction. A bill embodying these proposals was then submitted to the Government. The chief aim of the bill was to ensure that every tenant was given the right to compensation for the value of improvements and a prohibition on the right to contract out of the provisions of the bill. Most of the members of this committee agreed with Turner's view that the *janmam* was an absolute right in land and that the *kanam* was redeemable. This Bill was passed into law as Act I of 1887 (Menon 1940, pp. 4–5).

Noticing that the Compensation Act did not lead to any substantial reduction in evictions and litigation, in 1893, the Government ordered the collector to send a report on the working of Act I of 1887. The Collector, H. G. Bradley, reported that the Act had failed to check evictions, which continued to increase, or the practice of giving *melcharth* (overlease), thus not providing any additional security to the tenants. He proposed a legislation banning *melcharth* and amending certain portions of the Act. In 1895, the Government decided to amend the MCTIA of 1887 but soon decided that mere amendment to the compensation law would be insufficient to solve Malabar's landlord-tenant problems and that this would require a comprehensive tenancy legislation. Mr Benson's draft of an amended MCTIA was made part of the tenancy bill drafted by T. Ross. With the death of Ross, the government stopped going ahead with comprehensive tenancy legislation, and the amended compensation act was passed into law as Act I of 1900, repealing Act I of 1887.

#### *DETAILED EXAMINATION OF MALABAR COMPENSATION FOR TENANTS' IMPROVEMENT ACT*

This section focuses on the provisions, the implementation, and the effectiveness of the first two state-sponsored agrarian reforms in the various agro-economic zones of Malabar. The first attempt at state intervention in agrarian relations in Malabar by the British after their initial tenurial redefinitions was the Malabar Compensation for Tenants Improvement Act of 1887 (hereafter referred to as MCTIA of 1887 or Act I of 1887). This act aimed to secure for tenants the full market value of the improvements made by them from the landlords at the time of eviction and to check increasing evictions.

The Act was promulgated as a sop to the strong demand both by the *kanamdar* as well as the district and imperial officials for a full-fledged tenancy reform. However, even this piecemeal reform became heavily biased in favour of the *janmi*. The argument given was that no improvement could be made without land; land being the sole

property of the *janmi*, he was entitled to a share of the increased produce which resulted from the improvement. The compensation was calculated according to the following formula:

$$\text{Compensation} = (y - x)^{3/4} + x$$

where  $x$  is the actual cost of improvement and  $y$  is the value of the annuity.

Thus, the compensation that the tenant was entitled to was 75 per cent of the value of the annuity and 25 per cent of the cost of improvement. This meant that the tenant was denied even the full capitalised value of the net income arising out of the improvement in all cases in which the actual cost of improvement was less than the annuity (Government of India [GoI] 1898).

Apart from this pro-*janmi* tilt in the normative part of the Act, a number of loopholes in its actual working came to be highlighted when the Government ordered an enquiry into the working of the MCTIA in 1893. The enquiry was headed by the Collector of Malabar, H. G. Bradley. Bradley, in his report, severely criticised Act I of 1887 on account of the provisions and clauses of the Act as well as its loopholes, which severely limited its effective implementation (GoI 1900).

The Act, as already mentioned, fell short of providing the full market value of the improvements made by the tenant. The *janmi* were found to be resorting to various means of evading the payment of the required compensation. For instance, they first raised the rent very high and then introduced a clause in the renewal of leases whereby part of it was remitted for the improvements which were to be carried out by the tenant. The short-term benefit, continuity of tenure, and the power of the *janmi* to evict combined to make the tenants consent to these terms. Another method of evasion was to permit the tenant to exceed the stipulated period of occupation and then get him to execute a lease which mentioned all or most of the improvements made by the tenant as having been done by the landlord (GoI 1900).

The judiciary did not favourably accept the spirit of the Act, which was to secure the tenant the full market value of the improvements on eviction. The commissioners who were appointed by the courts to value the improvements were extremely corrupt.

They changed the compensation according to the gratification received. For instance, in one particular case, the first commissioner valued the improvements at Rs 2,900/-, the second at Rs 800/-, and the third at Rs 700/-. (Panikkar 1979, p. 613)

The extent as well as the value of the improvements varied with the bribes that were given.

These loopholes in Act I of 1887 prevented it from checking evictions or securing the full compensation for the tenants. The number of evictions in the district as a whole

increased by 9.3 per cent between 1890 and 1892 while the total amount paid as compensation decreased by 6.65 per cent in the same period.

Bradley concluded his report of 1894 on the working of the MCTIA of 1887 by stating that "... the avowed object of the Act – namely to check evictions – has not been attained" (GoI 1900). Regarding the amount of compensation paid, he reported the general feeling that while this was more favourable to the tenant as compared to the pre-existing customary rates, it was still inadequate. The lack of data on the amount of compensation paid in the pre-1887 period prevented any substantive evaluation of the effect of Act I of 1887 on the compensation paid after the Act was passed (Government of Madras 1894).

Bradley also observed that

considering that less than seven years have elapsed since the passing of the Act, and the ordinary period of the *kanam* lease is 12 years, the full effect of this Act has not yet been reached, because there has as yet, been no occasion for eviction in respect of 5/12 of the leases subsisting before the Act was passed. (Government of Madras 1894)

He concluded by observing that the Act would not be effective at all by the end of the century and that the *janmi* would soon devise ways of circumventing the restrictions put on him. His position was that only by prohibiting *melcharth* and by securing the *kanamdar* freedom from eviction could any improvement in landlord-tenant relations in Malabar be made. He also proposed the repeal of Section I(C) of the 1887 Act which was clearly biased in favour of the *janmi*.

The Madras Government attributed the partial failure of the Act to the inadequate compensation awarded by the courts and the loopholes in the working of the Act. It suggested legislative measures to make certain amendments to the Act, to fix an upper limit on the renewal fees and in the context of the coming settlements, secure means to prevent the *janmi* from passing on the burden of the new assessment to the tenants.

E. S. Benson, an officer on special duty, accordingly prepared a draft Bill repealing and re-enacting Act I of 1887. His successor Ross was then asked to prepare a comprehensive Tenancy Bill, but Ross died before he could complete his task. Benson's draft Bill was then added to Act I of 1900.

The Imperial Government, before the passing of Act I, was of the opinion that while they "generally" approved of the proposed amendment to the Compensation Act,

neither this measure nor the introduction of any Act on the lines of the Eviction Bill of 1887 can be of any material value by themselves; that more comprehensive legislation on the pattern of the North Indian Acts is clearly wanted; and that this measure should be in our opinion be [sic] taken up without delay, both because of its connection with

the Settlement and because of the numerous reports and committees of the last 15 years have supplied all necessary information (GoI 1898).

The revised Act of 1900 in no way gave any greater protection to the tenants, and the full market value of improvements was also not paid. The judges of the High Court felt that such a measure would work against the right to private property of the *janmi*.

The legislation came under sharp criticism both from the tenants and the *janmi*. In 1905, the Madras Government replied to GoI that it was better to not proceed with any fresh legislation for Malabar till the Madras Establishment Bill was passed.

#### *THE SECOND PHASE OF TENANCY REFORM: THE MALABAR TENANCY ACT OF 1930*

The next phase of tenancy reform, especially in the post-Mappilla Revolt period, was carried out under strong *kanamdar* pressure. The movement for agrarian reform was spearheaded by the Western educated and relatively well-off *kanamdar*. The tenancy question became a major demand in all varieties of political activity after 1900. In 1922, the Malabar Kudiyan Sangham (hereafter MKS) was formed to articulate the tenant's demands. They focussed public opinion on their demands by writing in newspapers, organising meetings, and securing the patronage of important political figures.

In 1921, Krishnan Nair, who represented the tenants, introduced a Malabar Tenancy Bill in the Legislative Council. In view of the forthcoming elections of 1923, he revised the bill to include more rights for the *verumpattom* tenants. In the 1923 elections, the MKS won only one of the five seats contested, but this was mainly due to *janmi* repression.

Krishnan Nair's Bill was finally passed by the Legislative Council in September 1926, but the Governor withheld his assent. This resulted in large-scale protests under the auspices of the MKS all over Malabar. A Mappilla tenant leader warned the Government of another impending peasant revolt if no action was taken.

Under increasing *kanamdar* pressure, the Government was forced to institute a committee to look into the tenants' grievances under the presidency of Diwan Bahadur T. Raghaviah Pantulu. Only after a sustained MKS campaign was a tenants' representative included in the Committee. In 1928, the Congress also gave its support to the MKS on the Bill. Finally, in October 1929, the Madras Legislative Council passed the Bill and in December 1930, the Viceroy gave his assent, bringing into force the Malabar Tenancy Act XIV of 1930.

The Malabar Tenancy Act of 1930 virtually conceded all the demands of the *kanamdar*. It significantly curbed the power of the *janmi* to oppress this tenurial section. In the 54 clauses of the Act, the *kanam* tenant was finally protected from *janmi* extortion in the form of exorbitant renewal fees, rack rents, and arbitrary evictions.



However, the Act did not benefit the poorer *verumpattom* tenants who were in most cases the actual cultivators of the soil. The interests of this section of the peasantry were taken up in the post-1930 period under Left-wing leadership, providing the immediate context for wide-ranging radical agrarian reforms in independent Kerala.

#### *THE DIFFERENTIAL IMPACT OF THE MCTIA ON NORTH AND SOUTH MALABAR*

While the total number of evictions in North Malabar increased by only 6.53 per cent, in the South, it went up by 10.46 per cent. Further, whereas the percentage of the number of evictions in which no compensation was paid actually registered a decrease (–5.88 per cent) in the North, it went up by 0.51 per cent in the South. The average number of evictions in which no compensation was paid decreased in the North (–14.70 per cent) while it increased (+10.87 per cent) in the South. A similar pattern is seen in the total amount of compensation paid which increased in the North (+28.30 per cent) while it declined in the South (–16.80 per cent) (GoI 1899).

Another interesting feature which the statistics suggest is that areas, in which a larger number of evictions took place, were found to be the highest payers of compensation (in absolute terms)! Palghat is a good instance of this pattern. A possible explanation for this may be that the few tenants who did manage to get compensation were the more substantial ones whom the *janmi* could not easily suppress (GoI 1899). Alternatively, it can be argued that since the returns from agricultural land were much greater for the landlord in Palghat, it made economic sense to replace existing tenants (after paying compensation calculated at a low rate) with new ones, especially at a time when grain prices were exhibiting a steep increase.

In 1911, the enquiry into the working of the MCTIA of 1900 by the collector once again opened the larger issue of the need for a comprehensive tenancy legislation. According to the Collector, Mr Charles Innes, the Act was effective only in the garden-dominated North Malabar, although there were complaints against valuation. The paddy cultivating tenants of South Malabar continued to be overexploited. Innes appealed for a comprehensive Tenancy Bill.

Though the government assessment was supposed to be two-fifths of the net produce, this was never implemented. Even if a very low assessment of one-tenth is assumed, this would mean that the rent burden consumed virtually the entire net produce (Karat 1973). Innes' successor, Evans, in his comments on the former's report, concluded that the rents averaged between 75 and 80 per cent of the net produce. He estimated that intermediaries appropriated 50 to 70 per cent of this, with only 15 to 20 per cent accruing to the landlord except in cases where there were no intermediaries between the landlord and the producer (Government of Madras 1917).

## NORTH-SOUTH DIFFERENCES

The above discussion shows the greater effectivity of the MCTIA in North Malabar compared to in the *taluk* of the South. This differential impact of the MCTIA can possibly be related to the specific nature of the agricultural production processes in garden cultivation and in wet paddy cultivation, and also to the extant class/caste configurations in these two agro-economic zones.

In garden cropped areas, “improvements,” which mainly consisted of the planting of trees, had to be carried out continuously. Consequently, the tenants involved in garden agriculture could easily claim compensation for “improvements” that the landlords could not deny. In wet paddy agriculture, which was perennial, very little changes could be made to the paddy fields, and this virtually prevented these tenants from making claims for compensation.

Apart from this technical factor which militated against the effectiveness of the MCTIA in the South, the inequality in the distribution of land, and the ritual and economic distance between the landlords and the mass of tenants were also much more pronounced in wet paddy agriculture.

Charles Innes in 1916 found the rent on wet cultivation (which was more dominant in the South) to be on an average 10 times the assessment on single cropped lands and 12 times on double cropped lands (Government of Madras 1917).

Most of the northern *taluks* were dominated by garden crop cultivation and the southern *taluks* were primarily engaged in paddy production. Both in administrative as well as popular terms of reference, Chirakkal *taluk*, Kottayam *taluk*, and Kurumbranad *taluk* formed North or Vadakke Malabar, while the remaining plain ones formed South or Thekke Malabar. The southern *taluk* of Palghat was the largest producer of wet paddy.

There are, however, some exceptions to this north-south divide. The northernmost *taluk* of Chirakkal had more lands under paddy than garden crops. The central *taluk* of Calicut, though administratively and traditionally part of south Malabar, had more garden cultivation.

The tenurial arrangement in North Malabar differed in two major respects from the South. The *kanam* amount in the South was invariably nominal, and consequently, the *kanam* was in the nature of a lease, unlike in North Malabar where *kanam* amounts were substantial, mostly mortgages for securing amounts advanced as loans, essentially mortgages with possession.<sup>2</sup> This points to the lower economic

<sup>2</sup> “What is called a *kanam* in South Malabar is a tenure, but *kanam* as tenure is unknown in North Malabar. *Kanam* in North Malabar is nothing but mortgage. In South Malabar, generally the tenants approach the *janmis* for renewal or for lease of a *kanam*, but in North Malabar, the *janmi*, when he is in need of money, goes in search of a moneyed man to borrow money on the security of his property.” (Madras Government 1950, p. 24)

strength of the *janmi* in the North. Logan correctly ascribes this in part to the greater military need for money by the landlords of the North.<sup>3</sup>

North Malabar, unlike the South, had a much larger number of self-cultivating farmers. While the *janmi* considered it an honour to have a number of *kanam* tenants under him, in the North, it was only as a last resort that a *janmi* leased out his lands on *kanam* (Government of Madras 1882a). Further, the *kuzhikanam* tenure, which guaranteed the cultivator some fixity of tenure and lower rent obligations, was less important in the paddy growing South.<sup>4</sup> A consequence of the *kanam* amount being nominal in the South unlike in the North was that the rent or *michavaram* was higher in areas of wet cultivation while the *kanam* was higher in the garden cropped areas. This points to the lower economic strength of the *janmi vis-a-vis* the *kanamdar* in the North (Madras Government 1931, p. 241).

These manifestations of the difference in the relative power of the landlords and tenants in the North and the South can be largely explained in terms of the prevailing tenurial practices and the dominant crop regimes on which these systems were premised.

Further, the *kuzhikanam* tenure which guaranteed the cultivator some fixity of tenure and lower rent was much less important in a paddy-dominated *taluk* compared to a garden-cropped *taluk*. This tenure was designed to give incentives to the cultivator to reclaim uncultivated lands. Among the southern *taluks*, it was more important in Ponnani given the significance of coconut cultivation there, but averaged only about 12 per cent of total land cultivated excluding “fugitive cultivation.”

The colonial administration in Malabar repeatedly attempted to estimate the cost of cultivation in wet paddy, dry and garden lands, initially to fix the revenue demand and later to settle claims in suits for compensation under the MCTIA (Strachey 1801; Madras Government 1950). While the early reports highlighted the greater care and expenditure required for garden cultivation compared to wet paddy, this was not supported by later experimental results such as that of the Taliparamba Station in the 1920s. “It would cost about 150 rupees to bring an acre of pepper from planting to the bearing stage. The annual recurring expenditure is comparatively little” (Kidavu and Venkateswara 1929, p. 8). However, this observation does not appear to consider the regular care required for many garden crops such as pepper and coconut.

<sup>3</sup> “Again, if this advance had been really intended to secure the rent, how was it that the advances varied so considerably as they did. In North Malabar, the advances were very large, but that was probably owing . . . to contributions being raised for the war with the Bednur State (1732 and afterwards). Whereas in South Malabar, and for instance on the Zamorin’s properties, the advances were, and still are, very inconsiderable.” (Government of Madras 1882a, p. xxviii)

<sup>4</sup> I thank the anonymous reader of this article for pointing out that *kuzhikanam* tenure was not absent in the South.

This possibly explains the much greater prevalence of the *kuzhikanam* tenure only in the North that permitted the *janmi* to reclaim land without having to make the initial heavy investment.

While the recurrent cost of cultivation and the labour required (with seasonal peaks) was higher for paddy cultivation, the returns from wet paddy were more stable than that from garden crops. This is suggested by the much higher coefficient of variation of prices for garden crops as opposed to rice (Madras Government 1913, 1936; Raghavaiyengar 1893, p. lxxxvii; Thomas and Sastry 1940).

Logan argues that the nature of garden crop production which required constant care and inputs safeguarded the garden cultivator against eviction by the *janmi* in the North.<sup>5</sup>

Associated with this tenurial pattern and the cost of cultivation, we find a greater concentration of land holdings in the South.

The report submitted by William Logan as Special Commissioner provides us with valuable data on the *taluk*-wise and crop-wise social distribution of land. The southern *taluk* had a greater number of intermediaries between the *janmi* and the actual cultivators. The *janmi* in the North also retained less land under his direct control than his counterparts in the South.

Similarly, the length of possession of land by the actual cultivators was longer in the North than in the South.

Table 4 below suggests that in the wet paddy-dominated *taluk*, the extent of land cultivated by the *janmi* increased at a much faster rate than that of the *kanamdar* (including sub-*kanamdar*) as opposed to the garden-cropped *taluk*. In Palghat, which was characterised by the maximum level of inequality during the entire colonial period, land cultivated by the *kanamdar* actually registered a decrease while that of the *janmi* increased greatly.

These tenurial differences between North and South Malabar were correlated with greater caste rigidity, ritual distance between castes, and a larger proportion of labourers in the South compared to the North.

The hierarchically more privileged Nairs of the North and hierarchically less privileged intermediate caste of Tiyas in the North shared the same form of inheritance,

<sup>5</sup> "Long experience has taught many of the *Janmis* that they cannot rack-rent gardens as they can grain lands. If a rack-rent is imposed, the cultivator's efforts are directed towards getting as much as possible out of the garden while putting back into the soil as little as he can. Gardens require lavish care and attention to keep them in good order, and a peasant can ruin a garden if so minded. Hence, at the next letting, the *Janmi* finds, to his cost, if he reflects at all on the subject, that the rack-renting of gardens does not pay." (Government of Madras 1882b, p. xxxv, para 136)

**Table 1** *Gini coefficients of land revenue paid by number of pattas*

Dominant Crop	Taluk	1910—11	1920—21	1929—30
Garden	Kottayam	0.611	0.588	0.557
Crops	Kurumbranad	0.699	0.716	0.672
	Calicut	0.686	0.627	0.655
Wet Paddy	Chirakkal	0.706	0.673	0.699
	Ernad	0.775	0.776	0.779
	Walluvanad	0.780	0.771	0.806
	Palghat	0.877	0.880	0.864
	Ponnani	0.757	0.743	0.718

*Source:* Computed from *Statistical Atlas of the Madras Presidency* (1913, 1936).

i.e., matrilineal, whereas the counterpart of the Tiyas in the South, the Ezhavas, practised patriliney. This is suggestive of smaller ritual distance in the North in comparison to the South. Again, we find that “untouchable” slaves were more numerous in the wet paddy-dominated *taluks* of the district as late as the early mid-nineteenth century (Buchanan 1807; Cornish 1874).

The princely lords of the North lost more in terms of economic resources to various armed European trading companies when compared to the South. The frequent localised conflict between the Northern lords coupled with their dependence on European arms and munitions led to a substantial alienation of valuable customs revenue. The impact of the growth of mercantilist European companies was much more muted on the politics and configurations of class power in the South, especially the paddy-rich Palghat *taluk* and Valluvanad *taluk*.

These two production regimes, with their different class configurations, constituted the prism through which state intervention in terms of tenurial reforms and the increase in agricultural prices impacted Malabar’s agrarian economy.

**Table 2** *Tenurial distribution in North and South Malabar in per cent*

Details of Land Control	North Malabar	South Malabar
No. of intermediaries per <i>janmi</i>	16.7	53.7
Lands leased to intermediaries as a percentage of total land owned by <i>janmi</i>	11.8	36.6
Lands leased to actual cultivators as a percentage of total land owned by <i>janmi</i>	85.9	58.7
Percentage of lands retained by <i>janmi</i> as a percentage of total lands owned by <i>janmi</i>	2.3	4.8

*Source:* Based on Government of Madras (1882a).

**Table 3** *Length of occupation by actual cultivators by wet and dry land, in the eight plain taluks, Malabar, 1881 in per cent*

Length of Occupation	Wet Land	Garden Land
Immemorial	3.6	3.9
Above 30 years but not immemorial	34.3	43.1
12 to 30 years	18.7	22.3
Less than 12 years	43.4	30.7
Total	100.0	100.0

Source: Based on Malabar Special Commission 1881–82: Malabar Land Tenures, vol. 2, Appendix IV.

### CONCLUSION: THE STATE, AGRARIAN ECONOMY AND AGRARIAN CLASS CONFIGURATIONS, AND TENURIAL REFORM

The state was the primary agency for effecting tenurial reforms. The colonial state in Malabar fell behind the princely states of Travancore and Cochin in curbing landlord power and providing tenurial security for tenants. Unlike the colonial governments in the northern Indian provinces of Bengal and Punjab, the Madras government failed to effect substantial tenurial reforms in Malabar.

The colonial government in Malabar appears to have been convinced that the *janmis* were indispensable for maintaining law and order in the district. Colonial government enquiries in the twentieth century suggested that providing compensation for tenants' improvements in land was no substitute for providing for tenurial security to tenants. Only when this was followed up by sustained middle class mobilisation and petitioning did the colonial government in Malabar permit legislation for ensuring tenurial fixity to the better off cultivators, the *kanamdar*.

The early colonial administration's decision to recognise the *janmi* as the landlord to the detriment of the tenants in the early nineteenth century did not immediately result in any significant increase in conflicts in the Malabar countryside, as there was a period of price depression until about the 1840s. It was only in the later decades of the

**Table 4** *Changes in landholding of different tenurial groups by taluk, crop, category, 1917–26 in per cent*

Taluk	Dominant Crop	Percentage Change in Extent of Land Cultivated by		
		<i>Janmi</i>	<i>Kanamdar</i>	<i>Kuzhikanamdar</i>
Kottayam	Garden	6.02	11.21	13.96
Kurumbranad	Garden	1.61	5.25	5.26
Palghat	Paddy	14.21	−2.41	-
Walluvanad	Paddy	11.88	8.55	-
Chirakkal	Paddy	17.08	3.58	−7.56

Source: Computed on the basis of figures in Madras Government (1928, p. 150).

nineteenth century when agricultural product prices began to rise once again that the *janmi* seem to have begun to exercise their new powers as landlords and to evict tenants and replace them with other tenants who were willing to pay a higher rent. It was this and the spread of Mapilla farmers' violent activities to the North of the district that finally compelled the state to consider the need for some form of protection for the tenantry, resulting first in the MCTIA. The failure of the MCTIA, the violent Mappilla Uprising of 1921, and the coming together of early nationalist politics with the demands of the upper tenantry resulted in the Malabar Tenancy Act of 1930.

The secular increase in prices from about 1885 till around 1925 provided an incentive to the better off cultivators to expand cultivation, bringing them into direct conflict with the *janmi* in regions where tenurial claims were sharply contested.

During the years of steeply increasing prices in the immediate pre- and post-War periods, we find that while the cultivated area expanded rapidly, capital inputs into agriculture declined in absolute and relative terms. The steep climb in prices from 1910–11 stopped in 1919. Prices continued upwards more slowly till about 1925, after which began a period of marked decline, which reached its nadir in 1933–34. Between 1891–92 and 1936, inequality in the social distribution of landed property in the district stagnated, but at a high level of inequality.

The period immediately preceding the 1930 Act clearly shows these various forces at work. It has already been seen how, in the garden-dominated North, the *janmi-kanamdar* relationship was politically, socially, and economically less unequal than in the South. In this context, when agricultural product prices increased sharply in the years leading to the War and continued to increase until the Depression, all tenurial classes would have tried to increase their land resources.

The MCTIA of 1887 and/or 1900 do not seem to have ameliorated or even arrested the increasing inequality index between 1891–92 and 1920–21. The magnitude of this increase was lower in the garden-cropped North than in the paddy-producing Southern *taluk*.

Agricultural prices began to fall from late 1920s in Malabar and continued to be depressed till the middle of the 1930s, a period that saw a decline in *janmi-kanamdar* litigation. The next phase of agrarian conflict was not one between the *janmi* and the *kanamdar* but between the poorer self-cultivating *verumpatamdar* and the landed magnates.

Between 1911 and 1951, the number of "Cultivating Landowners" increased sharply at the cost of "Tenants" and "Rent Receivers" while "Agricultural Labour" showed a small increase. Let us assume that the peasants in the lowest revenue paying bracket (under Rs 10/-) roughly approximated to the actual cultivators and *verumpattomdars*. The

estimated Gini coefficient between 1890–91 and 1920–21 after excluding the under Rs 10 revenue payers showed a marked decrease in the garden cropped *taluks* while there was an increase in the paddy areas. If our use of the under Rs 10 revenue class as a proxy for the tenurial categories below the *kanamdar* is even approximate, then it would mean that the latter made considerable gains in land control during this period in the garden lands. This is also corroborated by qualitative evidence as well as the statistical data on the working of the MCTIA of 1887 discussed earlier. These gains made by the intermediate class of revenue payers are very significant as they indicate the ability of this class to advance in a period of marked product price increase, which, in turn, heightened the competition for acquiring more land.

The impact of agricultural prices and consequent tensions in the Malabar countryside were largely common to the entire district. However, how these tensions played out between different tenurial groups exhibited a patterned variation between wet paddy-dominated districts on the one hand and garden-cropped areas on the other. Antecedent caste and class correlations, the nature of the dominant production process, existing tenurial hierarchies, and larger changes in market conditions thus combined to produce a situation in which responses to immediate stimuli, whether legislative or economic, were substantially conditioned by past structures and relations of production.

The resettlement of the district in 1930 and the consequent increase in the revenue burden, taken together with the depressed state of the economy, further worsened the plight of the small cultivator.

The *kanamdar* could take greater advantage of protective legislation in the Northern *taluks* where *janmi* power was relatively weak. The Depression was marked by some disengagement of large holders from wet cultivation, easier access to land, and the entry of militant organised peasant resistance to landlordism.

State-sponsored tenancy reforms and changing market stimuli, though largely common for the entire district, impacted North and South Malabar differently as they were refracted through the prism of varying agricultural production regimes and differing distribution of agrarian power. In the period following the 1930s, the small cultivator and agricultural worker became the main force of the organised agrarian movement. It was this agrarian protest movement under Left leadership that not only challenged tenurial arrangements but also effectively damaged landlordism and its concomitant politics in Malabar.

In the protracted debates on and politics of tenurial reform, the contributions of two individuals stand out. Willliam Logan, the Madras civil servant and scholar, despite the limits of his office, understood very early the colonial state's error in seeing the *janmi* as a landlord. He was, again, the first writer on Malabar to link agrarian relations to agricultural production regimes and consistently argue for safeguarding



the actual cultivator. Not surprisingly, the colonial courts and administration did not substantively address the concerns raised by Logan.

The second individual was E. M. S. Namboodiripad, an active member and leader of the Congress Socialist Party and then the Communist Party of India, who studied and understood the complexities of the agrarian situation in India and played a very major role in the peasant movement that finally ended landlordism in Malabar. Namboodiripad clearly saw agrarian relations as an integral part of the larger agrarian political economy and society of Malabar.<sup>6</sup>

The MCTIA of 1887 was a feeble and unsuccessful legislative solution to Logan’s recommendations for ameliorating landlord-tenant relations in Malabar. It was 71 years later that it was repealed by the legislature and at the initiative of the first elected communist government of E. M. S. Namboodiripad and replaced by the Kerala Compensation for Tenants Improvement Act of 1958.

GLOSSARY<sup>7</sup>

<i>Attiper</i>	an outright transfer of <i>janmam</i> rights in landed property
<i>Fugitive cultivation</i>	term used for shifting cultivation in waste land and forested upland carried out by very small cultivators with the permission of the landlord
<i>Janmam</i>	Landed proprietorship. The debate in Malabar was whether this tenure denoted absolute property in land or whether it carried with it other customary obligations for the holder of <i>janmam</i> lands.
<i>Janmi</i>	holder of <i>janmam</i> lands
<i>Kanam</i>	Mortgage or an advance on the rent payable at specified rates of interest. The occupancy of the land is said to have at times preceded or followed the payment of the <i>kanam</i> amount. The <i>kanam</i> could either be less or more than the rent payable.
<i>Kanamdar</i>	holder of <i>kanam</i>
<i>Kudiyan</i>	cultivator
<i>Kuzhikanam</i>	Tenures in which the <i>kanamdar</i> is compensated in terms of rent for expenses incurred in undertaking the planting of new trees. <i>Kuzhikanam</i> tenures also covered rice cultivation and rent could be calculated either as <i>Kuzhikanam pattam</i> or <i>Koyil Meni pattam</i> or rent based on part of the gross produce.
<i>Marumakkathayam</i>	the system of matrilineality specific to Kerala
<i>Melcharth</i>	overlease
<i>Patta</i>	document providing proof of cultivation
<i>Verumpattamdar</i>	cultivator paying simple rent without any deduction of the interest on <i>kanam</i> or the mortgage interest

<sup>6</sup> “Land tenure is not a static phenomenon but an organic institution of a dynamic society,” Namboodiripad (1939), as cited in Namboodiripad (2010), p. 157.  
<sup>7</sup> Based on Graeme’s glossary, reproduced in Logan (1952), vol. 2, Appendix XIII.

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