

VERHANDELINGEN

VAN HET KONINKLIJK INSTITUUT VOOR
TAAL-, LAND- EN VOLKENKUNDE

DEEL XIV

RAFFLES' IDEAS ON THE LAND RENT SYSTEM IN JAVA

**AND THE
MACKENZIE LAND TENURE COMMISSION**

BY

JOHN BASTIN



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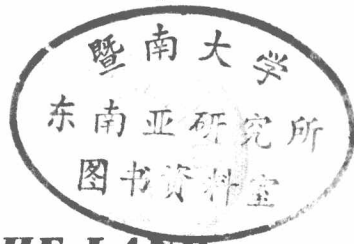
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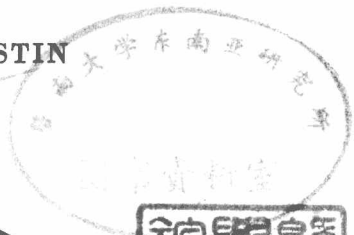
DEEL XIV



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PREFACE

This study was suggested by Dr H. R. C. Wright's article "Muntinghe's Advice to Raffles on the Land Question in Java".¹ It does not pretend to be exhaustive. I have not examined the working of the land rent system during the British administration,² nor, indeed, have I carried the story further than the early months of 1814. I hope that at some future date it may be possible to analyse the system during the years 1814—1816. For that reason, I have not developed the theme, so ably stated by Professor D. H. Burger, of the penetration of a money economy into the native society during Raffles' Government,³ nor have I examined Furnivall's related argument that the industrial position of England at the beginning of the 19th century necessitated an increase in the welfare and consuming power of the Javanese.⁴ The English land tax,⁵ the ideas of Adam Smith, Sir James Stuart, Sinclair and other Political Economists of the 18th century, and the pervasive humanitarian influence engendered by the writings of Montesquieu, Voltaire and Raynal, all properly fall within the scope of my subject. Yet I have treated none of these questions. I have merely examined the effect of local influences in Java upon the development of Raffles' thought

¹ *Bijd. T.L.V.*, (1952), Vol. 108, pp. 220—247.

² The various reports of the Dutch Residents to the Commissioners-General in 1816 and 1817 have been published, and these give a valuable first-hand account of how the land rent system was functioning at the time of the Dutch restoration. Deventer, S. van, *Bijdragen tot de kennis van het Landelijk Stelsel op Java*, (1865—6), I, pp. 259 et seq. (Hereafter cited *L.S.*); Deventer, M. L. van, *Het Nederlandsch Gezag over Java en Onderhoorigheden sedert 1811*, (1891), I. (Hereafter cited *N.G.*). See also, Kemp, P. H. van der, *Java's Landelijk Stelsel 1817—1819*, (1916), for a detailed examination of the working of the system during the years immediately following the British administration, and Norman, H. D. Levyssohn, *De Britische Heerschappij over Java en Onderhoorigheden*, (1811—1816), (1857), pp. 182 et seq. for a good short account of the system during Raffles' period.

³ Burger, D. H., *De Ontsluiting van Java's Binnenland voor het Wereld Verkeer*, (1939), pp. 55 et seq.

⁴ Furnivall, J. S., *Netherlands India, A Study of Plural Economy*, (1944), 68.

⁵ A recent study which deals with this subject, Ward, W. R., *The English Land Tax in the Eighteenth Century*, (1953).

— the discoveries made by the Mackenzie Commissioners regarding land tenures, and the theories propounded by certain Dutchmen for a reform in the colonial system during the first two years of British rule. These theories reflected, in general, the whole Van Hogendorp-Nederburgh controversy of the previous decade.

Dutch historians have referred incidentally to the Mackenzie Commission, and have hinted at its importance.⁶ But these references have been vague, and sometimes astray. In the following pages, I have attempted to examine in some detail the results of the Commission's investigations into the land tenures of Java. In part, therefore, the study is a development of Van Vollenhoven's theme of the pioneering rôle played by Raffles, Muntinghe, Crawford and others in the discovery of the *Adatrecht* of Java.⁷

A word about money values, weights and measures. Three monetary terms have been employed in the text — Spanish dollars, Rix dollars (*Rijksdaalders*) and Java Rupees. The number of stivers in each, may be reckoned as 66, 48 and 30 respectively. In some cases, which I have indicated, Sp. drs. have been calculated at the recognized Dutch rate of 64 stivers. Generally speaking, a Sp. dr. may be regarded as the equivalent of 5 English shillings in Raffles' time, and a Java Rupee as half a crown. Sp. drs. can be converted to J. Rs. by calculating 1,000 Sp. drs. as the equivalent of 2,200 J. Rs. Weights and measures are more difficult to standardize, and the reader should refer to Appendix M in Raffles' *History of Java*.⁸

For the sake of convenience, English plural forms of Javanese words have been used throughout, for example, *Bekels*, instead of *Bekel's*, *sawahs*, instead of *sawah's*, and so on. In some cases, I have retained the old English form, such as *hamats* instead of *amet's*, to avoid confusion.

Many people have helped me in the writing of this book. I am particularly indebted to the officers of the India Office Library, London; the Algemeen Rijksarchief, The Hague; and the University

⁶ Stapel, F. W., edit. *Geschiedenis van Nederlandsch Indië*, (1938—40), V, 116; Gelpke, J. H. F. Sollewijn, *Gegevens voor een nieuwe Landrente-Regeling*, (1885), Introd. De Haan, F., *Priangan, De Preanger-Regentschappen onder het Nederlandsch Bestuur tot 1811*, (1910—12), II, Bijlage L, pp. 680 et seq. has published some material relating to the Commission.

⁷ Vollenhoven, C. van, *De Ontdekking van het Adatrecht*, (1928), pp. 19—34. See also "Raffles' Landrente en het Adatrecht", *Het Adatrecht van Nederlandsch-Indië*, (1918—33), III, pp. 554—8.

⁸ Vol. II, pp. cclviii—cclx. (Hereafter referred to as *H. of J.*)

Library, Leiden. I wish to thank the Board of the Koninklijk Instituut voor Taal-, Land- en Volkenkunde for making the publication of this study possible, and the Netherlands Ministry of Education, Arts and Sciences, and the Trustees of the Services Canteens Trust Fund, Australia, for scholarships which have enabled me to study at Leiden. I offer my sincerest thanks to Professor Dr A. A. Cense, Professor Dr F. D. K. Bosch, Professor Dr C. C. Berg, Professor Dr E. M. Uhlenbeck, Professor Dr V. E. Korn, Professor Dr Th. J. G. Locher, Dr H. J. de Graaf, Dr P. Voorhoeve and Mr F. J. J. Bezier. I should like to thank especially Professor Dr J. H. Boeke, Professor Dr W. Ph. Coolhaas, Professor V. T. Harlow and Miss Johanna Felhoen Kraal for much help and advice. Lastly, but by no means least, I thank my wife for her patience and understanding during the preparation and writing of this study.

J. B.

LIST OF ABBREVIATIONS

(a) PUBLISHED WORKS :

- Bijd. T.L.V.* — *Bijdragen tot de Taal-, Land- en Volkenkunde van Nederlandsch-Indië*, ('s-Gravenhage).
- D.N.B.* — *Dictionary of National Biography*, (London, 1893).
- Eindresumé* — *Eindresumé Onderzoek naar de Rechten van den Inlander op den Grond op Java en Madoera*, (Batavia, 1876—96), 3 vols.
- H. of J.* — Raffles, T. S., *History of Java*, (London, 1817), 2 vols.
- Gillespie Charges* — An untitled volume of documents relating to the charges preferred by Gillespie and Blagrove against Raffles. The documents were printed at Batavia in 1815 for private circulation by Raffles.
- Deventer, S. van, *L.S.* — *Bijdragen tot de kennis van het Landelijk Stelsel op Java*, (Zalt-Bommel, 1865—6), 3 vols.
- Lady Raffles, *Memoir* — *Memoir of the Life and Public Services of Sir Thomas Stamford Raffles*, F. R. S. &c., (London, 1830).
- Deventer, M. L. van, *N.G.* — *Het Nederlandsch Gezag over Java en Onderhoorigheden sedert 1811*, ('s-Gravenhage, 1891), Vol. 1. (Volume II was never published).
- De Haan, F., "Personalialia" — "Personalialia der periode van het Engelsch bestuur over Java 1811—1816", *Bijd. T.L.V.*, (1935), Vol. 92, pp. 477—681.
- De Haan, F., *Priangan*, "Personalialia", is to be distinguished from the above.
- Daendels, H. W., *Staat* — *Staat der Nederlandsche Oostindische Bezittingen, onder het Bestuur van ... Herman Willem Daendels, ... in de jaren 1808—1811*, ('s-Gravenhage, 1814), 1 vol. + 3 Bijlagen.
- Sub.* — *Substance of a Minute recorded by the Honourable Thomas Stamford Raffles ... on the 11th February 1814; on the Introduction of an Improved System of Internal Management and the Establishment of a Land Rental on the Island of Java ...*, (London, 1814).

(b) MANUSCRIPTS :

- Add. Mss.* — Additional Manuscripts in the British Museum, London.
- Java* — *Java Factory Records* in the India Office Library, London.
- Mack. Coll., (Class)* — *Mackenzie Collection (Class)* in the India Office Library.
- Mack. Coll., (Misc.)* — *Mackenzie Collection (Miscellaneous)* in the India Office Library.
- Mack. Coll., (Pr.)* — *Mackenzie Collection (Private)* in the India Office Library.

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CHAPTER I

LAND REVENUE IN BRITISH INDIA AND JAVA

Raffles' ideas on the land rent system in Java can be understood only against the background of the revenue administration in British India during the closing decades of the eighteenth and the early years of the nineteenth centuries. Yet in saying that, we admit a much more complex subject into the discussion than that of the land rent system itself. The scope of these introductory remarks about British India, therefore, must be limited to the broad differences between the *Zamindari* and *Ryotwari* systems of revenue collection, particularly in relation to the conflict which developed during Lord Minto's Governor-Generalship concerning the relative merits of the systems. It is important that we understand Minto's views on the subject of land revenue, because Minto had a considerable influence upon the development of Raffles' ideas on the land rent system in Java.

Land Revenue in Bengal.

The grant of the *Diwani* to the East India Company by the Mughal Emperor in 1765 gave the Company the right to collect the revenues of Bengal, Bihar and Orissa.¹ In return the Emperor received twenty six lacs of Rupees per annum.² It was, of course, impossible for the Company to collect its revenue directly from the *Ryots* (cultivators), and so in the early years the revenue administration was left in Mughal hands.³ In 1769 the Company made a

¹ Muir, R., *The Making of British India 1756—1858*, (1923), pp. 84—5; Firminger, W. K., *The Fifth Report from the Select Committee of the House of Commons on the Affairs of the East India Company*, (1917), I, Intro. cliii. (Hereafter cited as *Fifth Report*, or Firminger for his introductory remarks.) *Diwani* means the property of the officer in charge of the Revenue Department.

² Firminger, W. K., I, cliii; Baden-Powell, B. H., *The Land-Systems of British India*, (1892), I, 391.

³ Harington, J. H., *An Elementary Analysis of the Laws and Regulations enacted by the Governor General in Council, at Fort William in Bengal*, (1814—15), II, 3.

valiant effort to prepare a rent roll and to enquire into land titles,⁴ but two years later, when the Directors decided that the Company would stand forth as its own *Diwan*,⁵ the enquiries made by the Supervisors had produced few trustworthy results. In 1772 a Committee of Circuit was therefore instructed to farm out the lands to the highest bidders for a period of five years.⁶ The results of this farming system were far from encouraging,⁷ and the Bengal Council soon came to realize that a different method of assessment and collection would have to be devised.

During the 1770's Philip Francis began advocating a fixed settlement with the *Zamindars*.⁸ In a Minute of December 1776 he contended that "the lands are not the property of the East India Company, but of the zemindars and other classes of natives, who owe nothing to Government, but a fixed portion of the new produce".⁹ Hasting opposed the rigidity of this proposal. Although he recognized the importance of forming settlements with the *Zamindars*,¹⁰ he strongly supported the claims of the *Ryots*. "[W]hile the ryot pays his rent", he asserted,¹¹ "the zamindar has no right to dispossess him; nor can the zamindar, by any legal right, exact a higher rent from him than his pottah prescribes". Francis, however, published the Council debates in England,¹² and soon began to win adherents to his view that the *Zamindars*, whom he described as the landed gentry of Bengal, were being annihilated by the policy of the Bengal Government under Hastings.¹³ The Directors themselves were not won immediately by Francis' arguments. They demanded more information before leases were granted in perpetuity.¹⁴

Annual settlements were made with the *Zamindars* during the years 1777—80,¹⁵ but arrears in rents continued.¹⁶ In 1881 an attempt

⁴ *Ibid.*, pp. 3—6.

⁵ *Ibid.*, 11; Firminger, W. K., I, ccv; Baden-Powell, B. H., *op. cit.*, I, 393.

⁶ Harington, J. H., *op. cit.*, II, 12; Firminger, W. K., I, ccxiii.

⁷ Harington, J. H., *op. cit.*, II, pp. 13 et seq.

⁸ Firminger, W. K., I, ccci.

⁹ Cited *loc. cit.*

¹⁰ *Ibid.*, I, cccii.

¹¹ Cited *loc. cit.* A "pottah", or more properly *pattā*, was a lease.

¹² *Ibid.*, I, pp. cccii-iii.

¹³ *Ibid.*, I, ccciii.

¹⁴ Ascoli, F. D., *Early Revenue History of Bengal and the Fifth Report, 1812*, (1917), 35.

¹⁵ *Fifth Report*, I, 10; Baden-Powell, B. H., *op. cit.*, I, 397.

¹⁶ *Fifth Report*, I, 10.

was made to reform the collection of revenue by the re-appointment of British Collectors, and the granting of leases for periods up to three years.¹⁷ In 1884 the proprietary rights of the *Zamindars* received official recognition, when Pitt's India Act (24 Geo III, c. xxv)¹⁸ authorized the establishment of permanent rules for the payment of tributes, rents and services from the *Zamindars* and other Indian landholders.¹⁹ Two years later instructions were issued to Cornwallis to proceed to Calcutta as Governor-General, and to commence the introduction of a decennial settlement, ultimately to be made perpetual, with the *Zamindars*.²⁰

Much opposition was aroused both in England and India to the recognition of proprietary rights among the *Zamindars*. James Grant published his *Political Survey of the Northern Circars* at the end of 1784,²¹ in which he argued that the *Zamindar* was only an official of the state, and that the proprietary rights to the soil were vested in the Sovereign. This view came under attack in 1788 when Shore brilliantly, though somewhat erroneously, contended that the land belonged to the *Zamindars*, and the rents to the Sovereign.²² Some modern scholars, citing the laws of *Manu*, have found more justice in Grant's views than those of Shore.²³ Others claim that the laws of *Manu* recognized private property, and allowed the Sovereign only a proportion of the crop.²⁴ The word *Zamindar* itself means „landholder”, being derived from the Persian „Zamin” meaning „land”, and „dar” meaning „a holder”.²⁵ Under the Mughal administration in Bengal, the *Zamindars* had been drawn from all classes of society, and granted lands in lieu of salaries. Their offices were, therefore, official ones, although there was a tendency under Mughal rule for them to become hereditary.²⁶ This tendency was strengthened during the decline of the Mughal Government. Proprietary rights to the ground, however, were apparently never granted to them. The term

¹⁷ Ascoli, F. D., op. cit., 36.

¹⁸ Muir, R., op. cit., pp. 170—8.

¹⁹ Ibid., pp. 175—6.

²⁰ *Fifth Report*, I, pp. 19—20; *The Cambridge History of India*, (1929), V, 433. (Hereafter cited C.H.I.)

²¹ Printed as Appendix No. 13 to the *Fifth Report*, III, pp. 1 et seq.

²² Minute of April 2, 1788, *Fifth Report*, II, 748.

²³ Ascoli, F. D., op. cit., 42.

²⁴ Gopal, S., *The Permanent Settlement in Bengal and its Results*, (1949), pp. 7—8; 49—50.

²⁵ Ibid., 9n.

²⁶ Ibid., 9.

Zamindar, of course, covers so many descriptions of landholders that any discussion of this vexed question of proprietary rights in general terms becomes rather absurd.²⁷ Even so, the general insecurity of their tenures was illustrated in 1865 when the Calcutta High Court handed down a judgement which denied the absolute right of the *Zamindars* to their lands.²⁸ And this was seventy two years after those rights had been officially recognized and declared permanent by the Government!

Cornwallis made the permanent settlement with the *Zamindars* in 1793,²⁹ three years after they had been issued with decennial leases.³⁰ Cornwallis was not so much a supporter of the *Zamindars'* claims to proprietary rights as has often been asserted, although he did think their claims were better than others.³¹ Nor was he blind to their oppressions.³² But he was enamoured of the concept of permanence, which he thought would bring blessings to everyone, not only to the *Zamindars*. "The security of property", he informed the Directors in August 1799,³³ "... and the certainty which each individual will now feel of being allowed to enjoy the fruits of his own labours, must operate uniformly as incitements to exertion and industry". He subscribed to the view of the Directors that it was "an object of perpetual settlement that it should secure to the great body of the ryots the same equity and certainty as to the amount of their rents, and the same undisturbed enjoyment of the fruits of their industry which we mean to give to the zemindars themselves".³⁴ Shore stated in 1796 that the boon conferred upon the *Zamindars* by the perpetual settlement had not been at the expense of the *Ryots*. The rights of the *Ryots* had been fully

²⁷ See Ramsbotham, R. B., *Studies in the Land Revenue History of Bengal 1769—1787*, (1926), pp. 3—4. The most frequently cited definition of a *Zamindar* under the Mughal constitution, was that given by Harington, and cited by Seton-Karr, W. S., *The Marquess Cornwallis*, (1890), pp. 34—5. The first two lines of Harington's definition will suffice here. "The *Zamindár* appears to be a Landholder of a peculiar description, not definable by any single term in our language."

²⁸ Ascoli, F. D., op. cit., 43; Gopal, S., op. cit., 43.

²⁹ *Fifth Report*, I, pp. 35—6; *C.H.I.*, V, pp. 450—1.

³⁰ *C.H.I.*, V, 449; Baden-Powell, B. H., op. cit., I, pp. 399—400.

³¹ Minute by Cornwallis, September 18, 1789, Muir, R., op. cit., 187.

³² *C.H.I.*, V, 449.

³³ Cornwallis to the Directors, August 2, 1789, Keith, A. B., *Speeches & Documents on Indian Policy 1750—1921*, (1922), 158.

³⁴ *Letter to Bengal*, September 19, 1792, cited Gopal, S., op. cit., 38.

protected and secured under the settlement.³⁵

How far the permanent settlement in Bengal achieved these aims need not be discussed here.³⁶ What at least can be said in its favour was that it produced surplus revenues for the Bengal Government, at a time when the other Presidencies were confronted with large deficits.³⁷ The success of the permanent settlement in this respect convinced the Directors that its blessings should be extended. In August 1798, Wellesley gave instructions to the Madras Government to examine the reasons for its financial distress, and expressed the wish that any reform in the southern Presidency should be connected with the introduction of a system of revenue collection similar to that in Bengal.³⁸ In the following year direct orders were issued to the Madras Council to introduce permanent *Zamindari* settlements into the territories under its control.³⁹

Munro and the Ryotwari System.

As a result of the Mysore wars, extensive territories had come under the jurisdiction of the Madras Government. In 1792 B  r  mahal and parts of Madura were ceded to the Company. The cession of Coimbatore and K  nara followed in 1799, and that of Malabar in 1801.⁴⁰ In 1800 the districts originally transferred from Mysore to the *Nizam* were ceded to the Company, and became known as the Ceded Districts.

When the B  r  mahal was acquired in 1792, Cornwallis wished to extend the Bengal system there, and he appointed military officers under Captain Alexander Read to undertake the task.⁴¹ Among Read's assistants was Lieutenant Thomas Munro, who was to become the leading exponent of the principles of the revenue

³⁵ Minute by Shore, February 1796, cited in Chairs to Mr. Canning, August 2, 1817, *Correspondence between Court of Directors & Board of Commissioners for India*, Vol. 3. (India Office Library.)

³⁶ Gopal, S., op. cit., gives a good short account of the weaknesses of the system.

³⁷ *Ibid.*, 26.

³⁸ Bengal to Madras, August 6, 1798, *Fifth Report*, I, 207.

³⁹ Baden-Powell, B. H., op. cit., III, 17.

⁴⁰ A complete list of the cessions is to be found in *Fifth Report*, I, pp. 221—2.

⁴¹ *C.H.I.*, V, 467; *Fifth Report*, I, pp. 233 et seq.; Baden-Powell, B. H., op. cit., III, pp. 34 et seq.; Ruthnaswamy, M., *Some Influences that made the British Administrative System in India*, (1939), pp. 284 et seq.; Bradshaw, J., *Sir Thomas Munro and the British Settlement of the Madras Presidency*, (1894), pp. 61 et seq.

system which was established in the Baramahal.⁴² That system, which became known by the term *Ryotwari*, developed only gradually. In the absence of *Zamindars*, at least in the Bengal sense,⁴³ Read granted annual leases to the village headmen.⁴⁴ But he soon became convinced that the granting of such leases for specified lands at fixed rents was wrong.⁴⁵ As his surveys progressed, he saw the possibility of assessing each field separately, and allowing the *Ryot* full freedom of cultivating his field or surrendering it.⁴⁶ Leases were granted individually to the *Ryots* with simple titles.⁴⁷ Assessments depended upon exact and detailed surveys of the land.⁴⁸ These principles were incorporated in Read's proclamation of 1798.⁴⁹

Munro remained in the Baramahal until 1799, but after the fall of Seringapatam in that year, he was appointed to take charge of Kánara.⁵⁰ There he was confirmed in his opinion that the *Ryotwari* system was the indigenous system of Southern India.⁵¹ In October of the following year, he was entrusted with the administration of the Ceded Districts, where he remained until 1807. It was not his intention at first to commence a *Ryotwari* settlement in those Districts. He thought that a just calculation of the existing assessment would suffice.⁵² Leases were therefore granted to the village headmen.⁵³ But after 1802 he commenced surveys as a means of arriving at detailed and exact assessments. Munro's defence of the *Ryotwar*, or *Kulwár*, system is worth citing in full, because it explains many of the principles upon which it was based.⁵⁴

When a district has been surveyed and the rent of every field permanently fixed, the kulwár Settlement becomes extremely

⁴² On Munro, Gleig, G. R., *The Life of . . . Sir Thomas Munro*, (1830), 3 vols; Arbuthnot, Sir A., *Major-General Sir Thomas Munro: Selections from his Minutes, &c.*, (1881), 2 vols. I have not had access to the latter work.

⁴³ *C.H.I.*, V, pp. 475; 463; Baden-Powell, B. H., III, pp. 18—9.

⁴⁴ Baden-Powell, B. H., op. cit., III, 34.

⁴⁵ Loc. cit.

⁴⁶ Loc. cit.

⁴⁷ Bradshaw, J., op. cit., 65.

⁴⁸ Baden-Powell, B. H., op. cit., III, pp. 36—8; 41—3; Ruthnaswamy, M., op. cit., pp. 285—6.

⁴⁹ Baden-Powell, B. H., op. cit., III, 35.

⁵⁰ *C.H.I.*, V, 470; Bradshaw, J., op. cit., pp. 87 et seq.

⁵¹ *C.H.I.*, V, 470.

⁵² Baden-Powell, B. H., op. cit., III, 40.

⁵³ Bradshaw, J., op. cit., 118.

⁵⁴ Cited Baden-Powell, B. H., op. cit., III, 43.

simple; for all that is required is to ascertain what fields are occupied by each raiyat, and to enter them with the fixed rents attached to them, in his patta; their aggregate constitutes his rent (revenue) for the year. He cannot be called on for more, but he may obtain an abatement in case of poverty or extraordinary losses. He has the advantage of knowing in the beginning of the season . . . the fixed rents of the different fields which he cultivates . . .

The kulwár Settlement, though it may appear tedious when compared to the village one, is, however, not only better calculated to realize the revenue, but is, on the whole, a saving of time, because when it is once made there is no further trouble: but in the village Settlement there is so much room for malversation, for many disputes between pátels [headmen] and the raiyats about extra collections on the one hand and the withholding of rents on the other, that more time is consumed in inquiring into these matters than in the original Settlement.

Munro went on to observe that an essential feature of the *Ryotwari* system was the employment of native officers in the revenue administration.⁵⁵ This feature, together with the difficulties occasioned by the detailed surveys, became the pegs upon which later criticism of the system was hung.

While Munro was engaged in his surveys of the Ceded Districts, the orders of Wellesley and the Directors for the introduction of a *Zamindari* system into the Madras provinces were being implemented. It was introduced into the Northern Circars and the Jagir with facility,⁵⁶ and into the Bárámahal, although not with as much success.⁵⁷ In October 1807, Munro left India for England. He hoped, among other things, that he might publicize the injustice of extending the Bengal revenue system to Southern India. Three months previously, Minto had succeeded Wellesley as Governor-General.

Minto's support of Permanent Zamindari Settlements.

Minto had hardly time to acquaint himself with the principles of the Bengal revenue system before he had to deal with a recalcitrant revenue Committee which had been ordered to carry into effect the regulations for a permanent *Zamindari* settlement in the

⁵⁵ See Ruthnaswamy, M., op. cit., pp. 313—5.

⁵⁶ *Fifth Report*, I, 215; *C.H.I.*, V, 474.

⁵⁷ Baden-Powell, B. H., op. cit., III, pp. 17—8.

Conquered and Ceded Provinces. In their report of April 13, 1808,⁵⁸ the Commissioners, R. W. Cox and H. St. G. Tucker, opposed the settlement in perpetuity upon various grounds, but mainly because they thought the proprietary rights to the ground were not clear, were, in fact, contested. The members of the Bengal Council strenuously resisted this opposition to their instructions. Colebrooke argued with intense feeling for a permanent *Zamindari* settlement.⁵⁹

It is of the utmost importance, it is essential for the safety of the state, to conciliate the great body of landed proprietors; to attach to the British Government that class of persons whose influence is most permanent and most extensive; to render it their palpable interest to uphold the permanence of the British domination; to give them a valuable stake in the present administration of the country. This can be in no other way accomplished, but by creating for the proprietors or possessors of the soil a beneficial interest, which emanating from the British Government, would increase with its duration. The landholders enjoying their estates under a moderate assessment fixed in perpetuity, are not ignorant that a change of government would be followed by the exaction of an enhanced assessment.

... I allude to the *Zemindars*, who are unquestionably the persons possessing most natural influence and effective power over the minds of the people; it is only by conferring on them the benefit of a permanent assessment of the land revenue, [that] that great body, consisting not of a few individuals, but of the numerous landholders of the country, may be suddenly and effectually gained.

Colebrooke was supported in his stand by the other Councillors,⁶⁰ and also by Minto, although he did not minute on the subject.⁶¹ During September 1808, all the documents relating to the difference of opinion between the Commissioners and the Council were forwarded to the Court for consideration. A covering despatch expressed the uncompromising opinion of the Councillors that after allowing "to Mr. Cox and Mr. Tucker all possible credit, for the motives by

⁵⁸ *Selection of Papers from the Records at East-India House, relating to the Revenue, Police, and Civil and Criminal Justice, under the Company's Governments in India*, (1820), I, pp. 6—44. (Hereafter cited as *Selection of Papers*.)

⁵⁹ Minute by Colebrooke, no date, but 1808, *Ibid.*, pp. 50—1.

⁶⁰ Minute by Lumsden, June 11, 1808, *Ibid.*, pp. 55—61.

⁶¹ Extract Revenue Letter from Bengal, September 15, 1808, *Ibid.*, 69.

which they were influenced . . . their report has not occasioned any alteration in the sentiments which we before entertained, with respect to the immediate establishment of a permanent settlement in the Ceded and Conquered Provinces".⁶² Unfortunately the despatch with its enclosures were lost, and it was not until November 1811 that the Directors had an opportunity of considering the Commissioners' report.⁶³

Munro and the victory of the Ryotwari System.

In the meantime, Munro was meeting with some success in London in winning support for the *Ryotwari* system. He had become friendly with James Cumming, who was head of the Revenue and Judicial Department of the Board of Commissioners, and so secured opportunities to express his views in influential circles.⁶⁴ Munro made a favourable impression upon the Select Committee of the House of Commons, which had been appointed in 1808 to consider East Indian affairs, and support began to develop for his views in the Direction. On February 27, 1810, the Directors gave specific orders to the Bengal Government not to establish a permanent settlement of the revenue in the Ceded and Conquered Provinces,⁶⁵ and in November of the following year, they expressed their opinion that an immediate perpetual settlement there "would be premature, supposing the arrangement otherwise to be completely unexceptionable; that it would be attended ultimately with a large sacrifice of revenue; that they were by no means sufficiently acquainted, either with the resources of the country, or with the rights and ancient customs of the different classes of landholders to venture upon a step of so much importance".⁶⁶ The reference to the loss of revenue was to the fear that the Company would lose by any permanent settlement if money values continued to fall.

During July 1812, the Select Committee of the House of Commons issued its *Fifth Report*, and this publicly called into question the wisdom and justice of the whole principle of permanence in revenue settlements. The publication of the *Report*, which had been

⁶² Loc. cit.

⁶³ Harington, J. H., op. cit., II, 336.

⁶⁴ Philips, C. H., *The East India Company 1784—1834*, (1940), 202.

⁶⁵ *Despatches to Bengal*, LIII, despatch of February 27, 1810, cited Ibid., 202.

⁶⁶ Cited Harington, J. H., op. cit., II, 337.